

Is Class C of the Use Classes Order Still Fit for Purpose

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UNIVERSITY COLLEGE LONDON FACULTY OF THE BUILT ENVIRONMENT BARTLETT SCHOOL
OF PLANNING

Is Class C of the Use Classes Order Still Fit for Purpose?

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BSc (Hons)

Being a dissertation submitted to the faculty of The Built Environment as part of the requirements for the award of the MSc Spatial Planning at University College London: I declare that this dissertation is entirely my own work and that ideas, data and images, as well as direct quotations, drawn from elsewhere are identified and referenced.

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Abbreviations

DCLG – Department of Communities and Local Government

GDPO – General Permitted Development Order

HMO – House of Multiple Occupation

LPA – Local Planning Authority

MHCLG – Ministry for Housing, Communities and Local Government

NAO – National Audit Office

NPPF – National Planning Policy Framework

NPPG – National Planning Policy Guidance

PBSA – Purpose Built Student Accommodation

PD – Permitted Development

PDR – Permitted Development Rights

RTB – Right to Buy

RTPI – Royal Town Planning Institute

S106 – Section 106 Agreement

SHLAA – Strategic Housing Land Availability Assessment

SHMA – Strategic Housing Market Assessment

TCPA – Town and Country Planning Act 1990

UCO – Use Class Order

Abstract

The Town and Country Planning (Use Classes) Order 1987 is instrumental in determining the Use Class of a development. It is structured to determine which changes of use, within and between the different classes, require planning permission. Its intention is to control the land use, ensuring a balance and preventing the unwarranted loss of a particular use. While the 1987 order has seen countless revisions, it has not been subject to a full review since 1985. There is increasing evidence that the housing crisis has contributed to the rise in residential products not represented by the current system. Furthermore, as life expectancy continues to increase, housing needs for an ageing population must be adjusted accordingly. At present, such schemes continue to balance between Use Class C2 (Residential Institutions) and Use Class C3 (Residential). Furthermore, as a result of the development and growth of the 'sharing economy', short-term let accommodation has infringed the housing market. Within the current planning domain, there is not a fixed or agreed definition of what constitutes a short-term let. With the additional pressures of permitted development, homelessness and studentification, it is contended that the Use Classes Order has been unable to keep pace and requires urgent attention. This dissertation presents the findings of a study into Class C of the Use Classes Order drawing on primary research with the aid of planning professionals. Two case studies from Oxford City Council are analysed to explore the complexities of the Use Classes Order and to understand how these complexities are addressed in practice.

1.0 Introduction

Over the last decade, the housing system in England has been impacted by a combination of increasing demographic pressure, the financial crisis and continual policy changes, leading to unprecedented stress and instability (Bramley, 2016). It is widely acknowledged that the supply system has failed to keep up with demand and policy has been unable to keep pace with changing tenure patterns (Barker, 2004; Lyons, 2014; Bowie, 2017; Gallent et al., 2017). In the face of austerity and welfare cutbacks, local authorities and housing entities responsible for implementing housing policies and delivering housing targets have been unable to deliver housing need (Edwards, 2016).

Planning is a highly political process that has become increasingly fraught in recent years (Gallent et al., 2017). On the one hand, voices on the left have insisted on the need for a greater public sector presence in the delivery of housing, reinstating the production of 'council houses' (Healey, 2015). On the other hand, those on the right typically portray land-use policy as the reason for the current housing crisis, placing the blame for the lack of housing supply at the hands of the planning system (Hilber, 2015). This is reiterated through the removal of land-use restrictions and reduced regulations, argued to alleviate the current crisis (Gallent et al., 2017).

The Town and Country Planning (TCPA) (Use Classes) Order (UCO) (1987) is a fundamental regulatory instrument in English Planning Law. It has changed surprisingly little since the implementation of the first UCO in 1950 and is still viewed in binary terms (Hewiston, 2019). Class C of the UCO is used to classify residential development comprising: C1 (hotels), C2 (residential institutions), C2A (secure residential institutions), C3 (dwellinghouses), C4 (houses in multiple occupation) and Sui Generis or 'Without Classification'. Each category encompasses its own benefits and obligations. Class C has been criticised for having unclear definitions particularly in relation to establishing retirement communities (Crook, 2016), encouraging developers to manipulate the system in an attempt to obtain favourable planning consent (King, 2011). In addition, over the past decade alone, an array of housing types have emerged including: co-living, aparthotels, serviced apartments and warehouse living. Coupled with the increase of AirBnB short term lets, permitted development rights and extra care facilities, Class C has become ill-defined, making planning a more arduous and fraught process (Gooch, 2019).

Through the examination of the broader themes outlined in the literature review below, this research aims to establish whether Class C of the Use Classes Order is still fit for purpose. Whilst it is acknowledged that the Government's recent review of the UCO is intended to reflect the diversity of uses found on the high streets and town centres in order to provide flexibility for businesses (Lindley-Clapp, 2020), Class C has not been reviewed. This will be considered further in the conclusion.

The following sections are structured as follows: after a general introduction to the UCO in Section 2, Section 3 examines the existing literature; Section 4 outlines the research aims and objectives, and the methodological approaches used to achieve these aims. Section 5 presents the data collected and Section

6 examines the two case studies focused upon. Section 7 provides an analysis of the research findings. Finally, Section 8 concludes by setting out the recommendations identified by the research.

2.0 Evolution of the Use Classes Order

2.1 The History of the Use Classes Order

Introduced by the UK Government in 1948, the 'Use Class Order' categorised buildings into 22 classifications (Home, 1992). In order to reflect socio-economic developments, the 1948 UCO initially underwent several amendments, before being wholly replaced in 1972. As society continued to evolve socially and economically and with the Thatcherite Government taking office from 1979 until 1990, there were further requests to reduce '*bureaucratic burdens*' on business (Clifford et al., 2019: 25). Shortly after taking power, the government set out its approach to deregulating the UK planning system, presenting local authorities with a strongly worded circular (HMSO, 1980 in Home, 1991: 292). Its principal points included: presumption in favour of development, encouragement to small-scale business through flexible zoning, less aesthetic control over new development and speed in the planning process. In 1985, the Property Advisory Group (PAG) was responsible for a review of the UCO (Blackhall, 2005). The PAG were charged with two objectives: first, to reduce the number of use classes while still enabling effective control over changes of use and second, to ensure the context of the classes would be able to encompass a change of use and not be subject to specific control (PAG, 1985 in Home, 1992: 192-193). The reformed UCO was published in 1987 with a supporting circular. As part of the Government's deregulation initiatives, the number of use classes was reduced, allowing greater flexibility for building and landowners.

Although it has been modified, the 1987 UCO is still in use today with four overarching use classes divided subsequently into subclasses, attached at **Appendix 1**. For the purpose of this thesis, residential dwellings fall into the Class C use class with different types of residential uses falling into various subcategories. It is worth highlighting that specific building uses still fall outside the UCO, including residential uses such as hostels. These uses are classified as '*sui generis*' meaning 'in a class of its own' (Walmsley, 2020).

2.2 The Purpose of the Use Classes Order

Under Section 55 of the Town and Country Planning 1990, the 1987 UCO is structured to determine which changes of use, within and between the different classes, require planning permission (TCPA, 1990). It was intended to control the different uses, ensure a balance and prevent the unwarranted loss of a particular use (Clifford et al., 2019). Local authorities are provided with the control to preserve and protect particular land uses while also retaining the ability to respond to market change and allow businesses to change the use of buildings. Nevertheless, the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO), as amended, allows the change of use from one use to another without the need for planning permission. **Appendix 1** includes a simplified version of the changes permitted under Schedule Part 3 of the GDPO (TCPA, 2015).

3.0 Literature Review

This literature review aims to analyse the operation of the Use Classes Order (UCO) before focusing on the wider implications of the UCO and the impacts on the delivery of housing. A comprehensive review of academic articles, governmental documents and media articles have been used to inform the literature review.

3.1 Use Class Ambiguity

Understanding the content of the UCO is subject to differing opinion by both local planning authorities and developers, each with their own interests. As noted by Blackhall (2005), local authorities have previously attempted to control development by requesting changes of use in order to moderate the urban environment, whereas developers are viewed as exercising adaptability in an attempt to pursue the most profitable option. These conflicting approaches have seen numerous cases which have required classification by the High Court. For example, *Leelamb Homes v SoS and Maldon District Council* case (2009), where the appellant appealed the decision on the principle that the Inspector regarded the development as C2/C3 mix as opposed to a C2 Use. The Judge quashed the appeal decision, ruling that the Inspector had unreasonably rejected the draft unilateral undertaking limiting the use of extra care bungalow.

A number of existing studies in the broader literature have examined the ambiguity surrounding the UCO classification, particularly with regard to specialist housing for older people (King 2011; Crook, 2016). Under the current system, it is at the local authorities' discretion to determine whether specialist housing is considered Use Class C2, C3 or Sui Generis. Discrepancy in classifying a planning application has been noted by planning officers as a fundamental hurdle for development to progress (King, 2011). Generally, there has been limited debate that Use Class C2 consisted of a bedroom and possibly a bathroom with communal facilities, while sheltered housing with no direct provision of self-care was classed as C3. However, in recent years with the absence of an explanation defining extra care housing, developers will often attempt to classify a specialist scheme as Use Class C2 with the intention of minimising S106 contributions (King, 2011). Ricketts and Christie (2017) previously analysed various appeal decisions, noting the three factors used for determining whether a site is to be regarded as C2 or C3: (i) the physical layout of the building; (ii) the level of care; and (iii) the nature of the operation of the proposed development. As explained by Crook (2016), Use Class C2 is not bound by the same planning policy consideration and correspondingly planning permission can be presumed favourable where market housing is not.

A recent report published by the CNN (2020:3) has recommended the introduction of a planning classification for retirement communities. The report states "*confusion about retirement communities is also generated by the binary nature of the current planning system, given that retirement communities combine elements of both C2 class for residential institutions and C3 for dwellinghouses*". Furthermore, research conducted by Morphet and Clifford (2019) concluded that in order for local authorities to determine the type and tenure of housing provided, the UCO needs to be enhanced to include all types of

housing. The authors note that if this is not implemented, statutory guidance must be provided on C2 as a Use Class.

Furthermore, as a result of the development and growth of 'sharing economy' the number of short-term lettings in England has increased in recent years (Cromarty and Barton, 2020). While it acknowledged that there is no official definition of short-term lets, for the purpose of this research short-term lets are defined as the flexible letting of properties (or part of properties) of between one night and six months. Airbnb is one of the leading online sharing platforms providing listings for short-term lettings. According to Airbnb in England between 2017 and 2018, there were 223,200 active listings, 25 percent of which were for an entire property (Airbnb, 2018). There are growing concerns that the short-term letting industry will have a detrimental impact on the number of properties available for permanent residency (Evans and Osuna, 2020). As such, there has been considerable debate as to whether a house used for short term lets, necessitates a material change of use (Lambkin, 2017; Ground, 2018). In order to address the rise in temporary accommodation sites in Greater London, the Deregulation Act 2015 amended the Greater London Council (General Powers) Act 1973, which stated the provision of temporary sleeping accommodation would constitute a material change of use, to allow short term sleeping accommodation that does not exceed 90 days to not constitute a material change of use. However, outside London there is no specified time limit. It is therefore up to the local planning authority to decide whether a material change of use has arisen for which planning permission must be sought; this is achieved on a case by case basis (Evans and Osuna, 2020).

3.2 Permitted Development Rights

Planning's regulatory framework enables the appropriate management of the built and natural environment. One piece of secondary legislation that affects the influence of the UCO is the Town and Country Planning (General Permitted Development) Order (2015) (GDPO). The GDPO grants planning permission for particular types of minor development without the need to apply for planning permission, known as 'permitted development' (PD) (Mills, 2019). Defined by central government, the extent of the GPDO has evolved to meet changing social, economic and political demand (Sheppard, 2011).

In 2011, the Coalition Government consulted on a proposition to ease the planning guidelines for the change of use of buildings from office-to-residential use. In the context of the UCO, this enabled the conversion of a building in B1(a) use to a C3 use. The government justified the proposal with the housing crisis arguing there was an '*urgent need to increase the rate of house-building in England*' (DCLG, 2012: 2). By May 2013, the provision to convert an office building to residential use in England was made possible. Since then there have been further additions; in 2015, the ability to convert storage or distribution to residential was implemented; in 2016, the ability to convert a laundrette to residential was introduced and in 2017, the ability to convert light industrial to housing as well as the ability to convert agricultural buildings to up to 5 dwellings was introduced (Garton-Grimwood and Barton, 2019). Despite authorities retaining the ability to exercise Article 4 directions, this can prove highly controversial (Derbyshire and Havers, 2014). In

a high profile case, former planning minister Nick Boles dismissed the London Borough of Islington's Article 4 direction calling it 'unacceptably expansive and unjustified' (LGL, 2014).

As discussed by Clifford et al. (2019), office-to-residential permitted development rights (PDR) are the most extensively used and have therefore had a profound effect on the built environment. A significant attraction of PD is the absence of a Section 106 agreement requiring the delivery of affordable housing. Since 2015, there have been 54,162 new homes converted from office-to-residential under PD (MHCLG, 2020). The Local Government Association has estimated this to amount to the loss of 13,450 affordable homes in England (LGA, 2020).

3.3 Homelessness

In practice, the intent and purpose of urban planning is to provide quality of life for all citizens to ensure the welfare and prosperity for all inhabitants (Meda, 2009). The reality, however, is considerably different. A proportion of society do not have access to adequate housing, living in unsustainable accommodation with severe deficiencies or are simply not able to access housing altogether and consequently are living on the street, in shelters or similar facilities (see Bhargal, 2020). As of 31 December 2019, 88,330 households in England were in temporary accommodation; this was an increase of 5.7 percent from 83,540 compared to the previous year (MHCLG, 2020). Recent literature on homelessness outlines a number of contributing factors including: unemployment, family break up, relational crises, psychological and more recently 'no fault' terminations for tenancy agreements (Fitzpatrick and Christian, 2006; Morphet and Clifford, 2018; McCarthy, 2020). While homelessness is not a direct result of limited affordable housing, several studies propose the idea that planning has exacerbated the problem (Akita et al., 1998; Oakley, 2002; Meda, 2009; Mulliner and Meliène, 2013).

To address the economic crisis, the Coalition Government (2010-2015) instigated a radical reform of public spending which prompted extreme public spending cuts (Taylor-Goodby, 2013). During this period, local authority spending decreased by 23.4 per cent per person (Innes and Tetlow, 2015). It is unsurprising that following the election of the Conservative Government (May 2015) austerity has dominated the local government agenda (Lowndes and Gardner, 2016). With the amount of spending cuts differing across local authorities, varying from 46.3 per cent to 6.2 per cent (Innes and Tetlow, 2015), local authorities with greater levels of multiple deprivation have also endured the largest spending cuts (Hastings et al. 2013; NAO, 2014).

The availability of affordable housing plays an imperative role in establishing sustainable communities (Mulliner and Meliène, 2013). Through a reintroduction of the right to buy policy in 2012, local authority housing has been further reduced (Disney and Luo, 2017). Coupled with the rise in PD conversions, which do not contribute to local services and infrastructure, the planning system is getting further away from delivering house need and establishing sustainable communities (LGA, 2018).

3.4 Type and Tenure

Since the establishment of local authorities in the late 1880s, their priority has been focused on delivering housing (Morphet and Clifford, 2018). The election of the Thatcher Government (1979 - 1990) prompted significant changes to housing in the UK. Thatcher bracketed her period in office by two housing acts - the Housing Act 1980 and the Housing Act 1988. Both Acts provoked significant change to the housing environment which has had far reaching effects still experienced today. The Housing Act (1980) introduced a statutory obligation on local authorities to implement a 'Right to Buy' (RTB) for council tenants (Brown and Sessions, 1997). By the mid-2000s through RTB, 2.8 million council homes had been sold. This accounted for around half the total stock since the start of the policy (Jones and Murie, 2006). With the inability to reinvest, Councils experienced housing shortages contributing to the commonly referenced housing crisis (Murie, 2016). This fundamentally led to the delivery of housing through the market and not the public sector.

A number of critics have attributed the housing crisis to planning (Cheshire, 2014; Hilber, 2015; Gallent 2019). Under pressure from the private sector, neither the Coalition Government nor its Conservative successors have advocated otherwise. Only recently, Prime Minister Boris Johnson outlined further relaxations of the England's planning system deeming the current system broken (Johnson, 2020). Reports such as the Letwin Review (2018) and the National Audit Office (NAO) report on housing (2019) acknowledge the planning system is not a barrier to development but the recent development of political salience of housing affordability and supply which has facilitated greater interest in land value capture (McAllister 2017).

This has been reinforced by a report published by housing charity Shelter (2019a). Shelter found that between the years 2011/12 – 2015/16 planning permission was granted for 280,000 homes in England that have never been built. Furthermore, in 2017/18 alone, 382,997 applications were granted exceeding the government's target of 300,000 new homes a year. As far as planning policy in England is concerned, local plans determine the total amount of housing required, which is presumed to be delivered by private house builders (Morphet and Clifford, 2017). However, as demonstrated above, private developers are not obliged to deliver planning consent let alone apply for permission (Barker, 2008).

3.5 Studentification

The Blair Government (1997-2007) policy on Higher Education has seen a marked increase in the number of students attending university over the past two decades (Barr., 2012). In 2018/19, there were 2.4 million students enrolled at higher education institutions in the UK (Bolton, 2020). Kinton et al (2016) noted students as one of the most influential social groups in instigating urban change. Commonly referred to as 'studentification', it is recognised within academic discourse as a method of understanding the process, impacts and trends associated with the concentration of students in urban areas (Parameswaran and Bowers, 2014). The accumulation of students within university towns and cities has been well documented through the 'town and gown' conflicts (see Lazzeroni and Piccaluga, 2015).

In order to accommodate the influx of students in the early 2000s, many resided in Houses of Multiple Occupation (HMO) whereby a property is rented by three or more unrelated occupants with shared communal facilities (Burrows, 2018). This led to a marked increase in demand for shared and communal living accommodation in the private rental market, causing a profound effect on the availability of housing within university towns and cities for local residents (Hubbard, 2009). Low income families unable to afford higher rent, were replaced by students who could afford higher rent (Chatterton, 2010). The proliferation of HMOs and the displacement of communities has marked the destabilising of neighbourhoods (Smith and Holt, 2007).

In order to prevent mono-communities forming near universities, in April 2010 the government brought in legislation introducing a new Use Class C4 (HMO), allowing local authorities the ability to manage high concentrations of HMOs (GPDO, 2010). In October 2010, a further amendment was also introduced to the GPDO allowing PD from C3 to C4 (GPDO, 2010). However, as summarised in the House of Commons briefing paper '*Houses in multiple occupation and planning restriction*' (July 2017) the purpose of C4 was not for students but in response to the pressure of HMOs more generally (Ricketts, 2017).

While students have traditionally gentrified declining neighbourhoods in areas surrounding university campuses (Rose, 2004), in recent years, the marketing of new-build rental properties to students illustrates the changing relationship between gentrification and student occupation (Hubbard, 2009). Consequently, this prompted a new type of private rented accommodation in the form of Purpose Built Student Accommodation (PBSA). However, as noted by Evans (2016), PBSA is not without its own planning complexities. In general, PBSA is classified as Sui Generis; however, this is subject to interpretation by the local authority. Uncertainty regarding the appropriate use class for PBSA has the potential to cause significant social, cultural and economic implications for university towns and cities, particularly where affordable housing is concerned (Mulhearn and Franco, 2018).

3.6 Reflection on the Literature

Published academic literature fails to acknowledge the impact the UCO has on the delivery of the type and tenure of housing delivered, with several studies neglecting to acknowledge the impact the UCO has on the planning system entirely. This research endeavours to investigate if Class C of the Use Classes Order is still fit for purpose. The research methodology used to achieve this will be identified in the following chapter.

4.0 Analytical Framework and Research Methodology

4.1 Research Aim and Objectives

The research aim of this dissertation is to establish whether Class C of the Use Classes Order (UCO) is still fit for purpose. To achieve this, the research has been organised into three research objectives, presented by decreasing spatial scales:

- i) To establish the understanding of the Use Classes Order from the perspective of planning professionals in England;
- ii) Understand the context of the Use Classes Order in practice from two Senior Planners at different local authorities (Oxford City Council and West Suffolk Council);
- iii) Examine two Appeal case studies within the administrative boundary of Oxford City Council to understand the approaches taken by the Planning Inspectorate to determining the Use Class of a development, one in favour of the local planning authority and one in favour of the appellant.

4.2 Research Approach

This section outlines and examines the methods used to address the research objectives identified above. The research phase was conducted between June 2020 – July 2020 in the midst of the Covid-19 pandemic. As such, the research methods employed were considered the most appropriate to collect a substantial dataset.

In order to address the wider research question and the research objectives outlined above, this research project has been designed using Latour's (2007) 'what' and 'how' framework. The former seeks to identify *what* planning issues with the UCO are experienced in practice, meanwhile, the latter examines *how* these issues are dealt with.

4.3 Research Survey

In order to understand the concept of the UCO in practice from the perspective of both the public and private sector, an online research survey was administered and distributed. This enabled the concept of the UCO from the perspective of both sectors.

Questionnaires can be viewed as an objective research method, owing to their large sample size (Kendall, 2008). As with any data collection method, questionnaires have certain disadvantages, namely respondent unreliability, biased questionnaire design and poor response rate (Oppenheim, 1992). In consideration of this, to yield a high quality usable dataset and achieve a high return rate, careful planning, design and distribution were administered (Marshall, 2005).

Having consulted with the literature and in order to generate a substantial qualitative dataset, 29 questions were strategically placed consisting of eight open-ended questions and 21 closed style questions (Reja et al., 2003). Four multiple choice questions were used; these questions enabled respondents to respond to prompts by selecting from a list of predetermined answers thus allowing results to be analysed quantitatively (Clifford et al., 2016). Ten dichotomous questions were asked to ensure respondents

provided consistent answers. Open-ended questions were used following dichotomous questions to encourage respondents to provide an explanation for their answer. The uniform presentation of questions, aimed to reduce the change of interview bias (Jadoda et al., 1962). The research survey administered is attached **Appendix 2**. Prior to the release of the survey, the questions were piloted on colleagues to ensure the wording of the questions was transparent. In addition, the appropriate length and structure of the survey was evaluated to maintain engagement; this was considered to be between 8 and 10 minutes (Galesic and Bosnjak, 2009).

To ensure the survey reached the intended target population (Clifford et al., 2016), the survey was emailed to local planning authorities with varying political control and geography. The survey was also shared online via LinkedIn and emailed to various planning consultants. By employing a snowballing technique, the survey was distributed to further respondents (Kitchin and Tate, 2000). The use of a web-based survey was inexpensive and efficient at reaching a broad dataset (Neuman, 2006). Through the use of the above methods, a total of 208 responses was received over a 10 day period. The survey was subsequently closed, and the results were exported.

4.4 Semi-Structured Interviews

In combination with the research survey, semi-structured interviews were utilised in order to challenge and verify the findings. For the purpose of this research project, Senior Planners from two different local authorities were interviewed on their experience of working with the UCO as detailed in **Table 1**. Semi-structured interviews allowed the use of both open-ended and theoretically driven questions, guided by the existing construct of the research (Galletta, 2013). These semi-structured interviews provided an in-depth account of the experience, feelings and opinions of two experienced Planners from two different authorities, allowing a unique data set to form (Valentine, 2005).

Table 1: List of Interviewees. *Source: Author*

Anonymised Reference	Interview Date	Interviewee Background
Planning Officer 1	27/07/2020	Senior Planner
Planning Officer 2	31/07/2020	Senior Planner

Schwartz-Shea and Yanow (2012) recognise that the researcher's interpretation of the interview is subject to their own political, cultural, social perspective. It is important to recognise this constructivist-interpretive type of methodology is subject to multiple perceptions of the same concept. It is important to remember that interviewing is a social encounter and should not be used as a passive means of gathering information. The interviewer must aim to establish and maintain a rapport with the interviewee while maintaining a neutral position (Kitchen and Tate, 2000). Nevertheless, interviews provide rich sources of data on people's experiences, opinions, aspirations and feelings.

Given the Covid-19 Pandemic, interviews were conducted via telephone with an audio recording to ensure a word-for-word account was preserved. Each interview lasted approximately 30 minutes. Written consent

was collected for both interviews and respondents were informed of the use of their data (see **Appendix 3**). A Participant Information sheet outlining the research was circulated prior to the interviews and the intent of the research was repeated at the start of each interview. Questions were prepared, comprising semi-structured questions (see **Appendix 4**). The flexibility of semi-structured questions allowed the conversation to digress, often expanding on the Officer's experiences. With the permission of the interviewees, interviews were transcribed and subsequently analysed.

4.5 Appeals

When determining a planning application, Planning Officers and Inspectors must decide the appropriate Use Class of the proposed development, in accordance with the definitions set out within the Town and Country Planning (Use Classes) Order 1987 (as amended). However, given that each residential category comprises its own benefits and obligations, applicants are attempting to stipulate which category their development falls into (King, 2011). Appeal Decisions can be used to analyse the prevailing arguments for determining the use class of a development. For the purpose of this research, primary research has been undertaken through the analysis of publicly accessible planning records from Oxford City Council over a four year period (2016 - 2020). Where the Appellant and Council disagreed on the use class, the Appeals provide an understanding of which planning methods have been employed to establish the use class of a development.

4.6 Data Analysis

In order to analyse the data collected from the research survey and semi-structured interviews, sentiment analysis will be employed. Sentiment analysis enables the researcher to understand respondents' opinions, attitudes and sentiment in terms of the principle concepts or themes, allowing the analyst to reduce the data set to key ideas (Hsieh and Shannon, 2005; Liu, 2012). Unlike factual information, opinions, attitudes and sentiments are inherently subjective. It is therefore critical to examine a substantial dataset in the interest of understanding the general consensus (Liu, 2012). By recognising the different patterns and categories, the researcher can begin to develop their understanding of respondents' thoughts and ideas and refine their own interpretations of these (Clifford et al., 2016). This type of analysis allows the researcher to understand the data through a range of concepts and ideas.

4.7 Research Ethics

Prior to the collection of data, ethical clearance was granted in line with University College London's Risks, Ethics and Data Protection requirements. The proposed methodological approach did not intend to involve research of an ethically contentious nature. In compliance with Hammersley and Traianou (2012), who recommend informed consent should always be sought from respondents, prior to the completion of the questionnaire consent was sought and respondents were asked to sign a declaration form (see **Appendix 5**). Respondents were reminded that participation remained voluntary, and that they had the right to withdraw at any time without explanation. Anonymity of the respondents has been respected with only their professional experiences disclosed. A full Risk Assessment Form is attached at **Appendix 6**.

4.8 Summary

The research methods utilised for the purpose of this research project have aided the comprehensive accumulation of data. In addition, the methods used to analyse the data have contributed to the investigation allowing the understanding of Class C in practice. Furthermore, this methodological approach has facilitated the identification of the challenges faced when using Class C of the UCO. Overall, the methodological approaches employed have assisted in assessing whether Class C of the Use Classes Order is still fit for purpose.

5.0 Findings

This chapter presents the research findings. The following sections correspond to the three research objectives identified in Chapter 4.

5.1 Research Survey

This section responds to research objective 1, which sought to establish the concept UCO from the perspective of planning professionals in England through the use of a research survey. A total of 208 responses was received over a 10 day period. All respondents had the required level of planning experience to participate in the research survey. The survey closed with respondents from all geographical regions in England as presented by **Figure 1**.

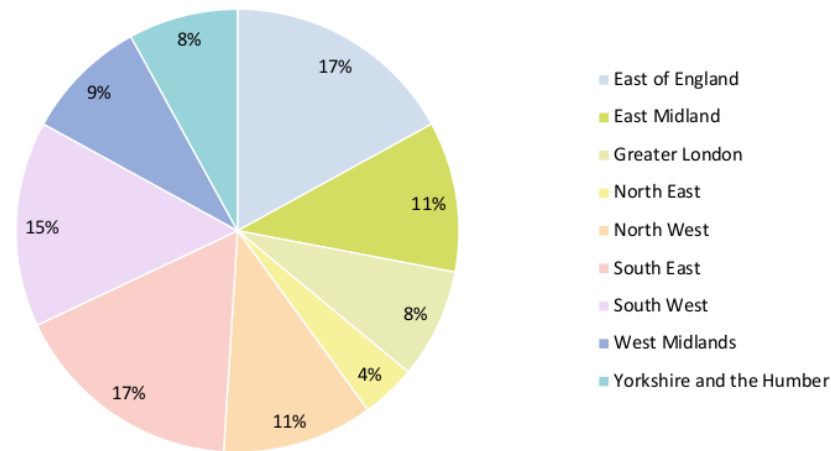


Figure 1: Geographical region of research survey respondents *Source: Author*

Respondents were asked to indicate the extent to which they agreed with the following statement: 'The Town and Country Planning (Use Classes) Order 1987 (as amended) is no longer fit for purpose'. The survey data reveals 22 percent of respondents 'strongly agreed' and 'agreed', while 41 percent of respondents 'somewhat agreed'. **Figure 2** displays the full results.

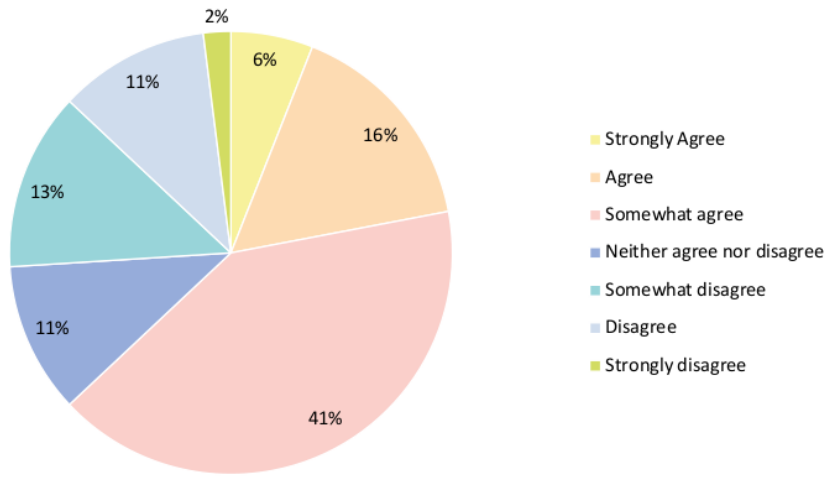


Figure 2: Survey results received in response to the following statement: *'The Town and Country Planning (Use Classes) Order 1987 (as amended) is no longer fit for purpose'*. Source: Author

Respondents were asked which aspect of the Use Classes Order requires the most urgent attention. **Figure 3** portrays the results of the question with 46 percent of respondents identifying Class A as requiring the most urgent attention and 28 percent identifying Class C.

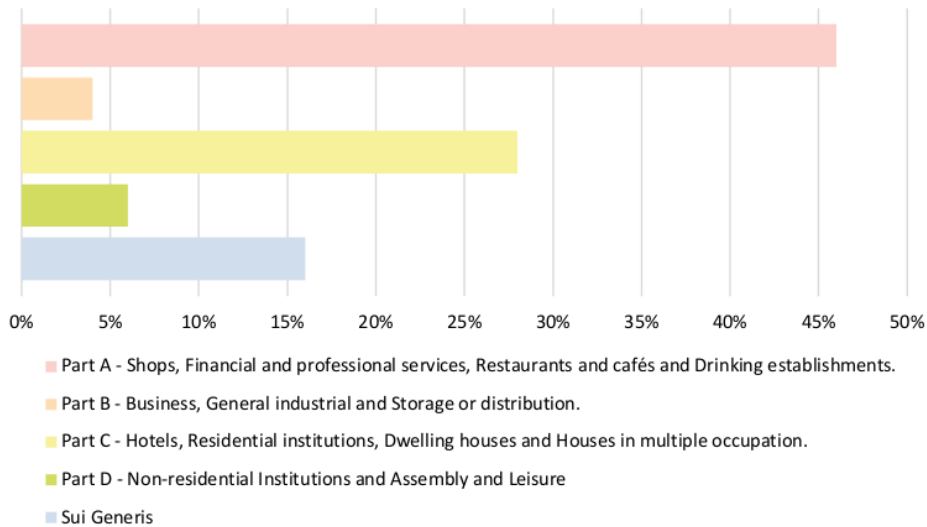


Figure 3: Survey results displaying which aspect of the Use Classes Order respondents considered requires the most urgent attention. Source: Author

When questioned whether statutory guidance should be published for all Use Classes, 83 percent of respondents agreed that it should. Respondents were subsequently asked what they would like to see addressed in a review of the UCO, the most frequent responses are documented at **Figure 4**.

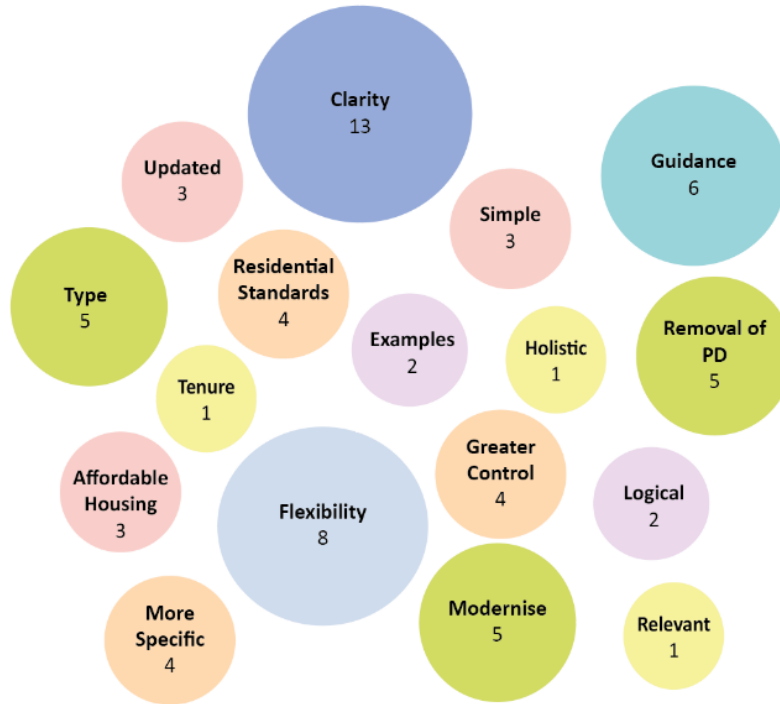


Figure 4: Word frequency illustrating the results of what respondents would like to see addressed in a review of the UCO. *Source: Author*

Respondents were subsequently questioned on specialist care housing and the UCO. Respondents were asked whether they had encountered inconsistency when classifying extra-care housing - 43 percent said they had while 57 percent said they had not. Respondents were then asked whether they thought retirement communities classify as Class C2 (residential institutions) - 60 percent respondents said they did not. Respondents were subsequently asked how they would classify C2 accommodation - 76 respondents (63 percent) noted the level of care provided must be accounted for and 30 respondents (20 percent) highlighted the nature of the scheme was fundamental to determining its use.

One local authority respondent expressed the view that they did not think specialist older-person housing should be classified as C2, noting: *“Regardless of whether there is a prescribed level of care in place, the fact is that care packages are paid for by the occupant not the developer”* (Respondent no.180). This was reiterated by a private sector respondent who did not agree with specialist older-persons housing classifying as C2 given that *“the primary purpose of the development is for living accommodation and should be regarded as so”* (Respondent no 154).

From the answers received, respondents frequently noted the difficulties in defining which type of accommodation classified as C2. Respondents highlighted that Use Class C2 was subject to varying requirements prescribed by local authorities and not statutory guidance. 46 respondents from both the public and private sector identified that due to the lack of published guidance they relied upon relevant case law to support their reasoning.

The survey continued to question respondents on short-term let accommodation and the UCO. Respondents were asked whether a dwellinghouse used for short term lets, should necessitate a change of use from C3 (dwellinghouse) to C1 (hotels). 52 percent of respondents considered a short-term let should constitute a change of use while 48 percent of respondents disagreed. 11 respondents noted that they did not agree with classifying a short-term let as Use Class C1 (hotel), C3 (dwellinghouse) or Sui Generis, highlighting the need for a new use class with supplementary guidance on what constitutes a short-term let. One respondent noted that *“Creating a new use class could help address problems in areas of high demand for holiday lets where locals are priced out”* (Respondent no. 34).

Of the 52 percent of respondents who considered a change of use was required, 34 respondents (53 percent) considered it was necessary for the use to be assessed against local and national policy.

A Local Government Senior Level Planner located in the North West noted that they were finding that applicants were exploiting a loophole in the UCO by using short-term lets as a way to bypass the restrictions placed on HMOs (respondent no. 57).

One respondent noted that a change of use should not be required if the property remained the permanent residency of the occupier. 12 other respondents explained that deciding whether a property was used as a permanent residency or not could cause further implications.

A total of seven respondents (6 percent) noted that a statutory planning law should be implemented similar to the 90 day limit for short-term lets in London.

Respondents were subsequently questioned on permitted development rights (PDR) and the UCO. Respondents were asked whether developments created under permitted development rights should be required to deliver affordable housing - 71 percent of respondents thought that they should while 29 percent disagreed. When asked to justify their choice of answer, the most common answer received from respondents who thought affordable housing should be delivered stressed that schemes created under PDR should be responsible for contributing towards affordable housing. 23 percent of respondents acknowledged unmet affordable housing need was fundamental to the housing crisis and developments established under PD should help meet this requirement.

Those who considered that affordable housing should not be required through permitted development rights noted that the purpose of permitted development is to help deliver fewer complex forms of development. Accordingly, 20 percent of respondents who thought affordable housing should not be delivered considered that viability issues would impact the delivery of permitted development schemes. A

private planning consultant based in Greater London stated, *“In an ideal world, we would always like to deliver an affordable housing provision; however, many of our clients would not take PD sites forwards if the rules meant they had to provide an element of affordable housing”* (Respondent no.96).

Despite 71 percent of respondents considering that affordable housing should be delivered, 10 percent of these respondents expressed concerns regarding the standard of accommodation that would be produced if affordable housing was delivered under PDR. One respondent highlighted, *“There are already issues regarding space standards, residential amenity and the location of developments created under permitted development; the level of accommodation created for an affordable element doesn’t bare [sic] thinking about”* (Respondent no. 186).

Furthermore, five respondents commented on the secondary impacts permitted development can have on Council resources. For example, the loss of CIL/S106 funding was noted as having a detrimental impact on the flexibility for off-site delivery. Furthermore, a Local Government Development Management Officer based in the South East noted that *“The introduction of rights under Part 3 of the GDPO has significantly compromised the ability of Local Planning Authorities to plan proactively for the delivery of affordable housing. In a direct sense, Part 3 development is not subject to assessment against the NPPF or the Development Plan provisions requiring the delivery of affordable housing, with no such housing required to be delivered directly through Part 3 schemes”* (Respondent no.83).

Respondents were asked what they thought the greatest barriers were with the current UCO. The results are illustrated at **Figure 5**.



Figure 5: Word cloud illustrating respondents’ thoughts on the greatest barriers to the current UCO.
Source: Author

5.2 Semi-Structured Interviews

Following the research survey, two senior planning officers from two different local planning authorities were interviewed. The respondents demonstrated comprehensive knowledge and experience in dealing with the UCO, particularly with cases of a controversial nature.

When questioned about defining C2 as a use, Planning Officer 2 confirmed there is an aspect of ambiguity, stating, "It is about what type of care and accommodation is provided in that C2 use. Does it have that element of care or is it just flats?". On the contrary, Planning Officer 1 explained that they had never experienced any difficulty in distinguishing between C3 and C2 professing that, "Although there will always be a degree of site specific consideration, I personally don't think that this is a particularly difficult thing to establish".

Both interviewees discussed the complexities in determining whether a property used as a short-term let constituted a change of use. Planning Officer 1 emphasised that it was at the local authority's discretion to determine whether or not a material change of use had taken place:

"When they're larger, they generally give rise to more impact – you know there's more noise and you've got more people turning up. Often when they're using these properties for short-term holiday lets, they are using the property differently and they're not using it in a way that you would expect a residential property to function." – Planning Officer 1

Planning Officer 2 noted that due to a shortage of tourist short-stay accommodation within the authority's administrative boundary, they have seen an increase in the number of properties being let out as short-term lets. Consequently, it was noted that this has led to "problems with housing stock because people are letting out their houses or there are people with second houses elsewhere".

When questioned whether policy or legislation is used to monitor the UCO, both planning officers confirmed that it was with Planning Officer 1 stating:

"If we are looking at a change of use from one to another then, yes, our own development plan does include guidance on when particular uses are acceptable and, if they're not, what can be done to make them acceptable." – Planning Officer 1

Planning Officer 2 accentuated that using policy and legislation was critical to monitoring the UCO and permitted development rights:

"Where you have got permitted change to allow the policy to take effect, you have to bolster it with a way to remove that permitted change. So, the Article 4 would be the one thing. Where there is a use class and then they implement permitted change, you have to look at whether an article 4 direction and what the circumstances are to allow that to control that asset and then you can control it with policy. With the HMOs, we were then able to introduce a new policy to talk about how we deal with changes on use from C3 to C4." – Planning Officer 2

While the administrative authority Planning Officer 1 worked for was not home to a University, Planning Officer 2 was able to discuss the complexities of managing student accommodation and the UCO. Planning Officer 2 noted developers frequently approach the Council with student accommodation classified as C2 so as to avoid the requirements to provide affordable housing. Planning Officer 2 continued to express the local authority's current apprehension with the UCO and purpose-built student accommodation (PBSA):

“When you get things like post-grad accommodation where you might have families coming in and taking up accommodation, they then become self-contained flats in their own right.”

When questioned what the local authority is now doing to address this, the Officer explained that planning application drawing are scrutinised in considerable detail:

“When we look at student accommodation, we look at whether is it a cluster flat, you know three or four rooms with a joint lounge kitchen space so where does that sit in the use classes order? Or, do you have individual flats? Should that be C3 because you know there are just flats, albeit that you are putting post-graduate students in there?”

Nevertheless, the Officer continued to note:

“Later on, there is nothing to stop them [developers] from renting it out to non-students. Some of that causes tension in the use classes order.”

6.0 Case Study: Oxford City Council

Oxford is a desirable historic University City, which attracts people to live, work, study and visit. Accordingly, there is a high demand for land, with direct ramifications for prices and infrastructure provision (OCC Local Plan, 2020). The city is constrained environmentally by green infrastructure and watercourses. Oxford has two large universities: The University of Oxford and Oxford Brookes University. In 2018/19, there were approximately 33,000 students enrolled for full-time study and 9,000 students enrolled for part-time study (OCC Annual Monitoring Report, 2019). The provision of well-managed, good quality student accommodation therefore competes for sites with general housing (OCC, 2020).

This research focused upon two appeals case studies in Oxford as detailed at **Table 2**. Case Study 1 concerned the alleged change of use of land from a dwellinghouse (Use Class C3) to short-term let accommodation (Sui Generis use). Case Study 2 concerns the difference of opinion regarding the use class of a premise. The appellant considered the premises has a lawful use as a large HMO with related ground floor flat at the rear of the premises (i.e. a single planning unit), whereas the local authority claim that as a matter of fact, there are two planning units on site: an HMO and a self-contained flat.

Table 2: List of Appeal Case Studies *Source: Author*

Case Study	Appeal Reference	Site Address	Decision
1	Appeal A: APP/G3110/C/19/3239740 Appeal B: APP/G3110/C/19/3239738 Appeal C: APP/G3110/C/19/3239862	Land at 45 William Street, Oxford, Oxfordshire, OX3 0ES	The appeals are dismissed, and the enforcement notice is upheld with corrections – 10 July 2020.
2	APP/G3110/W/15/3136245	11 Winchester Road, Oxford, OX2 6NA	The appeal is allowed, and planning permission is granted for change of use from a large HMO (sui generis use) to student accommodation – 6 April 2016.

6.1 Case Study 1

The ground (b) appeal considered whether the property had been used, on the balance of probability, for short-term let accommodation. The Council acknowledged that there is still no fixed definition of short-term lets but recognises that this does not normally exceed six months with utilities and furnishings included. The Council found that the property was available to rent 365 days of the year. While the appellants did not dispute this, their case focused on why their other properties that have been let out on a similar basis for the past 15 years have not been subject to similar investigation. As such, the appellants considered that the use of the appeal property did not amount to a material change of use. In conclusion, the Inspector considered that from the evidence supplied, the property has been used as short-term let accommodation and the appeal on ground (b) failed.

The ground (c) appeals examines whether 'development' has taken place which would require planning permission and, if so, whether planning permission is granted, or the development is otherwise deemed to be lawful. The Inspector acknowledged that it may be possible for a dwelling to be used for short-term let purposes without the use amounting to a material change of use. However, from the evidence provided the Inspector noted that there is no evidence to indicate that the appellants reside at the property.

On the balance, the inspector considered that the level and character of activities that occurred at the site were materially different from those associated with a dwellinghouse. As such, the inspector considered planning permission is required for the making of a material change in the use of the property from a dwellinghouse to short-term let accommodation.

The ground (a) appeal considered the effect of the development on the provision of housing and the effect of the development on the living conditions of occupiers of the nearby dwellings, with regards to noise and disturbance. LP Policy H5 relates to development involving loss of dwellings and it states, amongst other things, that planning permission will not be granted for any development that results in the net loss of one or more self-contained dwellings. The change of use of the property has resulted in the loss of one self-contained dwelling. The Council does not have a short let policy, however, LP Policy H5 does include the provision of short-term let accommodation. The Inspector concluded that the development is contrary to LP Policy H5 and its economic benefits would not outweigh the conflict with this policy. The Inspector acknowledges that the transient nature and frequent turnover of occupants that is associated with the development would not normally be associated with that type of accommodation. The development does not comply with LP Policy RE7 which, amongst other things, states that planning permission will only be granted for development that ensures the amenity of neighbours is protected.

6.2 Findings

Case study 1 exemplifies how the absence of a definition defining what constitutes a short-term let can lead to uncertainty as to whether planning permission should be obtained. In this case the Inspector acknowledged that a material change of use had occurred however, the Inspector reminded that a short-term let could occur without amounting to a material change of use. Despite Oxford City Council not having a short-term let policy, relevant planning policy was used to support the position, confirming that a material change of use had ensued.

6.3 Case Study 2

The appeal concerns the difference of opinion regarding the status of the planning unit. The appellant considered the premises has a lawful use as a large HMO with related ground floor flat at the rear of the premises (i.e. a single planning unit), whereas the Council claim that, as a matter of fact, there are two planning units on site, an HMO and a self-contained flat. The Inspector considered the different types of multiple occupancy somewhat arbitrary:

“Student accommodation is a form of residential accommodation occupied on a relatively transient basis. The lawful use of the appeal site as a HMO is also geared by its very nature to relatively transient occupancy.” (p.3)

The Inspector considered the occupation of the site by students would not be materially different than the use of the site as an HMO and flat. As such, the appeal was allowed, and planning permission granted for change of use from a large HMO (Sui Generis use) to student accommodation.

6.4 Findings

The main issues considered in Case Study 2 concerned the implications of the development on the housing stock and neighbouring residents. The Council’s opposition concerned the restricted use of the dwelling accommodation to Hertford College students. As noted, the Inspector found this arbitrary given that the use of the property by either students or as an HMO would be on a transient basis. The Inspector considers that, as they have no evidence suggesting there is a shortfall of HMO accommodation and the site will still be used as accommodation. Accordingly, the appeal proposal would not result in the loss of residential accommodation.

7.0 Analysis and Discussion

7.1 Extra Care Housing

King (2011) previously identified the absence of an explanation that defines extra care housing as a critical flaw to the function of the UCO. The uncertainty of how to classify extra care housing was highlighted by the research survey whereby 60 percent of respondents stated they would not classify a retirement community as Use Class C2. A further 43 percent of respondents confirmed that the unavailability of guidance has led them to experience inconsistency when classifying extra care housing. Ricketts and Christie (2017) previously identified three elements for determining whether a property should be classified as C2 or C3: the layout, the level of care and the nature of the proposed development. The research survey results confirmed respondents considered two of the three elements: the level of care and the nature of the proposed development. However, the in-depth discussion with Planning Officer 2 illustrated the difficulty local planning authorities face when defining what constitutes care. As discussed by King (2011) a sheltered housing scheme may not necessarily provide a provision of care but will have access to a warden. It is therefore considered that determining whether extra care housing classifies as C2 or C3 should not be defined by the level of care received.

Housing for the elderly has evolved to consist of an array of operating models, ranging from specialist types of use class C3 dwellinghouses to institutional homes classified as use class C2 (Ricketts, 2017). As expressed by Wood (2013), we do not have a clear strategy at national level and there is insufficient guidance at local level as to what constitutes retirement housing. The definition of 'older people' provided in the NPPF does not adequately address the types of elderly accommodation being provided. Given the lack of clarity for specialist older persons housing, the draft London Plan (2018) sought to introduce a policy (Policy H15) whereby extra-care facilities for the elderly and sheltered accommodation would be categorised as Use Class C3, thereby subjecting such developments to affordable housing and other obligations. In its attempt to bypass legislation, the policy was identified by the Inspectors Report (Barrett et al., 2019) as a barrier to delivery. Clarification was also requested on how an element of care would be defined. Consequently, the policy was removed from the Intend to Publish London Plan (2019).

The research results confirmed that Class C has become ill-defined when classifying extra care housing (Gooch, 2019). As identified in the case of the Draft London Plan, policy shall not be used to bypass legislation. Therefore, in line with CNN (2020) recommendation, this research therefore advocates the need for a new use class which classifies specialist extra-care housing. It is also recommended that supplementary guidance is published defining the different types of older person housing.

7.2 Short-term Lets

As discussed by Lambkin (2017) and Ground (2018), determining whether a property used for short-term lets constitutes a material change of use was highlighted as a constraint to the UCO by both Planning Officers interviewed. As accentuated by Evans and Osuna (2020), Planning Officer 1 noted that this was achieved on a case by case basis. Both Officers addressed the impacts short-term lets can have upon an

area as a reason for requiring a planning application to assess the material change of use. Planning Officer 1 commented upon the amenity implications for surrounding residents, while Planning Office 2 noted the impact on the housing stock.

Furthermore, Case Study 1 illustrated the complexities of determining whether a short-term let property should be subject to planning permission. The appellants could not understand why the use of their property should amount to a material change in use when their other properties, let out on a similar basis, have not been subject to such scrutiny. As advocated by Evans and Osuna (2020) and Planning Officer 1, short-term lets are achieved on a case by case basis and consequently there is no consistency in what constitutes a material change of use. Moreover, Case Study 1 accentuates the discrepancy between local planning authorities and developers as discussed by Blackhall (2005) with the local planning authority attempting to control development and moderate the urban environment and the appellant pursuing adaptability. Without a definition or a specific use class classifying short-term lets, developers will attempt to capitalise from the flaws of the UCO. 7 percent of respondents recommended the introduction of planning laws, limiting the number of days properties should be used as short-term lets. However, it is considered that this is not a long term solution to prevent dwellinghouses from being converted into short-term lets.

The unavailability of a specific use class or a definition setting out what constitutes a short-term let is complicating the planning process. Consequently, dwellinghouse are being converted to short-term lets without being scrutinised by national and local policy.

7.3 Permitted Development Rights and Homelessness

As expressed in the literature review, the Government previously justified the use of permitted development rights (PRD) as a solution the housing crisis stating there was an *'urgent need to increase the rate of house-building in England'* (DCLG, 2012:2). From the research survey results, PDR are viewed as having a detrimental impact on affordable housing provision and quality residential accommodation. Respondents from the research survey considered unmet affordable housing need was fundamental to addressing the housing crisis and development established under PD should help address the need. The statistics from Shelter (2019a) confirmed that permitted development (PD) schemes fail to deliver affordable housing and avoid contributing to infrastructure and services through S106. As acknowledged by Planning Officer 2, Article 4 directions are critical for local authorities to effectively manage the land of use and prevent the loss of a use to PD.

By extending the use of permitted development rights (PDR), the government hopes to fulfil their commitment of delivering 300,000 homes by the mid-2020s (NAO, 2017). However, as acknowledged by Shelter (2018; 2019b), there is no solution to the housing crisis without the inclusion of affordable housing. 71 percent of respondents to the research survey considered PD schemes should be subject to affordable housing obligations. At present, the government does not require housing units created under PD to meet their own specified space standards. Therefore, under the current system, it is not prudent for developers

to deliver affordable housing units in PD schemes as this could further accentuate the current problem. However, it is considered that as an alternative PD schemes should be required to provide a financial contribution.

As the current Government continues to belittle the planning process and further de-regulate the planning system, creating merely a licensing process for housebuilders (Clifford, 2020), we must continue to advocate the need for reinvesting in the social house building market. Furthermore, the planning system should be considered the preferred and default method to meeting housing delivery. The availability of social housing will allow the successful delivery of safe, affordable and secure homes for the homeless. The Government must consider a consistent approach and long-term funding to ensure the severe shortage of this tenure is addressed.

7.4 Type and Tenure

Following the publication of the Housing White Paper (2017), it was anticipated that the revised NPPF (MHCLG, 2019) would require local authorities to allocate housing for older people as a specific category or use. However, although the revised NPPF does not specify that Councils must allocate housing sites by type and tenure, Paragraph 61 does get closer to this. Paragraph 61 of the NPPF 2019 states that the type and tenure of housing needed for different groups in the community, including but not limited to families with children, older people, students and people with disabilities, should be reflected in planning policies (NPPF, 2019). Local plans that have been subject to examination under the revised NPPF, confirm that Inspectors are requesting further evidence regarding the specific housing needs. For example, the Inspector for the Northumberland County Council (NCC) Local Plan (2019) requested NCC provide further clarification regarding their housing site assessment criteria (Sanderson, 2020). Furthermore, the Inspector's report for Oxford City Council's Local Plan notes there is no reason why affordable homes cannot be delivered through certain Use Class C2 developments, or that affordable housing itself should not fall within Use Class C2. Although local plans do not yet have the framework to implement this, it is interesting to see this is acknowledged as something that needs to be addressed.

Whilst critics have previously attributed the housing crisis to planning (Cheshire, 2009; Hilber, 2015; Gallant et al., 2018), this research has highlighted that the unavailability of up-to-date legislation from central Government is contributing to the crisis. Morphet and Clifford (2019) previously recommend that the type and tenure of housing should be reflect in Local Plans. However, before this can be addressed, this research has highlighted that Class C of the UCO must be revised to enable the effect delivery of housing not currently defined by the UCO.

7.5 Studentification

As expressed by Ricketts (2017), the establishment of use class C4 was not a direct response to the upsurge of students, but, in part, a response to the challenges communities faced more generally from the pressure of HMOs. With reference to Case Study 2, the Council originally refused the planning permission on the grounds that the conversion of an HMO to student accommodation would cause an unacceptable loss in

housing stock. However, as noted by the Inspector, the distinction between the two uses is somewhat arbitrary. At present, local authorities are not required to monitor the delivery of student accommodation within annual monitoring reports. This is highlighted by Case Study 2 whereby the Inspector notes there is a lack of evidence to suggest that there is a shortfall of student or HMO accommodation in the city. It is therefore recommended that local authorities should consider the availability and delivery of all types and tenure of housing.

Generally, PBSA is classified as Sui Generis, given that it is materially different to conventional residential housing (C3) and is arguably more akin to a hotel (C1) (Evans, 2016). However, given that Sui Generis means the development is outside of a specific use class, in order to control such development planning policies are required at an individual local planning authority level. Where local planning authorities do not have planning policies in place, the absence of a definition or specific use class for PBSA can lead to further implications for the sector. As expressed by Planning Officer 2, developers have been known to avoid providing affordable housing contributions on the basis that the purpose of the development is for student accommodation but have later let out the accommodation to non-students. As expressed by the research results, the marketing of PBSA illustrates the changing relationship between gentrification and student occupation (Hubbard, 2009) it is therefore critical that the UCO is updated to address this.

8.0 Conclusion and Recommendations

This research explored whether Class C of the UCO is still fit for purpose. It was evident from the literature review that academic research has failed to acknowledge the impact of the UCO on the planning system. However, many scholars noted that legislation has failed to keep pace with the social and economic evolution of the 21st century. This research furthered this debate, identifying the impact the circular economy has had on the UCO particularly with reference to short-term lets, discussing the impact permitted development rights have had on the delivery of affordable housing. By organising the research in decreasing spatial scales, this research highlighted the complexities of using the UCO at all levels of planning.

This research exposed the complexities of classifying residential uses not currently defined in the UCO. This was particularly prevalent for uses that did not have fixed definition for example extra-care housing, short-term let accommodation and purpose built student accommodation. The research results suggested that determining the use class of an extra-care scheme, was dependent on the level of care provided. However, it is considered that this should not be relied upon to determine a use class. Furthermore, Case Study 1 revealed the complexities of not having a definition or a specific use class classifying short-term lets. Overall, the research demonstrated that defining what constitutes a short-term let property is subject to the local authority's interpretation. However, as previously discussed dwellinghouses used as short-term lets reduce the available housing stock, contributing to the housing crisis. It is therefore advised that the UCO is revised to include a separate use class for extra-care housing and short-term let accommodation.

As demonstrated by the recent reforms contained in the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020, central Government is focused upon optimising the role of PD to meet changing social, economic and political demand. As the amendments to the GPDO continue to extend the types of commercial buildings that can be converted to residential, the inability of local planning authorities to require affordable housing and Section 106 contributions will continue to have a detrimental effect on the delivery of affordable housing (LGA, 2020). Despite the recent reform, the Government has still not provided access to up-to-date consolidated versions of secondary legislation and guidance. Consequently, the new UCO and PRD are going to be equally complex to navigate. In order to address this, it is recommended that the Government provides access to consolidated versions of secondary legislation and guidance, and furthermore provides authorities with the ability to use Article 4 Directions without dispute.

In conclusion, this research has demonstrated that Class C of the UCO is no longer fit for purpose. Through the analysis of the research result, it is concluded that there is a need for comprehensive detailed guidance to ensure the consistency in determining the use class of a development. As the Government continues to be pro-development at the expense of all other constraints, it is recommended that the UCO is updated to ensure schemes reflect current planning policy. Without a full review of Class C Local Plans will not be able to effectively deliver the required housing need. It is also recommended that statutory guidance for all

residential use classes is published and schemes brought forward through permitted development are required to provide financial obligations.

To further the research, it would be prudent to assess the full impact of short-term lets upon housing availability. It would also be beneficial to investigate how the UCO can be implemented to ensure the delivery of affordable housing for all types and tenure, including student accommodation and older person housing.

9.0 References

- Akita, A., Dear, M. and Wolch, J.R. (1998) Explaining Homelessness, *Journal of the American Planning Association* 54(4) pp.443–453.
- Airbnb. (2018) *Airbnb UK Insights Report*. [online] Available at: <https://www.airbnbucitizen.com/wp-content/uploads/2018/10/AirbnbUKInsightsReport_2018.pdf> [Accessed 28 July 2020]
- Barker, K. (2004) *Review of Housing Supply*. HM Treasury: London.
- Barker, K. (2008) Planning policy, planning practice and housing supply. *Oxford Review of Economic Policy*, 24 (1) pp. 34 – 49.
- Barr, N. (2012) The Higher Education White Paper: The Good, the Bad, the Unspeakable – and the Next White Paper. *Social Policy and Administration*, 46 (5) pp. 483 – 508.
- Barrett, R, Fieldhouse, W and Smith, D. (2019) *Report of the Examination in Public of the London Plan 2019*. [online] Available at: https://www.london.gov.uk/sites/default/files/inspectors_report_and_recommendations_2019_final.pdf [Accessed 17 July 2020].
- Bhargal, S. (2020) *Briefing: Westminster Hall Debate on Permitted Development Rights*. [online] Available at: <https://england.shelter.org.uk/__data/assets/pdf_file/0012/1898877/20.02.12_Westminster_Hall_Debate_on_Permitted_Development_Rights_SB.pdf> [Accessed 23 July 2020].
- Blackhall, J.C. (2005) *Planning Law and Practice*. 3rd Ed. Abingdon: Taylor & Francis Ltd.
- Bolton, P. (2020) Higher Education Student Numbers (House of Commons No. 7857). London: House of Commons.
- Bowie, D. (2017) *Radical Solutions to the Housing Supply Crisis*. Policy Press: Bristol.
- Bracken, I. (1981). *Urban Planning Methods*. London: Routledge.
- Bramley, G. (2016) Housing need outcomes in England through changing times: demographic, market and policy drivers of change. *Housing studies*, 31 (3) pp. 243 – 268.
- Brown, S and Sessions, J.G. (1997) Housing, privatization and the 'Right to Buy'. *Applied Economics*, 29 (5) pp. 581-590.
- Burrows, K. (2018). *Assessment of Plymouth's demand for student Houses of Multiple Occupation (HMOs) and Purpose Built Student Accommodation (PBSA) in the context of de-studentification and Article 4 direction*. MSc. University of Reading.
- Chatterton, P (2010). The student city: An ongoing story of neoliberalism, gentrification, and commodification. *Environment and Planning*, 42, pp. 509 – 514.
- Cheshire, P. (2014) *Turning houses into gold: the failure of British Planning*. [online] Available at: <http://cep.lse.ac.uk/pubs/download/CentrePiece_19_1.pdf> [Accessed 20 June 2020].
- Clifford, N., Cope, M., Gillespie, T. and French, S. (2016) *Key Methods in Geography*. 3rd Ed. Sage: London.
- Clifford, B., Ferm, J., Livingstone, N. and Canelas, P. (2018) *Assessing the Impacts of Extending Permitted Development Rights to Office-to-Residential Change of Use in England*. London: Royal Institution of Chartered Surveyors.
- Clifford, B., Ferm, J., Livingstone, N., and Canelas, P. (2019) *The Rise and Rise of Permitted Development in England*. In: *Understanding the Impacts of Deregulation in Planning*. Palgrave Pivot: Cham.

Clifford, B. (2020). *England planning proposals aim to tackle housing crisis – but overlook key issue*. [online]. Available at: < <https://theconversation.com/england-planning-proposals-aim-to-tackle-housing-crisis-but-overlook-key-issues-144099>> [Accessed 30 August 2020].

County Councils Network (CNN) (2020) *Planning for Retirement How Retirement Communities can help meet the needs of our ageing population*. London: CNN.

Cromarty, H and Barton, C. (2020) *The growth in short-term lettings (England)*. House of Commons Library Briefing Paper no. 8395. London: House of Commons Library. [online] Available at: <<https://commonslibrary.parliament.uk/research-briefings/cbp-8395/>> [Accessed 28 July 2020].

Crook, L., 2016. *C3 or not C3: Planning Use Class for Retirement Housing*. [online]. Available at: < http://futuresforumvgs.blogspot.com/2017/11/knowle-relocation-project-pegasuslife_19.html> [Accessed 8 May 2020].

Department of the Environment. 1986. *Proposal to Modernise the Town and Country Planning (Use Classes) Order, 1972*. London: Department of the Environment.

Derbyshire, M and Havers, T. (2014) Office-to-residential conversion under permitted development: De-regularising the planning system. *Journal of Building Survey, Appraisal & Valuation*, 3 (4) pp. 311 – 316.

Department for Communities and Local Government DCLG. (2012) *When Is Permission Required*. [online] Available at: <<https://www.gov.uk/guidance/when-is-permission-required#article4>> [Accessed 22 June 2020].

Department for Communities and Local Government (DCLG). (2017) *Fixing our broken housing market*. Government Publications: London.

Disney, R and Luo, G. (2017) The Right to Buy public housing in Britain: A welfare analysis. *Journal of Housing Economics*, 35, pp. 51-68.

Edwards, M. (2016) The housing crisis and London. *Analysis of Urban Change, Theory, Action*, 20 (2), pp. 22-237.

Evans, A (2016) *The Student Accommodation Use Classes Order Predicament*. [online] Available at: < <https://lichfields.uk/blog/2016/may/16/the-student-accommodation-use-classes-order-predicament/>> [Accessed 10 July 2020].

Evans, A and Osuna, R. (2020) *The impacts of short-term lets*. [online] Available at: <<https://www.arla.co.uk/media/1048597/the-impact-of-short-term-lets.pdf>> [Accessed 28 July 2020].

Fairclough, N. (2013) *Critical Discourse Analysis: The Critical Study of Language*. Oxon: Routledge.

Fitzpatrick, S. and Christian, J. (2006) Comparing Homelessness Research in the US and Britain, *European Journal of Housing Policy* 6(3) pp.315–336.

Galesic, M, and Bosnjak, M. (2009) Effects of Questionnaire Length on Participation and Indicators of Response Quality in a Web Survey. *Public Opinion Quarterly*, 73 (2) pp. 349-360.

Gallent, N., Durrant, D. and May, N. (2017) Housing supply, investment demand and money creation: A comment on the drivers of London’s housing crisis. *Urban Studies*, 54 (10) pp. 2204 – 2216.

Gallent, N. (2019) *Whose Housing Crisis? Assets and Homes in a Changing Economy*. Bristol: Policy Press.

Galletta, A. (2013) *Mastering the Semi-Structured Interview and Beyond From Research Design to Analysis and Publication*. New York: New York University Press.

Garton-Grimwood, G and Barton, C. (2019) *Permitted Development Rights* (Briefing Paper, No. 00485). London: House of Commons Library.

Gooch, N. (2019) *Is the planning use class system still fit for purpose?* [online] Available at: <<https://www.propertyweek.com/ask-the-expert/is-the-planning-use-class-system-still-fit-for-purpose/5103454.article>> [Accessed 14 July 2020].

Ground, A. (2018) *Change of Use Short Term Lets*. [online] Available at: <<https://www.russell-cooke.co.uk/changeofuseshorttermlets/>> [Accessed 18 July 2020].

Hammersley, M and Traianou, A. (2012) *Ethics in qualitative research: controversies and context*. London: SAGE Publications.

Harris, L.R and Brown, G.T.L. (2010) Mixing interview and questionnaire methods: Practical problems in aligning data. *Practical Assessment, Research and Evaluation*, 15 (1) pp. 1-19.

Hastings, A., N. Bailey, K. Besemer, G. Bramley, M. Gannon, and D. Watkins. 2013. Coping with the Cuts? Local Government and Poorer Communities. [Online] Available at: <<https://www.jrf.org.uk/report/cost-cuts-impact-local-government-and-poorer-communities>> (Accessed 8th July 2020).

Healey, J. (2015) *High Aspirations, Sound Foundations: A Discussion Report on the Centre Ground Case for Building 100,000 New Public Homes*. London: The Smith Institute.

Hewitson, N. (2019) *The Use Classes Order: Fit for now?* [online] Available at: <https://www.theplanner.co.uk/opinion/the-use-classes-order-fit-for-now> [Accessed 28 June 2020].

Hilber, C. (2015) *UK Housing and Planning Policies: The Evidence from Economic Research*. London: LSE.

Home, R.K. (1991) Deregulating UK planning control in the 1980s. *Cities*, 8 (4) pp.292-300.

Home, R. (1992) The Evolution of the Use Classes Order. *The Town Planning Review*, 63 (2) pp. 187 – 201.

Home, R. (2017) Deregulating planning control over Britain's housing stock. *International Journal of Law in the Build Environment*, 9 (3), pp. 193 – 206.

Hsieh, H-F. and Shannon. S.E. (2005) Three Approaches to Qualitative Content Analysis. *Qualitative Health Research*, 15 (9) pp. 1277-1288.

Hubbard, P. (2009) Geographies of studentification and purpose-built student accommodation: leading separate lives? *Environment and Planning*, 41 (8) pp. 1903-1923.

Hult, F. M. and Johnson, D. C. (2015) *Research Methods in Language Policy and Planning: A Practical Guide*. John Wiley & Sons: Chichester.

Innes, D. and Tetlow G. (2015) Delivering Fiscal Squeeze by Cutting Local Government Spending. *Fiscal Studies*, 36 (3) pp. 303-325.

Jahoda, M, deutsch, M and Cook, S. (1962) *Research Methods in Social Relations*. Rinehart and Winston: New York

Johnson, B. (2020) *Build, Build, Build*. [online] Available at: < <https://www.gov.uk/government/news/pm-build-build-build>> [Accessed 6 July 2020].

Jones, C and Murie, A (2006) *The Right to Buy: Analysis and Evaluation of a Housing Policy*. Oxford: Blackwell Publishing Ltd

Kendall, L. (2008) *The conduct of qualitative interview: Research questions, methodological issues, and researching online*. In J. Coiro, M. Knobel, C. Lankshear& D. Leu (Eds.), *Handbook of research on new literacies* (pp. 133-149). New York: Lawrence Erlbaum Associates.

King, N. (2011) *Planning Use Classes and Extra Care Housing*. London: Housing Learning & Improvement Network.

Kitchin, R. and Tate, N.J. (2000) *Conducting research in human geography: theory, methodology and practice*. Harlow: Longman.

Kinton, C., Smith, D.P. and Harrison, J. (2016) De-studentification: emptying housing and neighbourhoods of student populations. *Environment and Planning*, 48 (8) pp. 1617 – 1635.

Lambkin, M. (2017) *Letting rooms - Airbnb and the bed and breakfast*. [online] Available at: <<https://www.crippspg.co.uk/real-estate/letting-rooms-airbnb-and-the-bed-and-breakfast/>> [Accessed 19 June 2020].

Latour, B. (2007) Turning Around Politics. *Social Studies of Science*, 37 (5) pp. 811-820.

Lazzeroni, M and Piccaluga, A. (2015) Beyond 'town and gown': the role of the university in small and medium-sized cities. *Industry and Higher Education*, 29 (1) pp. 11 – 23.

Letwin, O. (2018) *Independent Review of Build Out*. London: MHCLG.

Lindley-Clapp, H. (2020) *Flexibility and diversity are the key to vibrant, resilient town centres*. [online] Available at: <<https://www.theplanner.co.uk/opinion/flexibility-and-diversity-are-the-key-to-vibrant-resilient-town-centres>> [Accessed 26 August 2020].

Local Government Association. (2020) *Over 13,500 affordable homes lost through office conversion*. [online] Available at: <<https://www.local.gov.uk/lga-over-13500-affordable-homes-lost-through-office-conversions>> [Accessed 22 June 2020].

Local Government Lawyer (LGL) (2014). Council slams ministers for revoking Art 4 direction on office-to-flats conversions. [online] Available at: < <https://www.localgovernmentlawyer.co.uk/property/313-property-features/19299-council-slams-ministers-for-revoking-art-4-direction-on-office-to-flats-conversions>> [Accessed 29 August 2020]

Loopstra, R., Reeves, A., Barr, B., Taylor-Robinson, D., McKee, M., & Stuckler, D. (2016) The impact of economic downturns and budget cuts on homelessness claim rates across 323 local authorities in England, 2004–12. *Journal of Public Health*, 38(3), pp. 417-425.

Lowndes, V., and Gardner, A. (2016) Local governance under the conservatives: Superausterity, devolution and the 'smarter state'. *Local Government Studies*, 42(3), 357-375.

Lui, B. (2012) *Sentiment Analysis and Opinion Mining*. Chicago: Morgan & Claypool Publishers

Lyons Housing Review. (2014) *Mobilising across the nation to build the homes our children need*. [online] Available at: <https://www.policyforum.labour.org.uk/uploads/editor/files/The_Lyons_Housing_Review_2.pdf> [Accessed 8 August 2020]

Marshal, G. (2005) The purpose, design and administration of a questionnaire for data collection. *Radiography*, 11 pp. 131-136.

Mayor of London (2017) *The Draft London Plan*. [Online] Available at: https://www.london.gov.uk/sites/default/files/draft_london_plan_-_consolidated_changes_version_-_clean_july_2019.pdf [Accessed 27 July 2020].

McAllister, P. (2017) The calculative turn in land value capture: Lessons from the English planning system. *Land Use Policy*, 63, pp. 122-129.

McCarthy, A. (2020) Briefing: Westminster Hall Debate on the Private Rented Sector. [online] Available at: <https://england.shelter.org.uk/__data/assets/pdf_file/0006/1913631/Briefing_Westminster_Hall_Debate_On_the_Private_Rented_Sector.pdf> [Accessed 23 July 2020].

Meda, J.B. (2009) How Urban Planning Instruments Can Contribute in the Fight against Homelessness. An International Overview of Inclusionary housing. *European Journal of Homelessness*, 3, pp. 155-177.

Ministry of Housing, Communities and Local Government (MHCLG) (2019) *National Planning Policy Framework*. [Online] Available at: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf> [Accessed 7 June 2020].

Ministry of Housing, Communities and Local Government (MHCLG). (2020) Permitted Development Rights Tables. [online] Available at: <<https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics#permitted-development-rights-tables>> [Accessed 22 June 2020].

Mills, A (2019) Themes in Recent Cases on Permitted Development Rights in Planning. *Judicial Review*, 24 (4) pp. 296 – 314.

Morphet, J., & Clifford, B. (2014) Policy Convergence, Divergence and Communities: The Case of Spatial Planning in Post-devolution Britain and Ireland. *Planning Practice & Research*, 29(5), 508–524.

Morphet, J and Clifford, B. (2017) Local Authority Direct Provision of Housing. Available at: <<https://www.rtpi.org.uk/media/1891/localauthoritydirectprovisionofhousing2017.pdf>> [Accessed 23rd March 2020].

Morphet, J. and Clifford, B. (2018) *Progress and current trends in local authority housing provision*. *Journal of Urban Regeneration and Renewal*, 11 (4) pp. 324 – 334.

Morphet, J and Clifford, B. (2019) *Local Authority Direct Delivery of Housing: Continuation Research*. Available at: <<https://www.rtpi.org.uk/media/2043/local-authority-direct-delivery-of-housing-ii-continuation-research-full-report.pdf>> [Accessed 23rd March 2020].

Mulheran, C.J and Franco, M. (2018) If you build it will they come? The boom in purpose-built student accommodation in central Liverpool: Destudentification, studentification and the future of the city. *Local Economy*, 33 (5) pp. 447 – 495.

Mulliner, E and Maliene, V. (2013) Austerity and reform to affordable housing policy. *Journal of Housing and the Built Environment*, 28 (2) pp. 397 – 407.

Murie, A. (2016) *The Right to Buy? Selling off Public and Social Housing*. Bristol: Policy Press.

NAO. 2014. Financial Sustainability of Local Authorities 2014. [Online] Available at: <<https://www.nao.org.uk/report/financial-sustainability-of-local-authorities-2014/>> (Accessed 8th July 2020).

Neuman, L. (2006) *Social research methods: qualitative and quantitative approaches*. Boston, MA: Pearson Education.

Oakley, D. (2002) Housing Homeless People: Local Mobilization of Federal Resources to Fight NIMBYism, *Journal of Urban Affairs* 24(1) pp.97–116.

Oppenheim, A. N. (1992) *Questionnaire design, interviewing, and attitude measurement*. New York City: St. Martin's Press.

Oxford City Council (OCC) (2019) *Annual Monitoring Report 2018-2019*. [online] Available at: <https://www.oxford.gov.uk/downloads/file/6949/annual_monitoring_report_2018-2019> [Accessed 12 August 2020].

Oxford City Council (OCC) (2020) Oxford Local Plan 2036. [online] Available at: <https://www.oxford.gov.uk/info/20067/planning_policy/1311/oxford_local_plan_2016-2036> [Accessed 12 August 2020].

Patton, C.V., Sawicki, D.S. and Clark, J.J. (2016) *Basic Methods of Policy Analysis and Planning*. 3rd Ed. Routledge: London.

Parameswaran A and Bowers J (2014) Student residences: from housing to education. *Journal of Further and Higher Education*, 38: pp. 57–74.

Property Advisory Group. (1985). *Town and Country Planning (Use Classes) Order 1972*. London: Department for Environment.

Ranney, A. (1968) The Study of Policy Content. In: A. Ranney, ed. *Political Science and Public Policy*. Chicago: Markham.

Reja, U, Manfreda, K.L, Hlebec, V and Vehovar, V. (2003) Open-ended vs. Close-ended Questions in Web Questionnaires. *Developments in Applied Statistics*, pp. 159 – 177.

Ricketts, S. (2017) *Class distinctions 2: Student Housing*. [online] Available at: <<https://simonicity.com/category/student-housing/>> [Accessed 4 August 2020].

Ricketts, S and Christie, L. (2017). *Class Distinctions: Planning for Older People*. [online] Available at: <https://simonicity.com/category/older-people/> [Accessed 20 May 2020].

Rose, D. (2004) Discourses and experiences of social mix in gentrifying neighbourhoods: a Montreal case study. *Canadian Journal of Urban Research*, 13, pp. 278-316.

Sanderson, J. (2020) Examination into the soundness of the Northumberland Local Plan. The Planning Inspectorate.

Schwartz-Shea, P. and Yanow, D. (2012) *Interpretive Research Design: Concepts and Processes*. Routledge: London.

Sharkansky, I. ed. (1970) *Policy Analysis in Political Science*. Chicago: Markham.

Sheppard, E. (2011) Geographical political economy. *Journal of Economic Geography*, 11 (2) pp. 319-331.

Shelter. (2018) *No more social housing get-out clauses*. [online] Available at: <<https://blog.shelter.org.uk/2018/11/no-more-social-housing-get-out-clauses/>> [Accessed 29 August 2020].

Shelter. (2019a) *More planning permissions but not enough homes*. [online] Available at: <<https://blog.shelter.org.uk/2019/08/more-planning-permissions-but-not-enough-homes/>> [Accessed 6 July 2020].

Shelter. (2019b) *Quality versus quantity: are permitted development rights really the answer to the housing crisis?* <<https://blog.shelter.org.uk/2019/07/quality-versus-quantity-are-permitted-development-rights-really-the-answer-to-the-housing-crisis/>> [Accessed 6 July 2020].

Smith, D. P and Holt, L. (2007) Studentification and ‘apprentice’ gentrifiers within Britain’s provincial towns and cities: Extending the meaning of gentrification. *Environment and Planning*, 39, pp. 142 – 161.

Taylor-Goodby, P. (2013) *The double crisis of the welfare state and what we can do about it*. Palgrave Macmillan: Basingstoke.

The Planning Inspectorate. Appeal Decisions by Boffin, D. (2020) Appeal A: APP/G3110/C/19/3239740 Appeal B: APP/G3110/C/19/3239738 Appeal C: APP/G3110/C/19/3239862. [online] Available at: <<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3239740>> [Accessed 10 August 2020].

The Planning Inspectorate. Appeal Decisions by Roland, A. (2016) Appeal Ref: APP/G3110/W/15/3136245. [online] Available at: <<https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3136245>> [Accessed 10 August 2020].

The Town and Country Planning (General Permitted Development) (England) Order 2015. No. 596 Schedule 2 Part 3 [online] Available at: <<https://www.legislation.gov.uk/uksi/2015/596/schedule/2/part/3/made>> [Accessed 9 August 2020].

Thissen, W.A. and Walker, W.E.eds. (2013) *Public Policy Analysis*. Boston: Springer.

UK Parliament. (1947) *The Town and Country Planning Act 1947*. [online] Available at: <https://www.legislation.gov.uk/ukpga/1947/51/pdfs/ukpga_19470051_en.pdf> [Accessed 22 June 2020].

UK Parliament. *The Town and Country Planning (Use Classes) Order 1987*. [online] Available at: <<https://www.legislation.gov.uk/uksi/1987/764/schedule/made>> [Accessed 6 August 2020].

UK Parliament. *The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010*. [online] Available at: <<https://www.legislation.gov.uk/uksi/2010/653/made>> [Accessed 5 June 2020].

Valentine, G. (2005) Tell me about...: using interviews as a research methodology. In: Flowerdew, R. and Martin, D. (2005) *Methods in Human Geography: A Guide for Students doing a Research Project*, Prentice Hall, pp.110-126.

Walmsley, I. (2020) *Sui Generis – for those locations which are unique in themselves*. [online] Available at: <<https://www.planninggeek.co.uk/use-class/use-class-sui-generis-for-those-locations-which-are-unique-in-themselves/>> [Accessed 09/08/2020].

Weimer, D.L and Vining, A.R. (1981) *Policy analysis: concepts and practice*. Harlow: Pearson Education Limited.

Wood, C. (2013) *The Top of the Ladder*. London: Demos.

10.0 Appendices

Appendix 1: The Town and Country Planning (Use Classes) Order 1987 (as Amended)

The Town and Country Planning (Use Classes) Order 1987 (as amended)

Use Class	Use	Permitted Change
A1 Shops	<ul style="list-style-type: none"> • Shops • Retail warehouses • Post offices • Ticket and travel agencies • The sale of cold food for consumption off premises • Hairdressers • Funeral directors • Hire shops • Dry cleaners • Internet cafes 	<ul style="list-style-type: none"> • Temporary permitted change (3 years) to A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification) • Permitted change of A1 or mixed A1 and dwellinghouse to C3 (subject to prior approval) (see also 2018 Order) • Permitted change to A2 (see also 2016 Order) • Permitted change to A3 (subject to prior approval) (see also the 2018 Order) • Permitted change to B1(a) offices (subject to prior approval) • Permitted change to D2 (subject to prior approval) • Permitted change from A1 to mixed use (A1 or A2 & up to 2 flats); and from mixed use (A1 & up to 2 flats) to A1 or A2
A2 Financial and professional services	<ul style="list-style-type: none"> • Banks • Building societies • Estate and employment agencies • professional services (not health or medical services) 	<ul style="list-style-type: none"> • Temporary permitted change (3 years) to A1, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification) • Permitted change from A2 or mixed A2 and dwellinghouse to C3 (subject to prior approval) • Permitted change to A3 (subject to prior approval) • Permitted change to B1(a) offices (subject to prior approval) • Permitted change to D2 (subject to prior approval) • Where there is a display window at ground floor level, permitted change from A2 or mixed use (A2 & up to 2 flats) to mixed use (A1 & up to 2 flats) or A1 • Permitted change from A2 to mixed use (A2 & up to 2 flats); and from mixed use (A2 & up to 2 flats) to A2
A3 Food and Drink	<ul style="list-style-type: none"> • For the sale of food and drink for consumption on the premises • Restaurants • Snack bars • Cafes 	<ul style="list-style-type: none"> • Permitted change to A1 or A2 • Temporary permitted change (3 years) to A1, A2, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification) • Temporary permitted change of use to a use for the provision of takeaway food, including class A5 (from 24 March 2020 to 23 March 2021, subject to notification)
A4 Drinks Establishments	<ul style="list-style-type: none"> • Public houses • Wine bars • other drinking establishments (but not night clubs) 	<ul style="list-style-type: none"> • Permitted change to or from a use falling "within Class A4 with a use falling with Class A2" ("Drinking establishments with expanded food provision") • Temporary permitted change of use to a use for the provision of takeaway food, including class A5 (from 24 March 2020 to 23 March 2021, subject to notification)
A5 Hot Food Takeaways	<ul style="list-style-type: none"> • For the sale of hot food for consumption off the premises 	<ul style="list-style-type: none"> • Permitted change to A1, A2 or A3 • Temporary permitted change (3 years) to A1, A, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification) • Permitted change to B1(a) offices (subject to prior approval)

Use Class	Use	Permitted Change
B1 Business	<ul style="list-style-type: none"> Office other than a use within Class A2 Research and development of products or processes For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area) 	<ul style="list-style-type: none"> Permitted change to B8 B1(a) office permitted change to C3 (see 2015 and 2016 orders) Temporary permitted change (3 years) to A1, A2, A3, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification) Permitted B1 change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval) Permitted change from B1(c) light industrial to C3 (temporary permitted development right: prior approval application must be determined /expired without determination by 30 September 2020)
B2 General Industry	<ul style="list-style-type: none"> Industrial process other than that falling within Class B1 	<ul style="list-style-type: none"> Permitted change to B1 to B8
B8 Food and Drink	<ul style="list-style-type: none"> Use for storage or as a distribution centre 	<ul style="list-style-type: none"> Permitted change to B1
C1 Hotels	<ul style="list-style-type: none"> Hotels, boarding and guest houses (where no significant element of care is provided) 	<ul style="list-style-type: none"> Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C2 Residential Institutions	<ul style="list-style-type: none"> Residential accommodation and care to people in need of care Residential schools Colleges or training centres Hospitals Nursing homes 	<ul style="list-style-type: none"> Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C2a Secure Residential Institutions	<ul style="list-style-type: none"> Prisons Young offenders' institutions Detention centres Secure training centres Custody centres Short term holding centres Secure hospitals Secure local authority accommodation Military barracks 	<ul style="list-style-type: none"> Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval)
C3 Dwelling Houses	<ul style="list-style-type: none"> Uses as a dwellinghouse (whether or not as main residence) by: <ul style="list-style-type: none"> A single person or by people to be regarded as forming a single household Not more than 6 residents living together as a single household where care is provided for residents; or Not more than 6 residents living together as a single household where no care is provided to residents (other than use within Class C4) 	<ul style="list-style-type: none"> Permitted change to C4
C4 Houses in Multiple Occupation	<ul style="list-style-type: none"> Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation' (HMO) NB: Large HMOs (more than 6 people) are unclassified therefore sui generis 	<ul style="list-style-type: none"> Permitted change to C3

Use Class	Use	Permitted Change
<p>D1</p> <p>Non - Residential Institutions</p>	<ul style="list-style-type: none"> • Clinics • Health centres • Crèches • Day nurseries • Schools • Non-residential education and training centres • Museums • Public libraries • Public halls • Exhibition halls • Places of worship • Law courts 	<ul style="list-style-type: none"> • Temporary permitted change (3 years) to A1, A2, A3, B1 (interchangeable with notification)
<p>D2</p> <p>Assembly and Leisure</p>	<ul style="list-style-type: none"> • Cinemas • Concert halls • Bingo halls • Dance halls • Swimming baths • Skating rinks • Gymnasiums • Other areas for indoor and outdoor sports or recreations not involving motorised vehicles or firearms 	<ul style="list-style-type: none"> • Permitted change to state-funded school or registered nursery (and back to previous lawful use) (subject to prior approval) • Temporary permitted change (3 years) to A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)
<p>SUI GENERIS</p>	<ul style="list-style-type: none"> • Includes theatres • Large HMO (more than 6 people sharing) • Hostels • Petrol filling stations • Shops selling and/or displaying • Motor vehicles • Scrap yards • Retail warehouse • Nightclubs • Launderettes • Taxi or vehicle hire businesses • Amusement centres • Casinos • Funfairs • Waste disposal • Betting offices • Pay day loan shops 	<ul style="list-style-type: none"> • Casino to A3 (subject to prior approval) • Casino to D2 • Amusement centre or casino to C3 (subject to prior approval) (see also 2018 Order) • Betting office or pay day loan shop to A1, A2, A3, D2 (subject to prior approval) • Betting office or pay day loan shop to mixed use A1 and up to 2 flats (if a display window at ground floor level), or mixed A2 and up to 2 flats, or mixed use betting office or pay day loan shop and up to 2 flats • Betting office, pay day loan shop or launderette to B1(a) offices (subject to prior approval) • Betting office, pay day loan shop or launderette to C3 (subject to prior approval) • Mixed use betting office, pay day loan shop or launderette and dwellinghouse to C3 (subject to prior approval) • Mixed use betting office or pay day loan shop and up to two flats to A1 (if a display window at ground floor level), A2, betting office or payday loan shop • Temporary permitted change (3 years) from betting office or pay day loan shop to A1, A2, A3, B1, public library, exhibition hall, museum, clinic or health centre (interchangeable with notification)
<p>OTHER CHANGES OF USE</p>	<ul style="list-style-type: none"> • Agricultural buildings 	<ul style="list-style-type: none"> • Permitted change to C3 (subject to prior approval) (the provisions of the 2015 Order must be read with the provisions of the 2018 Amendment Order and 2019 Amendment Regulations) • Flexible changes to A1, A2, A3, B1, B8, C1, D2 (subject to limitations and prior approval process): new use is sui generis

Appendix 2: Research Survey

The Town and Country Planning (Use Classes) Order 1987 (as amended)

You are being invited to take part in a research project being undertaken by a Masters Student from the Bartlett School of Planning, University College London (UCL) due to your experience in dealing with planning applications and/or policy. Your professional views are sought in order to gain an informed understanding of the Use Classes Order in practice. It is envisaged that your everyday experiences in planning will assist in validating and/or challenging the research results found, thus contributing significantly to this research project.

Participation is entirely voluntary. If you do choose to participate and then change your mind, you may withdraw from the research at any time with no consequences and without having to give a reason.

If you would like further information or have any questions or concerns about the project or your participation, please use the contact details below:

Primary Contact: Harriet Young

Role: MSc Spatial Planning Student

Email: harriet.young.18@ucl.ac.uk

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 1. Employer Type

* 2. Industry/ Sector

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 3. Please indicate the extent to which you agree with the following statement:

The Town and Country Planning (Use Classes) Order 1987 (as amended) is no longer fit for purpose.

- Strongly agree
- Agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Disagree
- Strongly disagree

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 4. Prior to the recent announcement of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (2020 No. 757), in your opinion, what aspect of the Use Classes Order requires the most urgent attention?

- Part A - Shops, Financial and professional services, Restaurants and cafés and Drinking establishments.
- Part B - Business, General industrial and Storage or distribution.
- Part C - Hotels, Residential institutions, Dwelling houses and Houses in multiple occupation.
- Part D - Non-residential Institutions and Assembly and Leisure
- Sui Generis

* 5. How often do you consider the Use Class of a development when preparing a report?

- Always
- Usually
- Sometimes
- Rarely
- Never
- Other (please specify)

* 6. How often do you encounter inconsistency with the Use Classes Order?

- Always
- Usually
- Sometimes
- Rarely
- Never
- Other (please specify)

* 7. If you have encountered inconsistency with the Use Classes Order, please elaborate.

The Town and Country Planning (Use Classes) Order 1987 (as amended)

The following questions are specific to Class C (Residential) of the Use Classes Order

* 8. Have you encountered inconsistency when classifying extra care housing?

- Yes
 No

* 9. In your opinion, do retirement communities classify as Class C2 (Residential Institutions)?

- Yes
 No

* 10. Please explain your reasoning.

* 11. In your opinion, should a dwellinghouse used for short term lets (such as Airbnb), necessitate a change of use from C3 (dwellinghouse) to C1 (hotels)?

- Yes
 No

* 12. Please explain your reasoning.

* 13. In your opinion, should developments created under permitted development rights be required to deliver affordable housing?

- Yes
 No

* 14. Please explain your reasoning.

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 15. What, in your opinion, are the greatest barriers faced when using the Use Classes Order?

* 16. What type of planning methods have you used when addressing ambiguity with the Use Classes Order?

* 17. Were you successful with the methods implemented?

- Yes
- No
- Other (please specify)

* 18. Of the planning methods you have used, please explain how you have used those methods?

* 19. Have you ever tried to alter the Use Class of a development for S106 or CIL reasons?

- Yes
- No
- Other (please specify)

* 20. Were you successful?

- Yes
- No
- N/A

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 21. In your opinion, would a review of the Use Classes Order help to address the type and tenure of housing delivered?

- Yes
- No
- Other (please specify)

* 22. Do you think statutory guidance should be published for all Use Classes?

- Yes
- No

* 23. Should local plans be required to allocate sites specifying the type and tenure of housing required?

- Yes
- No

* 24. What would you like to see addressed in a review of the Use Classes Order?

The Town and Country Planning (Use Classes) Order 1987 (as amended)

* 25. In which geographical region do you do the majority of your planning work?

- East of England
- East Midlands
- Greater London
- North East
- North West
- South East
- South West
- West Midlands
- Yorkshire and the Humber

* 26. How long have you worked in the planning field?

- Under 5 years
- 5 to 10 years
- 11 to 15 years
- 16 to 20 years
- Over 20 years
- I do not work in the planning field
- I would prefer not to respond
- Other (please specify)

* 27. Which statement best describes your current role?

- I am in management
- I am a senior-level planner
- I am a mid-level planner
- I am a entry-level planner
- I am an academic/ researcher
- I am a consultant
- I am a retired/ not currently practicing
- I am a student
- Other (please specify)

* 28. Which sector do you currently work in. Please select all that apply.

- Consultancy
- Regional Government
- Local Government
- Academia
- Non-profit/ Non-governmental organisation
- I am retired/ not currently practising
- I am currently unemployed
- Student
- Other (please specify)

29. What most closely describes your speciality?

- Urban
- Rural
- Regional
- Transportation
- Environment
- Urban Design
- Policy
- Social/ Community
- Administration
- Consultancy
- Other (please specify)

The Town and Country Planning (Use Classes) Order 1987 (as amended)

Thank you for taking the time to complete this questionnaire!

For more information about this survey and how the results will be used, please contact Harriet Young at harriet.young.18@ucl.ac.uk.

Appendix 3: Participant Information Sheet

Participant Information Sheet

Project Title: Is Class C of the Use Classes Order still fit for purpose?

Department: The Bartlett School of Planning

Researcher: Harriet Young

Introduction

You are being invited to take part in a research project being undertaken by a Masters Student from the Bartlett School of Planning, University College London (UCL).

Before you decide whether or not to participate it is important for you to understand why the research is being conducted and what participation will involve. Please read the following information carefully, feel free to discuss it with others if you wish, or ask the researcher for clarification or further information. Please take time to decide whether or not you wish to take part.

Why is the research being conducted?

This research project seeks to investigate the Use Classes Order to establish whether it is still fit for purpose.

Why am I being invited to take part?

You are being invited to take part in this research project due to your experience in dealing with planning applications and/or policy. Your professional views are sought in order to gain an informed understanding of the Use Classes Order in practice. It is envisaged that your everyday experiences in planning will assist in validating and/or challenging the primary research results found, thus contributing significantly to this research project.

Do I have to participate?

Participation is entirely voluntary. If you do choose to participate and then change your mind, you may withdraw from the research at any time with no consequences and without having to give a reason.

What will happen if I decide to take part?

If you decide to participate, you will be invited to an interview to explore your experience with the Use Class Order. The interview will be conducted via telephone. The interview will last approximately 30 minutes and will be audio recorded (and transcribed at a later date). You will have the opportunity to see the interview transcript and agree any amendments with the researcher after the interview is concluded. Subsistence expenses are not offered for participation.

What are the advantages of participating?

There are no immediate benefits for participation in this project and no financial incentive or reward is offered. However, it is hoped that this project will inform a greater understand of the issues faced with using the current Use Classes Order, clarifying areas of controversy that currently exist within the academic world, the media and politics.

What are the possible disadvantages of taking part?

It is anticipated that no significant disadvantages associated with taking part in this project. If you experience any unexpected adverse consequences as a result of taking part in this project you are

encouraged to contact the researcher as soon as possible using the contact details provided on Page 2 of this information sheet.

If I choose to take part, what will happen to the data?

The interview data will be anonymised at the point of transcription and identified by a general identified (e.g. 'Planner Officer A'). A record of participant identities and any notes will be kept separately and securely from the anonymised data. All data and information affiliated with this project will be securely stored on an encrypted computer drive and physical documents will be stored securely on University Property.

The data will only be used for the purpose of this research and relevant outputs will not be shared with any third party. The anonymised data may be utilised in the written dissertation produced at the end of this project, and this dissertation may then be made publicly available via the University Library's Open Access Portal, however, no identifiable or commercially sensitive information will be accessible in this way.

What will happen to the results of the research project?

It is anticipated that the data collected in this project will be included in this dissertation produced at the end of this project, submitted for the award of a Masters degree at University College London (UCL). You will not be personally identified in any of the outputs from this work, and attributions and quotations will be anonymised. If you would like to receive an electronic copy of any outputs stemming from this project, please ask the contact below who will be happy to provide this.

Contact Details

If you would like further information or have any questions or concerns about the project or your participation, please use the contact details below:

Primary Contact: Harriet Young

Role: MSc Spatial Planning Student

Email: harriet.young.18@ucl.ac.uk

Supervisor: Janice Morphet

Email: j.morphet@ucl.ac.uk

Concerns and/or Complaints

If you have concerns about any aspect of this research project please contact the MSc student in the first instance, then escalate to the supervisor.

Appendix 4: Interview Questions

Interview Questions

Introductory questions:

- How long have you worked at X authority? What is your background?
- Could you tell me a bit about your involvement with planning application and/ or policy?

Politics of Expertise:

- How does your authority interpret and review applications involving a use class?
- If you are presented with a development that you feel does not fall into a particular use class specified in the use class order how do you determine the use of the development?
- Do you think the current use class order is straightforward to use?
- Do you think the use class order is fit for purpose?

Use Class C:

- How does your authority distinguish between Use Class C2 and C3 or is this achieved on a case by case basis?
- Does your authority experience any difficulties with short-term let accommodation?
- Does your authority encounter any problems with permitted development rights and the type and tenure of housing provided?
- What are your thoughts on permitted development?
- Do you use policy when issues arise with the Use Classes Order?

Concluding Questions:

- Do you think the proposed amendments to the Use Class Order to be delivered in September will help address the issues currently faced?
- What would you like to see addressed in the future?

Appendix 5: Informed Consent Form

Informed Consent Form

If you are happy to participate, please complete this consent form by ticking the boxes to acknowledge the following statements and signing your name at the bottom of the page.

Please send the signed form to the researcher via email prior to your interview.

1.	I have read and understood the information sheet.	<input type="checkbox"/>
2.	I agree to participate in the above research by telephone interview as described on the Information Sheet.	<input type="checkbox"/>
3.	I understand that my participation is entirely voluntary.	<input type="checkbox"/>
4.	I understand that I may withdraw at any time without giving a reason and with no consequences.	<input type="checkbox"/>
5.	I agree for the interview to be audio recorded.	<input type="checkbox"/>
6.	I understand that I may see a copy of the interview transcript after it has been transcribed and agree any amendments with the researcher.	<input type="checkbox"/>
7.	I understand that the intention is that interviews are anonymised and that if any of my words are used in a research output that they will not be directly attributed to me unless otherwise agreed by all parties.	<input type="checkbox"/>
8.	I understand the data from this project will be considered for repository in the UCL Open Access repository as described on the Information Sheet but that this will be anonymised data only.	<input type="checkbox"/>
9.	I understand that I can contact the student who interviewed me at any time using the email address they contacted me on to arrange the interview, or the dissertation supervisor using the contact details provided on Page 3 of the information sheet.	<input type="checkbox"/>

Participant name:

Signature

Date:

Researcher name:

Signature:

Date:

Appendix 6: Risk Assessment Form

RISK ASSESSMENT FORM



FIELD / LOCATION WORK

The Approved Code of Practice - Management of Fieldwork should be referred to when completing this form

<http://www.ucl.ac.uk/estates/safetynet/guidance/fieldwork/acop.pdf>

DEPARTMENT/SECTION – THE BARTLETT SCHOOL OF PLANNING

LOCATION(S) – ENGLAND

PERSONS COVERED BY THE RISK ASSESSMENT – Harriet Young

Description of Fieldwork

Fieldwork will only include the collection of desk-based data, utilising information available online. The research will only take places at home. The following identified risks, risk levels and control measure apply to the location specified.

Consider, in turn, each hazard (white on black). If **NO** hazard exists select **NO** and move to next hazard section.

If a hazard does exist select **YES** and assess the risks that could arise from that hazard in the risk assessment box.

Where risks are identified that are not adequately controlled they must be brought to the attention of your Departmental Management who should put temporary control measures in place or stop the work. Detail such risks in the final section.

ENVIRONMENT

e.g. location, climate, terrain, neighbourhood, in outside organizations, pollution, animals.

The environment always represents a safety hazard. Use space below to identify and assess any risks associated with this hazard

N/A

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | work abroad incorporates Foreign Office advice |
| <input type="checkbox"/> | participants have been trained and given all necessary information |
| <input type="checkbox"/> | only accredited centres are used for rural field work |
| <input checked="" type="checkbox"/> | participants will wear appropriate clothing and footwear for the specified environment |
| <input type="checkbox"/> | trained leaders accompany the trip |
| <input type="checkbox"/> | refuge is available |
| <input type="checkbox"/> | work in outside organisations is subject to their having satisfactory H&S procedures in place |



OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

EMERGENCIES

e.g. fire, accidents

Where emergencies may arise use space below to identify and assess any risks

I will ensure that my workspace is safe and that documents are backed up at all times.

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

participants have registered with LOCATE at <http://www.fco.gov.uk/en/travel-and-living-abroad/>

fire fighting equipment is carried on the trip and participants know how to use it

contact numbers for emergency services are known to all participants

participants have means of contacting emergency services

participants have been trained and given all necessary information

a plan for rescue has been formulated, all parties understand the procedure

the plan for rescue /emergency has a reciprocal element

OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

FIELDWORK 1

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EQUIPMENT

e.g. clothing, outboard motors.

Is equipment used?

If 'No' move to next hazard
If 'Yes' use space below to identify and assess any risks

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

the departmental written Arrangement for equipment is followed

participants have been provided with any necessary equipment appropriate for the work

all equipment has been inspected, before issue, by a competent person

all users have been advised of correct use

special equipment is only issued to persons trained in its use by a competent person

OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

LONE WORKINGIs lone working
a possibility?

NO

If 'No' move to next hazard
If 'Yes' use space below to identify and assess
any
risks*e.g. alone or in isolation
lone interviews.***CONTROL MEASURES**

Indicate which procedures are in place to control the identified risk

- the departmental written Arrangement for lone/out of hours working for field work is followed
- lone or isolated working is not allowed
- location, route and expected time of return of lone workers is logged daily before work commences
- all workers have the means of raising an alarm in the event of an emergency, e.g. phone, flare, whistle
- all workers are fully familiar with emergency procedures
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

ILL HEALTH

e.g. accident, illness, personal attack, special personal considerations or vulnerabilities.

The possibility of ill health always represents a safety hazard. Use space below to identify and assess any risks associated with this Hazard.

Falling ill with Covid-19 – Medium Risk

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- an appropriate number of trained first-aiders and first aid kits are present on the field trip
- all participants have had the necessary inoculations/ carry appropriate prophylactics
- participants have been advised of the physical demands of the trip and are deemed to be physically suited
- participants have been adequate advice on harmful plants, animals and substances they may encounter
- participants who require medication have advised the leader of this and carry sufficient medication for their needs
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:
Social Distancing

TRANSPORT

Will transport be required

NO

Move to next hazard

YES

Use space below to identify and assess any risks

e.g. hired vehicles

Examples of risk: accidents arising from lack of maintenance, suitability or training

Is the risk high / medium / low?

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- only public transport will be used
- the vehicle will be hired from a reputable supplier
- transport must be properly maintained in compliance with relevant national regulations
- drivers comply with UCL Policy on Drivers http://www.ucl.ac.uk/hr/docs/college_drivers.php
- drivers have been trained and hold the appropriate licence
- there will be more than one driver to prevent driver/operator fatigue, and there will be adequate rest periods
- sufficient spare parts carried to meet foreseeable emergencies
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

DEALING WITH THE PUBLIC

Will people be dealing with public

NO

If 'No' move to next hazard

If 'Yes' use space below to identify and assess any

risks

e.g. interviews, observing

Examples of risk: personal attack, causing offence, being misinterpreted. Is the risk high / medium / low?

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- all participants are trained in interviewing techniques
- interviews are contracted out to a third party
- advice and support from local groups has been sought
- participants do not wear clothes that might cause offence or attract unwanted attention
- interviews are conducted at neutral locations or where neither party could be at risk
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

FIELDWORK

3

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WORKING ON OR

Will people work on

NO

If 'No' move to next hazard

NEAR WATER

or near water?

If 'Yes' use space below to identify and assess any risks

e.g. rivers, marshland, sea.

Examples of risk: drowning, malaria, hepatitis A, parasites. Is the risk high / medium / low?

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- lone working on or near water will not be allowed
- coastguard information is understood; all work takes place outside those times when tides could prove a threat
- all participants are competent swimmers
- participants always wear adequate protective equipment, e.g. buoyancy aids, wellingtons
- boat is operated by a competent person
- all boats are equipped with an alternative means of propulsion e.g. oars
- participants have received any appropriate inoculations
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

MANUAL HANDLING (MH)

Do MH activities take place?

NO

If 'No' move to next hazard
If 'Yes' use space below to identify and assess any risks

e.g. lifting, carrying, moving large or heavy equipment, physical unsuitability for the task.

Examples of risk: strain, cuts, broken bones. Is the risk high / medium / low?

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- the departmental written Arrangement for MH is followed
- the supervisor has attended a MH risk assessment course
- all tasks are within reasonable limits, persons physically unsuited to the MH task are prohibited from such activities
- all persons performing MH tasks are adequately trained
- equipment components will be assembled on site
- any MH task outside the competence of staff will be done by contractors
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

SUBSTANCES

Will participants work with substances

NO

If 'No' move to next hazard
If 'Yes' use space below to identify and assess any risks

e.g. plants, chemical, biohazard, waste

Examples of risk: ill health - poisoning, infection, illness, burns, cuts. Is the risk high / medium / low?

CONTROL MEASURES

Indicate which procedures are in place to control the identified risk

- the departmental written Arrangements for dealing with hazardous substances and waste are followed
- all participants are given information, training and protective equipment for hazardous substances they may encounter
- participants who have allergies have advised the leader of this and carry sufficient medication for their needs
- waste is disposed of in a responsible manner
- suitable containers are provided for hazardous waste
- OTHER CONTROL MEASURES: please specify any other control measures you have implemented:

OTHER HAZARDS

Have you identified any other hazards?

NO

If 'No' move to next section
If 'Yes' use space below to identify and assess any risks

i.e. any other hazards must be noted and assessed here.

Hazard:

Risk: is the risk

CONTROL MEASURES

Give details of control measures in place to control the identified risks

Have you identified any risks that are not adequately controlled?

NO YES

Move to Declaration
Use space below to identify the risk and what action was taken

Is this project subject to the UCL requirements on the ethics of Non-NHS Human Research? No

If yes, please state your Project ID Number

For more information, please refer to: <http://ethics.grad.ucl.ac.uk/>

DECLARATION

The work will be reassessed whenever there is a significant change and at least annually. Those participating in the work have read the assessment.

Select the appropriate statement:

I the undersigned have assessed the activity and associated risks and declare that there is no significant residual risk

I the undersigned have assessed the activity and associated risks and declare that the risk will be controlled by the method(s) listed above

H. Young

NAME OF SUPERVISOR – Janice Morphet (agreed)

Is Class C of the Use Classes Order Still Fit for Purpose

GRADEMARK REPORT

FINAL GRADE

/100

GENERAL COMMENTS

Instructor

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