

# Agent of Change Principle

## Introduction

While traditionally the focus may have been on considering the impacts of a development on the surrounding area, there is increasing emphasis on the 'Agent of Change' principle. As a result, proposals coming forward should expect greater scrutiny of the relationship of the development with the surrounding context, and will need to be carefully designed and provide mitigation measures where needed.

### 1 The Agent of Change Principle

The Agent of Change principle places responsibility for mitigating impacts from current land uses or activities on a new development coming forward. If the new development could affect existing activities, for example by causing increased complaints, it would fall to this new development as the 'agent of change' to address potential conflict.

### 2 Possible Areas of Conflict

While commonly referred to in relation to noise-generating activities, and often focused on the night-time economy, the principle can apply equally to other noisy uses such as industry or infrastructure, or indeed to other potential causes of disturbance such as sources of odour, vibration, fumes or gases. Proposals including sensitive residential, health and education uses will be more susceptible to these impacts, and will need greater protection.

### 3 Agent of Change in Planning Policy

The principle is not currently formally established within national planning policy, although guidance on noise does advise that land use changes should not cause unreasonable restriction on existing businesses. However, following a well-supported campaign, the Government has confirmed its intention to formalise the principle through forthcoming amendments to the NPPF. The draft new London Plan consultation also establishes the principle across varied policy areas, highlighting both protection for existing uses and proposals for basements as concerns.

### 4 Mitigating the Conflict

Depending on their nature, effects could be mitigated through the arrangement of development, both across a site and internally, to optimise separation between uses or to make use of existing natural or purpose-built barriers. Alternatively, mitigation could be provided by the materials used or by engineering measures such as soundproofing, air filtering or vibration isolation products to reduce effects. Planning conditions or legal agreements could also be employed and may restrict proposed activities on the development site, or impose requirements such as for windows to be fixed-shut.

## Commentary

Given the pressing need for new housing, and increased development densities and co-location on industrial sites of employment and housing to make efficient use of land, there will be greater potential for conflicts and cumulative impacts as an inevitable consequence of mixed and vibrant communities. New development will increasingly need to demonstrate with relevant technical assessments that existing activities have been considered to safeguard both quality of life for future occupiers and the economic vitality and viability of areas. Such requirements could reduce site development capacity or increase costs, affecting viability. However, the detail of how the principle is intended to be applied nationally alongside other all factors as part of the planning balance may not become clear until the revisions to the NPPF are published later in the spring.



#### Further information

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Terence O'Rourke works with a range of clients in the housing sector, from SMEs and land promoters, to national house builders, and is well placed to help unlock the development potential of sites at all scales.

