Summary of the Changes to Permitted Development

The following is a summary of the latest changes to the permitted development by the Town and Country Planning (General Permitted development)(Amendment)(England) Order 2013.

These permitted changes come into force on 30 May 2013.

HOUSE EXTENSIONS

Until 30 May 2016: The following larger house extensions are permitted development:

- Up to 8m deep for a detached and 6m for any other house
- Up to 4m high (single storey)

Notes
- The applicant has to send LPA written description of proposal with certain measurements, plus a plan, plus addresses of adjoining properties.
- LPA will notify adjoining neighbours and allow min. 21 days for representations.
- If there is an objection, the LPA's prior approval is needed for the extension.
- The development must be completed by 30 May 2016.
- Does not apply to special control areas such as National Parks, Conservation Areas.

OFFICES TO RESIDENTIAL

Change of use from B1 (offices) to C3 (residential) is permitted development:

Notes
- The permitted development change of use is temporary and has to take place before 30 May 2016.
- It does not apply to a listed building or scheduled monument.
- Need prior approval of LPA in terms of
  a) highway / traffic impact,
  b) contamination and
  c) flood risk
- The development can commence 56 days after the prior approval application being received by the Local Planning Authority if no decision has been made.
- The building has to be in office use on 30 May 2013, or if vacant, last used as offices.
- It excludes certain military bases and safety sites.

The permitted change of use from offices to residential does not apply to the “excluded areas” which are:

London:
- All of City of London and Royal Borough of Kensington and Chelsea.
- Royal Docks in Newham.
- Other specific areas of Hackney (near Dalston).

Elsewhere:
- Specific small areas in Vale of the White Horse, Manchester, Stevenage, East Hampshire, and Ashford.

CHANGE OF USE TO A SCHOOL

- Change of use is permitted to a school from B1 (business), C1 (hotels), C2 (residential institutions) and C2A (secure residential institutions), and D2 (assembly & leisure).
- The use of a building and any land within its curtilage as state funded school for a single academic year
Notes

- Not allowed if the building is listed or a scheduled monument.
- Certain military and safety exceptions.
- The school has to be state funded.
- Prior approval from LPA required for transport / noise / contamination issues.
- The change of use back from a school to the previous use is permitted development.
- The permitted temporary, 1 academic year, use of a building for a state funded school, requires approval of school use from the relevant minister and the site reverts back to its previous lawful use at the end of the academic year.

AGRICULTURAL TO RETAIL, OFFICES AND OTHER USES BUT NOT RESIDENTIAL

- Change from smaller agricultural buildings to Retail (A1, A2, A3); office (B1); warehousing (B8); hotels (C1; or leisure (D2) is permitted development.

Notes

- Has to have been in agricultural use since 3 July 2012.
- If brought into agricultural use after 3 July 2012 the agricultural use has to be in existence for 10 years.
- The cumulative floorspace proposed for change of use in the agricultural unit must not exceed 500 sq m i.e. it is small buildings.
- Does not apply to listed building or scheduled monuments or military sites.
- Another subsequent change of use can occur to one of the other listed permitted uses.
- After the site has changed use under this PD right it shall be a sui generis use.
- Where the proposed change of use is for a floorspace of 150 – 500 sqm prior approval is required on transport, noise and contamination issues.

PRIOR APPROVAL PROCEDURES

Prior Approval submission to include:

- Written statement and plan, plus fee if required.
- The LPA has usual consultations with other bodies on prior approvals where there are potential highway issues i.e. highway authority etc.
- The same with the Environment Agency for potential flood risk.
- All such consultee bodies have 21 days to comment.
- LPA shall put up notices etc. in normal way.
- LPA can ask for additional information.
- Development cannot start until LPA have said either prior approval is not needed or given prior approval.
- If neither of the above has occurred after 56 days development can commence.

OTHER NEW PERMITTED DEVELOPMENTS

Minor Operations

- Gates / fences adjacent to a highway can be permitted :- a) up to 2m for a school and b) up to 1m elsewhere.

Temporary Changes of Use of Small Units of floorspace for 2 Years

Change of use for 2 years is permitted:

- To a flexible use within either A1 (Shops), A2 (Financial & Professional Services), A3 (Restaurants & Cafes); and B1 (Business).
- From A1 shops, A2 (Financial Services), A3 (Restaurants and Cafes), A4 (drinking establishments), A5 (hot food takeaway), B1 (Business), D1 (Non-residential institutions) and D2 (Assembly & leisure).
Notes

• Size of floorspace changing use is less than 150 sqm.
• Not in listed buildings or scheduled monuments.
• Not in military etc. sites.
• Notification procedure to LPA of use type and date implementation.
• Can change to another of the permitted uses.
• The site reverts back to its previous lawful use at the end of the “flexible use” period.

Increase in extensions to industrial and warehouse buildings and offices and shops as permitted development

• Increases the PD right to extend or alter or erect industrial and warehousing premises from 25% of gross floor area or 100 sq metres (whichever the lesser) to 50% or 200 sq metres.
• Increase office from 25% of gross floorspace or 50 sq metres (whichever is the lesser) to 50% or 100 sq metres.
• Increase shops and professional or financial services (A1, A2) from 25% (or 50 sq metres) to 50% (or 100 sq metres).

Notes

• This PD is temporary and will expire on 30 May 2016.
• The development has to be completed by 30 May 2016.

Broadband Antenna

• Extends PD rights for antenna to Article 1(5) land (i.e. conservation areas, national parks etc.) for temporary period.

Notes

• Development to be completed by 30 May 2018.