

**New Permitted
Development Rights:
Office to Residential
Change of Use**

DLP BRIEFING NOTE 122

Prepared by
DLP Planning Consultants

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Pickles Announces Office to Residential Conversion Rules

Secretary of States of Communities and Local Government the Rt Hon Eric Pickles announced on the 24th January 2013 the new policy allowing the conversion of offices (B1a Use) to residential (C3 Use) without planning permission. On the same date the Chief Planner for the Department for Communities and Local Governments Steve Quartermain states in his letter to the Chief Planning Officers of England that this new policy will come into force in **Spring 2013**.

These **new permitted development rights** are aimed at speeding up the conversion of empty commercial space into desperately needed housing. The government is hoping that by bringing underused offices back into effective use, this will also help create jobs in the construction and services industries, and help regenerate town centres and former commercial areas. Furthermore, the government expects that these new homes will bring a greater resident population to the high streets, increasing footfall and supporting local shops.

Local Authorities will be able to grant exemptions for these new rules in exceptional circumstances, where they can demonstrate clearly that the introduction of these new permitted development rights in a particular local area will lead to (a) the loss of a nationally significant area of economic activity or; (b) substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring.

There will also be a tightly drawn prior approval process which will cover significant transport and highway impacts, and development in areas of high flood risk, land contamination and safety hazard zones.

In line with best practice on public policy, there will be a sunset clause, limiting the changes to three years and a review of the benefits from the policy at that point. This will provide Parliament with the opportunity to extend the policy indefinitely should it wish.

The City of London will be exempted from the change because the City of London Corporation opposed it as it would undermine London as the world's leading financial centre.

Details of the changes will be assessed and sent to you in a further Briefing once the announcement is made.

DLP, with its broad geographical coverage and in depth knowledge of relevant matters, can draw upon its experience of the approaches adopted by many Councils and advise accordingly, both in respect of development proposals and in considering responses to policy changes.

If you require more information or would like to discuss the issues mentioned in further detail please contact:

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