

**Agricultural PD
Rights –
Conversion to
Dwellings**

DLP BRIEFING NOTE 164

Prepared by
DLP Planning Consultants

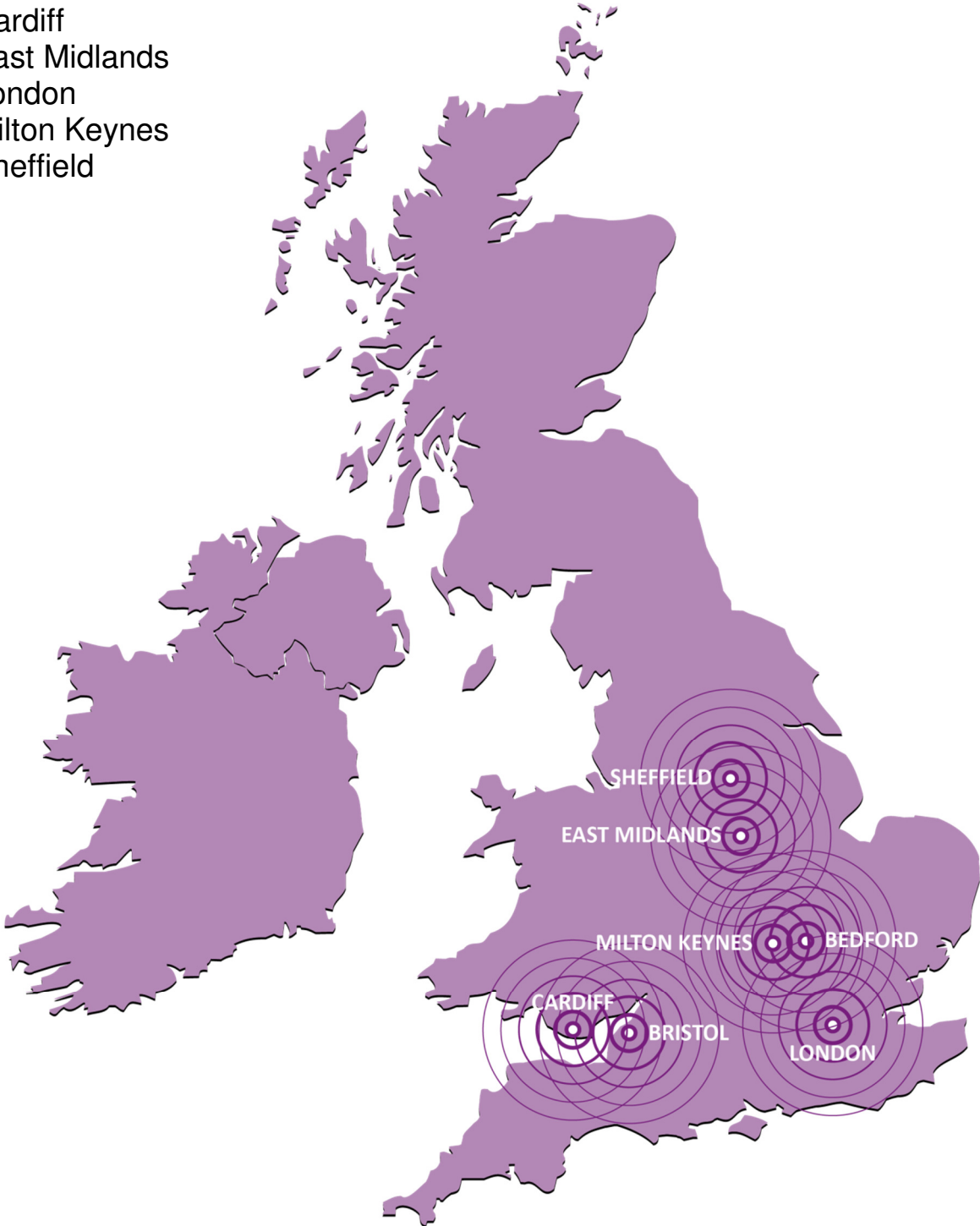
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Introduction

Additional Permitted Development rights took effect April this year, as set out in the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014. These new provisions (specifically, "Class MB") could be employed to secure the change of use of an agricultural building or any land within its curtilage into dwellinghouses (Class C3), subject to a number of restrictions and caveats.

Class MB

Development consisting of the following is classed as Permitted development:

- a) "A change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and***
- b) Building operations reasonable necessary to convert the building referred to in paragraph MB(a) to a use falling within Class C3 (dwellinghouses) of that Schedule."***

Provisions and Caveats

The change of use of an agricultural building to a Class C3 dwellinghouse is currently permitted development, as are any building operations that are reasonable necessary to convert the building.

The development is not permitted by Class MB where:

- a) "The site was not used solely for an agricultural use, as part of an established unit on and since the 20th March 2013. If the site was brought into use after that date, for ten years before the date the development begins.***
- b) The cumulative floor space of the existing building or buildings changing use under Class MB within an established agricultural unit exceeds 450 square metres. Or the cumulative number of separate dwellinghouses developed within an agricultural unit exceeds three.***
- c) The development under Class MB(b) would consist of building operations other than:***
 - I. The installation of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services to the extent reasonable necessary to carry out building operations allowed Class MB.***
 - II. Partial demolition to the extent reasonably necessary to carry out building operations allowed by Class MB.***

d) The site is on article 1 (5) land, forms part of a site of special scientific interest, a safety hazard area, a military explosives storage area, contains a scheduled monument and is a listed building.”

Conditions

The development is permitted subject to the condition that before beginning the development, the developer shall apply to the local authority for a determination as to whether the prior approval of the authority will be required as to:

- I. Transport and highways impacts of the development;
- II. Noise impacts of the development;
- III. Contamination risks on the site;
- IV. Flooding risks on the site, or
- V. Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the schedule to the Use Classes Order.

DLP Planning Consultants have considerable knowledge of planning matters. Senior staff are well versed with the planning process and policy changes, this allows us to deliver the best result for our clients. We have excellent working relationships with Local Planning Authorities, making the process clearer and smoother for our clients. If you require any further advice regarding the above, please do not hesitate to contact one of the offices listed below. Senior staff within the practice would be very happy to assist you with regards to your enquiry.

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

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If you would like to receive a brochure providing more detail of the service provided by the DLP Consulting Group, please contact any of the offices listed on the left of this page.

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