

DCLG release
figures on
take-up of PD
rights

DLP BRIEFING NOTE 179

Prepared by
DLP Planning Limited

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DCLG release figures on take-up of PD rights

The Department for Communities and Local Government (DCLG) have released figures for the April-June 2014 quarter for the take-up and results of the new permitted development (PD) rights for conversion of a number of different land uses to residential dwellings.

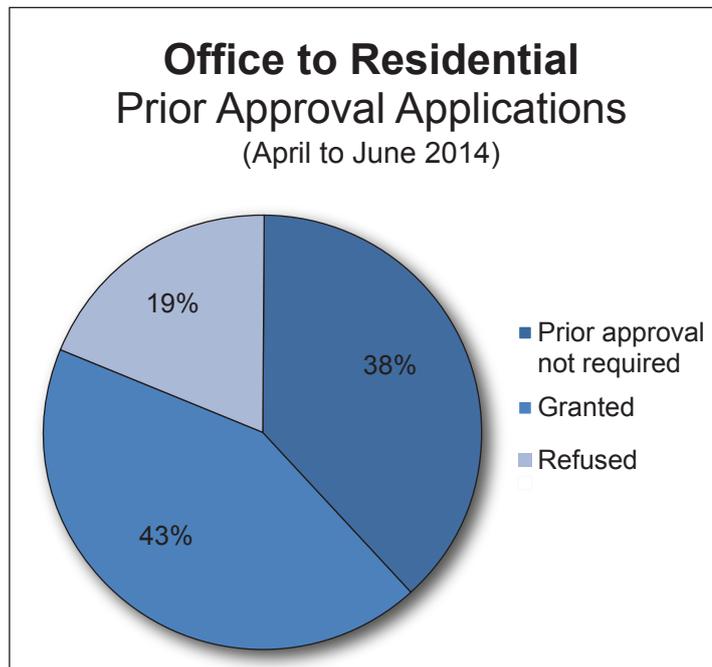
These new rights, introduced in May 2013 with further changes announced in April 2014, were originally to be for a temporary three year period although the Government has recently suggested that these changes may become permanent. The new PD rights include conversions from office to residential, agricultural to residential, retail to residential and an extension of existing PD rights to increase size limits for householder extensions.

Instead of requiring a full planning application for such a change of use, applicants are now only required to submit an application to establish whether or not Prior Approval is required for the proposed development in respect of particular planning issues such as highways, noise levels, land contamination and flood risk.

They proved controversial with many local planning authorities (LPAs), and the release of these statistics sheds light on how local planning authorities across England have determined these.

Office to Residential

The PD rights allowing a change of use from offices (B1) to residential (C3) have been the most popular in respect of the take-up by applicants, with 1,068 applications for Prior Approval submitted between April – June 2014 alone. Of these, nearly 1 in 5 applications were refused but significant proportions (38%) were identified as not requiring Prior Approval.



Not unexpectedly, the capital saw the greatest number of applications with some 39% of these in London. However, some boroughs saw significantly more applications than others: Greenwich and Richmond-upon-Thames received 43 applications each whilst Redbridge and Westminster saw just 4. Kensington and Chelsea saw no applications in this quarter.

Interestingly however, other major cities did not see correspondingly high levels of applications. Manchester received just 1 application (Greater Manchester did not fare much better with Trafford (7), Stockport (3), Salford (1)). Birmingham received only slightly more with 7 applications.

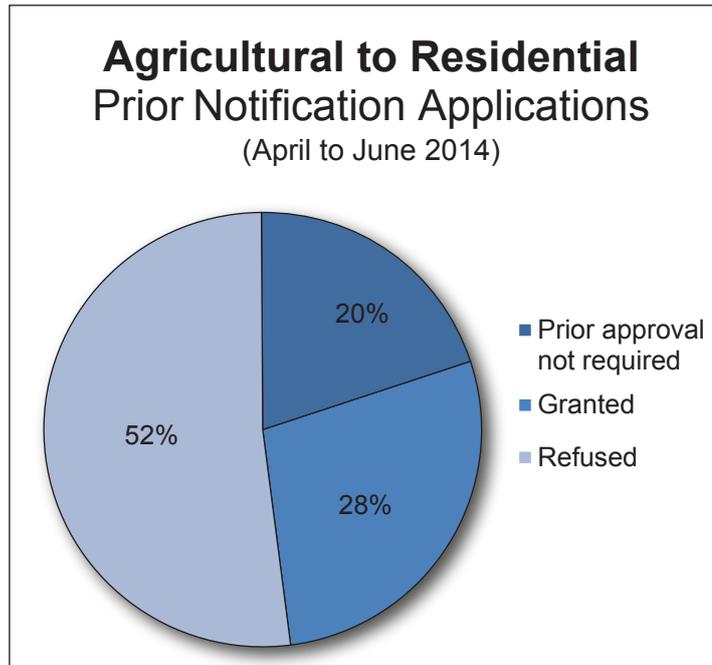
Smaller cities seemed to fare better however: Brighton and Hove received 21 applications, Southampton received 16 and Sheffield received 11. This may reflect the quality of office stock currently available in regional cities, with landowners keen to find more viable uses for surplus B-grade commercial floorspace.

Retail to Residential

Turning our attention to the more recent changes in April 2014, applications for Prior Approval for retail to residential conversions have seen slightly lower numbers refused (15%). However at just 47 applications across England over the three-month period, these new rights do not appear to have spurred the same level of uptake by developers.

Agricultural to Residential

For landowners hoping to convert their agricultural buildings to housing under the new PD rights, decisions issued since April 2014 indicate that these may be attracting high levels of scrutiny by LPAs. Over half of applications in the April-June 2014 quarter were refused, with just 20% being determined as not requiring Prior Approval.



In addition to specific matters requiring consideration such as flood risk and highways/transport, local authorities may also assess whether the location or siting of the building makes it otherwise impractical or undesirable to change its use to housing. Our experience has indicated that some LPAs are using this criteria to also assess issues such as the sustainability of the site, although less stringently than an application for full planning permission. It therefore remains necessary to demonstrate that the benefits brought by regenerating a previously developed footprint outweigh what could be a relatively isolated location for new housing.

Conclusions

The Government introduced the changes to the PD regime hoping it would contribute towards significantly boosting the supply of available housing in England. Whilst take-up appears to have been positive with up to an additional 2000 dwellings being deliverable from Prior Approval Applications in this quarter, continued monitoring of these applications will be necessary to determine the proportion of developments which are actually progressed to housing delivery.

Careful assessment of the specifics of a site will also continue to be necessary when applying for changes of use under these new PD rights.

DLP Planning Ltd

DLP Planning Ltd have considerable expertise in applications made under General Permitted Development Rights. If you would like to discuss how these new rights affect the development potential of your land, please contact any of our offices and a member of our team will be happy to help.

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

BEDFORD

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832 740

Fax: 01234 831 266

bedford@dlpconsultants.co.uk

BRISTOL

1 Blenheim Court
Beaufort Office Park
Woodlands
Bradley Stoke
Bristol
BS32 4NE

Tel: 01454 410 380

Fax: 01454 410 389

bristol@dlpconsultants.co.uk

CARDIFF

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ

Tel: 029 2064 6810

Fax: 01454 410 389

cardiff@dlpconsultants.co.uk

EAST MIDLANDS

The Old Vicarage
Market Street
Castle Donington
DE74 2JB

Tel: 01332 856 971

Fax: 01332 856 973

eastmids@dlpconsultants.co.uk

LONDON

1st Floor
3 More London Riverside
London
SE1 2RE

Tel: 020 3283 4140

london@dlpconsultants.co.uk

MILTON KEYNES

Midsummer Court
314 Midsummer Boulevard
Milton Keynes
MK9 2UB

Tel: 01908 440 015

Fax: 01908 357 750

miltonkeynes@dlpconsultants.co.uk

SHEFFIELD

11 Paradise Square
Sheffield
S1 2DE

Tel: 0114 228 9190

Fax: 0114 272 1947

sheffield@dlpconsultants.co.uk

Briefings

BEDFORD

4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH

Tel: 01234 832 740

Fax: 01234 831 266

bedford@dlpconsultants.co.uk

BRISTOL

1 Blenheim Court
Beaufort Office Park
Woodlands
Bradley Stoke
Bristol
BS32 4NE

Tel: 01454 410 380

Fax: 01454 410 389

bristol@dlpconsultants.co.uk

CARDIFF

Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ

Tel: 029 2064 6810

Fax: 01454 410 389

cardiff@dlpconsultants.co.uk

EAST MIDLANDS

The Old Vicarage
Market Street
Castle Donington
DE74 2JB

Tel: 01332 856 971

Fax: 01332 856 973

eastmids@dlpconsultants.co.uk

LONDON

1st Floor
3 More London Riverside
London
SE1 2RE

Tel: 020 3283 4140

london@dlpconsultants.co.uk

MILTON KEYNES

Midsummer Court
314 Midsummer Boulevard
Milton Keynes
MK9 2UB

Tel: 01908 440 015

london@dlpconsultants.co.uk

SHEFFIELD

11 Paradise Square
Sheffield
S1 2DE

Tel: 0114 228 9190

Fax: 0114 272 1947

sheffield@dlpconsultants.co.uk

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