

Permitted Development Update

Briefing Note

28/05/2019

Ref No : 307

The Town and Country Planning (General Permitted Development) (England) Order was brought into force in 2015, since then there have been a number of updates to various sections each year.

This year's announced changes were made on 1st May 2019, laid before parliament on 3rd May 2019 and came into force on 25th May 2019 and include a number of new options for development to support the high street.

Increased flexibility for High Street uses

In a written statement dated 13 March 2019, Secretary of State for MHCLG James Brokenshire stated *"...as confirmed in the Spring Statement it is our intention to bring forward a range of reforms. To support the high street we intend to introduce additional flexibilities for businesses."*

One major change is the introduction of a New Use Class JA which will allow the potential changes of shops (Use Class A1) and other high street uses including hot food takeaways (Use Class A5), betting offices, payday loan shops and launderettes (Use Class Sui Generis) to Offices (Use Class B1).

Currently Hot Food Takeaways can only be converted to Retail units (Use Class A1), Professional and Financial units (Use Class A2) or cafes/restaurants (Use Class A3). However, as of 25th May 2019, hot food takeaways can now also be converted to residential dwellings under the changes made to Class M.

Larger domestic extensions rights made permanent

The government has now decided to make permanent temporary changes to Part 1 Class A to allow the extension limit to be increased 8 metres for a detached dwelling and 6 metres for all other houses, subject to a number of criteria. This was originally a temporary option due to expire on 30th May 2019.

Other minor amendments

Other changes include the removal of PD rights for public call boxes, the increase in the permitted height of electric vehicle charging points and allowing the temporary conversion of a number of high street uses to community uses on a temporary basis.

Office to Residential remains (for now)

Despite growing criticisms no changes have been made to Part 3 Class Q which allows the change of use from Office (Use Class B1) to Residential (Use Class C3), although in his statement, SoS James Brokenshire did state that *"I intend to review permitted development rights for conversion of buildings to residential use in respect of the quality standard of homes delivered."*

More to come?

Notably PD rights to develop residential dwellings upwards has not been included in this raft of changes, although it is understood that the intention is still for this to be introduced in the future. The same also applies to the rights to allow the demolition of existing shops and replacement with residential dwellings.

Mr Brokenshire's Statement concludes, *"I intend to implement an immediate package of permitted development right measures in the spring, with the more complex matters, including on upward extensions, covered in a further package of regulations in the autumn."*

If you wish to find out more or discuss the implications and opportunities arising from the updated Permitted Development legislation, please contact our Bedford Office using the details below.

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