

Technical consultation on planning : Proposed changes to permitted development rights

From Use Class	To Use Class	Details/Proposed Restrictions
A. Light industrial units (B1c use) and warehousing, storage and distribution buildings (B8 use)	Residential use (C3 use).	Buildings in use at the time of the 2014 budget Prior approval process (similar to that for the permitted change of use from an office to residential use) covering flooding, transport, contamination and noise proposals. Government also consulting on whether prior approval process needs to consider the impact of a residential use being introduced into an existing industrial/employment area. Developments on or in the following types of structures or areas excluded -Listed buildings and land within the curtilage; -Scheduled monuments and land within the curtilage; -Sites of Special Scientific Interest; -Safety hazard areas; -Military explosives storage areas
B. Sui generis uses such as laundrettes, amusement arcades /centres, casinos and night clubs.	Residential use (C3 use).	Buildings in use at the time of the 2014 budget <ul style="list-style-type: none"> • Enable limited external modifications sufficient to allow for the conversion to residential use; • Prior approval in respect of transport & highways impacts, contamination risks & flooding risks; • Potentially include, subject to consultation, a prior approval in respect of the design and external appearance of the building; • Potentially include, subject to consultation, a limit on the amount of floor space that can change to residential use; • Not to apply in Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); Developments on or in the following types of structures or areas listed in A above excluded.

From Use Class	To Use Class	Details/Proposed Restrictions
<p>C. B1 (a) Office</p>	<p>Residential use (C3 use).</p>	<p>Temporary permitted change from 30 May 2013 to 30 May 2016 (although some areas are exempted from this change) to become permanent.</p> <p>-Prior approval process will continue to consider the impact of the proposed development in relation to highways and transport, flooding and contamination</p> <p>- An additionally prior approval will now consider the potential impact of the significant loss of the most strategically important office accommodation. To ensure that the ability of the policy to deliver much needed new housing is not undermined, this will be a tightly defined prior approval, and the Government invite suggestions about the specific wording.</p> <p>Developments on or in the following types of structures or areas listed in A above excluded</p> <p>The Government is also proposing to extend the time limit for completion for developments with prior approval from 30 May 2016 to 30 May 2019.</p>

Details of Proposal	Neighbour Consultation	Proposed Restrictions
<p>D. Extensions to Dwellings</p> <p>Permitted development rights for householders introduced in May 2013, initially for a three-year period are to be made permanent.</p> <p>The new rights increased the size limits allowed for single storey rear extensions on dwelling houses.</p> <p>- A householder single storey rear extension or a conservatory that extends beyond the rear wall by between four metres and eight metres for a detached house, and by between three metres and six metres for any other type of house is permitted development</p>	<p>To ensure the impact of larger extensions on the amenity of neighbours was considered, the Government introduced a 'light touch' neighbours' consultation scheme. If adjoining neighbours object to a proposed extension the Council has to consider whether the impact on the amenity of the neighbours is acceptable before giving prior approval. The prior approval must be determined within 42 days, quicker than a householder planning application eight weeks (52 days).</p> <p>;</p>	<p>The permitted development will not apply in a conservation area; Development on or in sites of Special Scientific Interest will be excluded.</p> <p>The deadline to complete an extension using the existing temporary permitted development rights by May 2016 will be removed.</p>

		Details/Proposed Restrictions
<p>E. Increasing flexibilities for high street uses</p> <p>Merger of the existing A1 shop use class of shops, hairdressers, post offices etc. with the existing A2 Financial and Professional Services Use Class of banks, building society offices, estate agents, solicitor's, accountants, employment agencies etc.</p>	<p>New A1 use class</p> <p>Notes: The proposed new A1 use class merging former use classes A1 and A2 will mean planning permission is not required for a change of use from a shop to a bank and vice versa</p>	<p>Betting shops and pay day loan shops will not form part of the wider A1 retail use class but remain within the A2 use class and planning permission will be required for any change of use to a betting shop or a pay day loan shop.</p> <p>NB. It will be possible under the proposed changes to permitted development rights to change the use of betting shops and pay day loan shops (A2), restaurants and cafés (A3) drinking establishments (A4), and hot food takeaways (A5) to A1 shop use.</p>
<p>F. Support a broader range of uses on the high street</p> <p>Permit the change of use of A1 and A2 premises and (ii) laundrettes, amusement arcades/ centres, casinos and nightclubs</p>	<p>To Restaurants and cafés (A3)</p>	<ul style="list-style-type: none"> • Applies to any premise in A1 or A2 use and to laundrettes amusement arcades, centres, casinos and night clubs. Has a size threshold of 150 sq.m so as to focus on smaller premises found on the high street and in town centres; • Prior approval in the form of a neighbour notification scheme, which will allow those immediately adjacent to the property (next to, above and at the rear) to make representations to the local planning authority in respect of the impact of the proposed change of use on local amenity, covering issues such as noise, odours, traffic and hours of opening. • <u>The Local Planning Authority will be able to consider such matters under prior approval only when neighbours object;</u> • Provide safeguards where the retail premises is a

		<p>local service, or its loss will have an adverse impact on the shopping area;</p> <ul style="list-style-type: none">• Developments on or in the following types of structures or areas listed in A above excluded e.g. (Listed buildings, Scheduled Monuments) or in certain areas (Sites of Special Scientific Interest)
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<p>G. Supporting the diversification of leisure uses on the High Street (recommendation of the Portas Review)</p> <p>Permits the change of use from A1, A2 and some sui generis uses laundrettes, amusement arcades/ centres and nightclub.</p>	<p>To Assembly and leisure (D2) such as cinemas, music and concert halls, gyms, and swimming pools</p>	<p>A1, A2 and relevant sui generis uses, must have been in use at the time of the Autumn Statement 2013</p> <p>The right will:</p> <ul style="list-style-type: none"> • Apply to any premises in A1 or A2 laundrettes, amusement arcades/ centres and nightclubs; • Exclude any size restriction; • Have a prior approval in respect of transport and highways, parking, and noise which would allow the local planning authority to consider the impacts of the change of use on local amenity <ul style="list-style-type: none"> • Not apply in Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); <p>The same exceptions from development of certain structures (listed buildings, Scheduled Monuments) or in certain areas (Sites of Special Scientific Interest) that apply to proposals for a change of use from light industrial and warehousing to residential use (see A above) will also apply to these proposals.</p>

Proposed Change	Details of Proposal and Proposed Restrictions
<p>H: Expand facilities to existing retailers</p> <p>To help retailers adapt to online shopping preferences the Government propose that: retailers can construct small, ancillary buildings which could facilitate 'click and collect' services.</p>	<ul style="list-style-type: none"> • Shops can erect ancillary buildings within the curtilage of their existing premises, including the car park; • Buildings should not exceed four metres in height and have a cumulative gross floor space of up to 20 square metres; • Buildings cannot be erected within two metres of a boundary of the curtilage of the shop; • If the building is erected between the shop front and a highway the distance from the new building to the boundary must be more than five metres; • Prior approval to consider the design, siting and external appearance of any new structure; • permitted development should not apply in Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); • The same exceptions from development of certain structures (listed buildings, Scheduled Monuments) or in certain areas (Sites of Special Scientific Interest) that apply to proposals for a change of use from light industrial and warehousing to residential use (see A above) will also apply to these proposals.
<p>Mezzanine Floors</p>	<p>Existing regulations allow most retailers to build an internal mezzanine floor in their premises up to 200 square metres without requiring a planning application. The Government are asking if the permitted development right allowing shops to build internal mezzanine floors should be increased from 200 square metres. This is intended to give greater opportunity for retailers to make best use of their existing premises and to diversify their retail offer to support the town centre.</p>

Proposed Change	Details of Proposal and Proposed Restrictions
Preventing Maximum Parking Standards	Government inquiring if more action is needed to tackle on –street parking problems and if local authorities are stopping builders from providing parking spaces. Asks if parking policy needs to be strengthened to tackle on-street parking problems by restricting powers to set maximum parking standards.
I. Permitted development right for Film and Television companies	<p>The aim of this proposal is to ensure it is easier to use buildings and land as temporary locations for commercial filming. The Government proposes that the new right will be conditional on:</p> <ul style="list-style-type: none"> No demolition, excavation, physical alteration of an existing building or other engineering works; No overnight temporary sleeping accommodation; Land and buildings to be reinstated to their original condition before the change of use as soon as it is reasonably practical to do so; Outside sets to have a maximum height limit in the region of 10 metres from the ground. <ul style="list-style-type: none"> • Have a prior approval to cover highways and transport, a travel plan, noise and light; <p>be conditional on:</p> <ul style="list-style-type: none"> No demolition, excavation, physical alteration of an existing building or other engineering works; No overnight temporary sleeping accommodation; Land and buildings to be reinstated to their original condition before the change of use as soon as it is reasonably practical to do so; Outside sets to have a maximum height limit in the region of 10 metres from the ground. <ul style="list-style-type: none"> • Have a prior approval to cover highways and transport, a travel plan, noise and light; • Rights to not apply Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); • The same exceptions from development of certain structures (listed buildings, Scheduled Monuments) or in certain areas (Sites of Special Scientific Interest) that apply to proposals for a change of use from light industrial and warehousing to residential use (see A above) will also apply to these proposals.

J. Solar PV Panels for Commercial properties

Government propose new permitted development right for the installation of photovoltaic panels (solar PV) up to 1MW on the roof of non-domestic buildings.

Permitted development rights for the installation of micro-generation solar equipment on non-domestic buildings up to a capacity of 50kW were introduced in 2012. The installation of solar panels above 50kW currently requires a full planning application to the local planning authority.

The Government proposes to introduce a new permitted development right to support the installation of photovoltaic panels (solar PV) on non-domestic buildings with a capacity up to one megawatt (20 times the current capacity) without a planning application to the local authority. This right would:

- Apply to all non-domestic buildings, as with the existing permitted development rights for installation of solar PV;

Have a prior approval process to consider the siting and design, in order to minimise the impact of glare on neighbouring or overlooking properties from the larger array of solar PV;

- Apply only to the roof of non-domestic buildings. As with the existing right, there will be restrictions on the protrusion of the panel beyond the roof slope and the height of solar PV equipment;
- Not be permitted (as with the existing permitted development right) on a roof slope which fronts a highway in Article 1(5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, an area designated as a conservation area, and land within World Heritage Sites);
- The same exceptions from development of certain structures (listed buildings, Scheduled Monuments) or in certain areas (Sites of Special Scientific Interest) that apply to proposals for a change of use from light industrial and warehousing to residential use (see A above) will also apply to these proposals.

Proposed Change	Details of Proposal and Proposed Restrictions
<p>Extensions to Business premises</p>	<p>New permitted development rights introduced for businesses in May 2013, increasing the size limits allowed for extensions to shops, financial and professional services, offices, warehouses and industrial premises to be made permanent .</p> <ul style="list-style-type: none"> • Shops (A1) and financial/professional services (A2) can extend their premises by up to 100 square metres provided the gross floor space of the building is not increased by more than 50%; • These extensions to shops and financial services can be built up to the boundary, unless that boundary is with a dwelling house where a two metre gap must be left; • Offices (B1(a)) can extend their premises by 100 square metres, provided the gross floor space of the building is not increased by more than 50%; • New industrial or warehouse buildings of up to 200 square metres can be built within the curtilage of an existing industrial or warehouse building; • The gross floor space of the existing industrial or warehouse building can be increased by up to 50%; • The permitted development right will not apply in Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); ; • Development on or in the following types of structures or areas should be excluded as they raise issues requiring further consideration: Land within the curtilage of a listed building; Sites of Special Scientific Interest; • The deadline to complete an extension using the existing permitted development rights by May 2016 will be removed.
Proposed Change	Details of Proposal and Proposed Restrictions
<p>Permitted development rights for waste management facilities</p>	<p>Permitted development rights for waste management facilities currently sui generis, by enabling the carrying out of operations for the replacement of any plant or machinery and buildings on land within the curtilage of a waste management facility and which is ancillary to the main waste management</p>

	<p>operation. Such development may only take place without the need for a planning application if:</p> <ul style="list-style-type: none"> • Where in equipment being replaced, there is no more than a 15% increase in the footprint of the plant or machinery that is subject to replacement • The replacement building, plant or machinery does not exceed the existing facilities currently on site by more than 50% or 100 square metres, whichever is the smaller. <p>The permitted development right will not apply in Article 1 (5) land (i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, designated conservation area, and land within World Heritage Sites); .</p> <ul style="list-style-type: none"> • Development on or in the following types of structures or areas should be excluded as they raise issues requiring further consideration: Listed buildings and land within the curtilage; Scheduled monuments and land within the curtilage; Sites of Special Scientific Interest.
<p>Equipment housings for sewerage undertakers</p>	<p>The aim of this proposal is to remove some unnecessary restrictions on minor operational development by sewerage undertakers.</p> <p>The main permitted development rights for water undertakers are very similar to those for sewerage undertakers. However, while water undertakers have a right for “the installation in a water distribution system of a booster station, valve house, meter or switch-gear house”, there is no equivalent right for sewerage undertakers.</p> <p>The Government’s view is that there are no strong planning grounds why sewerage undertakers should have to make planning applications for equipment housings at sewage works but not for the equivalent housings at water treatment works. This causes unnecessary work and expense for both the sewerage undertakers and local planning authorities.</p> <p>The proposed that a permitted development right equivalent to that for water undertakers should apply to sewerage undertakers. This would allow sewerage undertakers to carry out the installation of a pumping station, valve house, control panel or switchgear house into a sewerage system. The rights will be subject to the same “development not permitted” limitation as set out for water undertakers, that is, a limit of 29 cubic metres in capacity for any installation that is carried out at or above ground level or under a highway used by vehicular traffic.</p>