From the 6th April 2014 there are new "Permitted Development Rights" under the Town and Country Planning Act, which in some cases allow development to take place without planning permission being obtained. These changes are summarised below:

The new Rights arise from last year's Government consultation on proposals for Greater Flexibility in Planning and aim to:

- Make it easier for businesses to make best use of their premises.
- Deliver more homes.
- Support high streets.
- Support sustainability by promoting the re-use of buildings.
- Facilitate the provision of registered nurseries and state-funded schools.

The new Permitted Development Rights allow change of use:

- From retail (A1) or financial and professional services (A2) to residential (C3) with some associated physical works. Up to 150m² can change use. This right is subject to prior approval of matters including its impact on the sustainability of a key shopping area and the adequate provision of services where there is a likelihood of the building being used a retail purpose. It does not apply in article 1(5) land (Conservation Areas);
- From retail (A1) to banks, building societies, credit unions and friendly societies, but do not allow subsequent change to other A2 uses. This right applies/does not apply to listed buildings, subject to conditions;
- From buildings in agricultural use to residential (C3) with some associated physical works to enable conversion to take place. Up to 450m² can change use on an agricultural unit to provide up to three homes. This right is subject to prior approval on a number of matters and will not apply on article 1(5). However Government Ministers are clear that they expect planning authorities in protected areas to take a positive and proactive approach to sustainable development, balancing the protection of the landscape with the social and economic wellbeing of the area;
- From buildings in agricultural use to state-funded schools and registered nurseries providing childcare. This measure does apply in article 1(5) land; and
- From offices, hotels, residential, and non-residential institutions and leisure and assembly (B1, C1, C2, C2A and D2) to nurseries providing childcare.

Further an amendment has also been made to Part 1, Class B of GPDO, to clarify the policy intention that when enlarging a roof, a key measurement from the eaves should be taken from the outside edge of the eaves, measured along the roof line. The amendment also clarifies that retaining the eaves of the original roof should allow for their reinstatement if works have necessitated their temporary removal, and that a roof enlargement cannot extend out beyond the original wall of the dwelling house.

The regulations and explanatory memorandum can be found at:
- www.legislation.gov.uk/uksi/2014/564/contents/made

Prior approval is required and application forms are available on the Planning Portal and Wakefield Council Planning website: www.wakefield.gov.uk/planning

Attached is a Quick Guide to New Permitted Development Rights.

Judy Jones Development Manager
Wakefield Council
A Quick Guide to New Permitted Development Rights

The Town and Country Planning (General Permitted Development (England) Order 2015 brought the following changes into effect.

This guide is only intended as a general overview of the new permitted development rights. It is not intended, and should not be used, as a substitute for obtaining professional planning or legal advice.

- **New Class M** allows shops or financial or professional services... to change to residential use. Conditions apply e.g. Does not apply in conservation areas or to listed buildings up to 150sqm Prior Approval process.

- **Class T** is expanded to allow buildings used for a variety of uses... to become a registered nursery / state funded schools. Conditions apply.

- **New Class S** allows agricultural buildings... to become a school or registered nursery. Conditions apply e.g. Does not apply to listed buildings up to 500sqm Prior approval process.

- **New Class Q** allows agricultural buildings... to change to residential use. Conditions apply e.g. Does not apply in conservation areas, National Parks, AONB, or to listed buildings up to 450sqm up to 3 dwellings Prior approval process.