



Department for
Communities and
Local Government

Greater flexibilities for change of use - Consultation

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Contents

Introduction	4
The consultation process and how to respond	6
Policy background	8
Legal background	9
Proposals for change	10
Benefits and impacts from our proposals	18
Consultation information	20

Introduction

1. The consideration of planning matters must be proportionate and address the issues which have the potential to have the greatest impact on the local areas and those nearby. The measures that we introduced in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 which came into force on 30 May 2013 go some way to further freeing up the planning system so that change of use can take place more freely and owners are able to make best use of their property.
2. We want owners to recognise the potential of their properties, the opportunities that change of use can bring and the great value of reusing brown field land. This makes a strong contribution to wider regeneration and supports our firm commitment to high street renewal and the town centre. This also makes an important contribution to reducing the pressure for new green field development.
3. It is clear that the dynamics of the market will influence what are likely to be the use of a property and site, and it is important to ensure that the planning system can respond effectively. We want decisions to be taken at the right level and often this can be allowing an owner to decide on the most appropriate future use of a commercial property where the current use is no longer economically viable. It is important that we focus on bringing empty and redundant buildings back into use and support brownfield regeneration. In doing so we can increase the resident population around and near town centres. This will support the existing shops by increasing footfall.
4. The Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) are significant deregulatory tools. They allow change of use between land uses that have similar impacts, without the need to apply for planning permission. But we can go further, and in the 2013 Budget Statement¹ the Government announced its intention to consult on allowing further flexibilities between use classes to support change of use from certain agricultural and retail uses to residential. This consultation takes forward that commitment as well as looking at further opportunities to support growth. To this end the Government is proposing action in five areas:
 - To create a permitted development right to assist change of use and the associated physical works from an existing building used as a small shop or provider of professional/financial services (A1 and A2 uses) to residential use (C3);
 - To create a permitted development right to enable retail use (A1) to change to a bank or a building society;

¹ 20 March 2013 <https://www.gov.uk/government/news/budget-2013-documents>

- To create a permitted development right to assist change of use and the associated physical works from existing buildings used for agricultural purposes to change to residential use (C3);
 - To extend the permitted development rights for premises used as offices (B1), hotels (C1), residential (C2 and C2A), non-residential institutions (D1), and leisure and assembly (D2) to change use to a state funded school, to also be able to change to nurseries providing childcare; and
 - To create a permitted development right to allow a building used for agricultural purposes of up to 500m² to be used as a new state funded school or nursery providing childcare.
5. The changes proposed in this consultation document will help make better use of existing buildings, support rural communities and high streets, provide new housing and contribute to the provision of child care for working families.

The consultation process and how to respond

Topic of this consultation:	Greater flexibilities to change use - Consultation
Scope of this consultation:	The consultation seeks views on the Government's proposals to amend the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to grant permitted development rights to allow change of use and associated physical works to residential use for buildings used for retail and agricultural purposes; changes of use for retail premises to banks and building societies and a range of changes of use to support nurseries providing child care and state funded schools.
Geographical scope:	These proposals relate to England only.

Basic information

To:	This is a public consultation and it is open to anyone to respond. We would particularly welcome views from: Local planning authorities Developers Retailers Farmers Community representatives
Body/bodies responsible for the consultation:	Department for Communities and Local Government (Planning Development Management Division).
Duration:	The consultation is published on 06 August 2013 and ends on 15 October 2013. This is a 10 week period.
Enquiries:	Saima Williams Tel. 0303 44 42058 E-mail: saima.williams@communities.gsi.gov.uk
How to	By e-mail to:

<p>respond:</p>	<p>Changeofuse.planning@communities.gsi.gov.uk</p> <p>The form can also be completed on Survey Monkey at: https://www.surveymonkey.com/s/NHXVK66</p> <p>A downloadable questionnaire form, which can be emailed to us, will be available on our website at www.communities.gov.uk/consultations</p> <p>Alternatively, paper communications should be sent to: Saima Williams Consultation Team (Greater flexibilities to change use) Planning Development Management Division Department for Communities and Local Government 1/J3, Eland House Bressenden Place London SW1E 5DU</p>
<p>Additional ways to become involved:</p>	<p>If you require this material in an alternative format, please contact us.</p>
<p>After the consultation:</p>	<p>The Department for Communities and Local Government will publish its response to the consultation alongside any changes agreed as part of this consultation coming in to force.</p>

Background

<p>Getting to this stage:</p>	<p>The current framework for change of use in planning is contained in the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended).</p>
<p>Previous engagement:</p>	<p>A consultation paper “New opportunities for sustainable development and growth through the reuse of existing buildings” was published in July 2012 and closed on 11 September 2012. The proposals taken forward from the consultation came into force 30 May 2013 as part of a wider package of changes to permitted development rights.</p>

Policy Background

6. The planning system provides an opportunity to ensure that any change is appropriate and does not adversely impact on the local area. The change of use of land and buildings can require a planning application where it is considered to be “development”. It has been recognised that this can be a burden on business in terms of time and cost and is sometimes of little value if the change of use did not impact adversely on the neighbourhood. Therefore we believe there are changes where the need for planning permission is unnecessarily burdensome. This is particularly the case where there is scope to encourage better and more sustainable use of a property.
7. Our consultation paper “New opportunities for sustainable development and growth through the reuse of existing buildings”², published in July 2012, recognised that in vibrant communities there will be a need and an appetite for sustainable development to support overall growth. This includes allowing buildings to change their use to adapt to changing circumstances.
8. We brought forward a package of changes which came into force on 30 May 2013³ which takes a significant step towards shifting the balance in favour of those who are looking to make best use of their property assets while respecting the amenity of others. The changes enable owners to bring forward imaginative proposals to bring new businesses and activities to an area. The permitted development rights for change of use that came into force on 30 May 2013 cover:
 - Increases in size thresholds for changes between the B use classes;
 - change of use subject to prior approval conditions for:
 - existing office premises (B1(a)) to change to residential use (C3) for three years;
 - agricultural buildings to change to a number of other uses including shops, financial and professional services, cafes, offices, storage and assembly and leisure (A1, A2, A3, B1, B8, C1 and D2);
 - premises in a range of use classes - offices, hotels, residential institutions, non residential institutions and secure non residential institutions (B1, C1, C2, C2A, and D2) to change to use as a state-funded school;
 - temporary use of buildings:
 - buildings with a range of uses - shops, financial and professional services, cafes, pubs, fast food takeaways, offices, non residential institutions, assembly and leisure (A1, A2, A3, A4, A5, B1, D1 and D2) to change to uses having a lesser or similar impact including shops, financial and professional services, cafes, offices, (A1, A2, A3 and B1)

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8351/2171937.pdf

³ <https://www.gov.uk/government/speeches/planning-promoting-regeneration>

for a single temporary period of up to two years, subject to a 150m² size limit;

- buildings in all use classes to change to use as a state-funded school for a temporary period of one academic year, subject to approval by the Secretary of State for Education.
9. This consultation builds on the above changes and recognises further opportunities for new homes and businesses to be created through change of use. Our commitment to reform continues with the removal of unnecessary burdens and regulations that are key to presenting opportunities to owners to make best use of their property assets. This also makes an important contribution to reducing the pressure for new green field development.

Legal Background

10. Under the Town and Country Planning Act 1990, development control extends not only to building work but also to changes in the use of buildings or land. Planning permission is usually required for material changes of use. What constitutes a material change of use is a matter of fact and degree, to be determined in each case by the local planning authority.
11. Certain uses are so similar in planning land use terms that to require planning permission to change use would be unnecessarily burdensome. To relieve the planning system of such unnecessary applications, the legislation excludes from the definition of development, any change where both the existing and the proposed use fall within the same class within the Town and Country Planning (Use Classes) Order 1987 (as amended) (“the Use Classes Order”)⁴.
12. In the Schedule to the Use Classes Order, uses fall within four main categories:
- Part A covers shops and other retail premises such as restaurants and bank branches;
 - Part B covers offices, workshops, factories and warehouses;
 - Part C covers residential uses;
 - Part D covers non-residential institutions and assembly and leisure uses.
- There are separate use classes (e.g. A1, A2) within each Part. In addition there are also uses that are sui generis i.e. outside the use classes system. These are listed at article 3(6) of the Use Classes Order.
13. Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (“the General Permitted Development Order”)⁵ grants planning permission for specified changes of use between some

⁴ The Town and Country Planning (Use Classes) Order 1987 (SI 1987/764)

⁵ The Town and Country Planning (General Permitted Development) Order 1995 (SI 1995/418)

use classes in the Use Classes Order. The effect of granting planning permission in a development order is that the development is considered to be permitted development and a planning application is not required.

14. Change of use can be an issue locally where an area is seeking to secure regeneration or to protect certain amenities. Therefore there is scope for local planning authorities both to go beyond, or to restrict, the operation of national permitted development rights. Local development orders and neighbourhood development orders allow local authorities to extend the types of permitted developments that do not require a planning application. To restrict national permitted development rights, local planning authorities can issue an article 4 direction, although this may attract compensation liabilities. Both measures need to be tested through local consultation.

Proposals for Change

15. The 2013 Budget announced our intention to consult on allowing further flexibilities between use classes to support change of use from agricultural and retail uses to residential. There is great potential for some properties that do not have a viable future in their current use to be converted to homes. There is also an opportunity to bring forward additional changes which build on the 30 May 2013 package and further enhance the key objective of supporting economic growth.
 16. The proposals in this consultation strongly support key Government priorities for making better use of existing buildings, supporting the high street and rural communities; providing new housing; developing more free schools and contributing to the provision of child care for working families. The proposals continue the momentum of our reforms and it is our intention to bring forward the changes, subject to this consultation, for April 2014.
 17. The package covers permitted development rights to allow shops and existing buildings used for agricultural purposes of up to 150 square metres to change to residential use. It proposes a permitted development right to allow retail uses to change to banks and building societies only. It also enables premises used as offices, hotels, residential and non-residential institutions, and leisure and assembly to be able to change use to nurseries providing childcare; and a building used for agricultural purposes of up to 500m² to be used as a new state funded school or a nursery providing childcare.
 18. The objective is to allow change of use with the minimum need for planning permissions. However there are some material planning considerations which need to be recognised and allowed for when bringing forward permitted development rights. Therefore, by the use of a prior approval, the Secretary of State will be able to have confidence that the planning impact of any change of use will be mitigated.
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19. Where the permitted development is for change of use only, and prior approval is required, a fee of £80 will apply. Where the permitted development also allows for physical development and prior approval is required a fee of £172 will apply.
20. The proposals are set out in detail below with associated questions. A separate consultation response form, containing all the questions, is provided and can be completed electronically and submitted to the Department. The form can also be submitted via Survey Monkey.

Creating new homes from old shops

21. There is a real opportunity to support both the high streets and housing agendas by allowing change of use to housing of shops that are no longer viable. There is no doubt that individuals value and recognise the importance of the city centre, high street and local shops. However, at the same time it is accepted that there are circumstances where a particular street or individual shop is unlikely to survive the current challenges facing the retail sector. It is therefore important that action is taken to arrest the problems of decline and blight.
22. The online retail offer can be important to many and may well, in some cases, complement rather than replace shops. Therefore we want to support the retail offer that will continue to exist on the high street. This means finding new uses for shops that no longer have a future. It is likely these will be in secondary locations away from the main retail area. It is possible for local authorities to take action locally, freeing up change of use through local development orders for other uses including housing. Neighbourhood Plans could similarly bring forward neighbourhood development orders. These could be used to help down size a high street or local centre where part is no longer viable for commercial and retail purposes. By focusing on bringing new homes into the area, for example by establishing “home zones”, conversion to housing can be actively promoted.
23. However, even with a proactive approach by some local authorities and neighbourhoods and despite the universal recognition of the change that is taking place in shopping habits, some local authorities have been slow to relax local planning policies to allow change of use and associated physical works.
24. The town centre first policy set out in the National Planning Policy Framework recognises that residential development can play an important role in ensuring the vitality of centres, and asks local authorities to set out policies to encourage residential development on appropriate sites. We recognise, however, that defining what sites would or would not be appropriate to change from retail to residential use, through a permitted development right, is challenging. While the National Planning Policy Framework refers to primary shopping areas and primary and secondary frontages, it does not require the use of these terms in the local plan. There is no precise and consistent term that could be used to frame a national permitted development right around a particular type of retail unit or site (e.g. that with a secondary frontage).
25. Therefore it is proposed to introduce a national permitted development right for change of use and physical works. This recognises the Portas Review support for

more flexibility for change of use on the high street. The scope of the permitted development will be sufficient to provide for the conversion such as new frontage, windows and doors. There will be prior approval in respect of design, the potential impact of the loss of the retail unit on the economic health of the town centre, the need to maintain an adequate provision of essential local services such as post offices, and the potential impact of the change of use on the character of the local area. This will allow the local authority to have regard to their local plan policies for the area. All local authorities are working to put in place an up to date local plan, if they have not already done so. Those local authorities still developing and consulting on plans will need to set out in their plan the primary retail areas and wider retail hierarchy, as required by the National Planning Policy Framework. This will inform an authority's decision making when subsequently considering a prior-approval application.

26. While it is our objective that the prior approval criteria should provide local authorities with some discretion, and give a sufficiently robust protection for the main town centre, it should also allow for change of use to proceed in the more marginal locations. As with all prior approvals it will be subject to appeal and can be tested if local authorities are found to be using it unreasonably to prevent change of use. The Department established the Future High Streets Task Force to offer advice on how to deliver the high street offer of the future, and we will work with them as part of our consultation exercise on this proposal.

27. Specifically in framing a new permitted development right for a retail building to change to residential use (C3), with the associated physical development to allow conversion, it is proposed that the right would:

- apply to A1 (shops) and A2 (financial and professional services);
- have an upper threshold of 150m²;
- allow conversion to a single dwelling house or a maximum of four flats, but not a small HMO;
- enable the external modifications sufficient to allow for the conversion to residential use;
- not apply in article 1(5) land as set out in the General Permitted Development Order (i.e. conservation areas, National Parks, Areas of Outstanding Natural Beauty, the Broads and World Heritage sites);
- be subject to a prior approval for design to ensure that physical development complies with local plan policies on design, material types and outlook;
- be subject to a prior approval allowing account to be taken of the potential impact of its loss on the economic health of the town centre, the need to maintain an adequate provision of essential local services such as post offices, and the potential impact of the change of use on the local character of the area. In order to ensure the policy delivers maximum benefits, we wish

this to be a tightly defined prior approval, and would welcome suggestions about specific wording which would achieve that.

28. We believe local plans that are currently being adopted across the country following the introduction of the National Planning Policy Framework will provide appropriate retail and town centre policies against which any prior approval application for a permitted development can be judged in terms of its impact and any necessary mitigation. The proposal also recognises that more substantial conversions will merit consideration of a full planning application.

Question 1

Do you agree there should be permitted development rights, as proposed, for shops (A1) and financial and professional services (A2) to change use to a dwelling house (C3) and to carry out building work connected with the change of use?

How do you think the prior approval requirement should be worded, in order to ensure that it is tightly defined and delivers maximum benefits?

The place of banks on our high street

29. Currently banks and building societies are generally classed as A2 uses (financial and professional services). However increasingly banking services are also offered by, and within, the larger retailers. Banks are also a recognised and valued feature of most high streets offering important services which are best suited to a high street location.
30. While there is a permitted development right for financial and professional services (A2) use to change to a retail use (A1), the reverse cannot happen without planning permission. This situation reflects the time when financial services generally had office-like frontages which were considered to break up the retail character of a street. This is less true now with banks and building societies adopting a more retail-like approach to the design of their premises.
31. Therefore it is proposed to recognise the changing nature of banks and building societies by providing a tightly prescribed permitted development right that would allow A1 uses to change use to banks and building societies only. There would be no change permitted to other A2 uses subsequently. We would work with the banking and building society industry to agree how these sorts of premises can best be distinguished from other financial and professional services within class A2: either by definition or by the nature of the regulation in place. We will consider whether there would be merit in setting an upper size threshold, given the intention is that this will apply to banks where services are provided principally to visiting members of the public.

Question 2

Do you agree there should be permitted development rights for retail units (A1) to change use to banks and building societies?

Re-use of existing redundant agricultural buildings for a dwelling house

32. We have already provided permitted development rights to make the most of the potential for diversification and economic growth in rural areas from the reuse of existing and redundant agricultural buildings for commercial purposes.
33. During the previous consultation a number of those who responded highlighted the potential for redundant buildings to be converted into homes. We recognise that this proposal could bring forward additional homes in rural communities and contribute to the delivery of the Coalition Agreement pledge of supporting "Home on the Farm". Therefore we have looked at the suggestions in detail and the nature of a permitted development that would allow suitable buildings that no longer have an agricultural use to convert.
34. Agriculture and the use of existing agricultural buildings are not development in terms of planning legislation. However, as we have already demonstrated it is possible to provide a permitted development right that allows conversion of existing buildings used for agriculture to other uses. What would be an acceptable change of use needs to be carefully defined. We want to avoid high-impact development occurring without the opportunity for local consideration and to balance any reduction in the flexibility already afforded to farm businesses against new freedoms. It is also important to avoid creating the opportunity for over development.
35. As a change to a dwelling house is likely to need some external alterations we recognised that for the permitted development to be effective it should also include provision for some limited physical development.
36. Specifically, in framing a new permitted development right for an agricultural building to change to residential use (C3) with the associated physical development to allow conversion, it is proposed that the right would:
- allow up to 3 additional dwelling houses (which includes flats) to be converted on an agricultural unit which existed at the time that the intention to consult was announced in the Budget Statement of 20 March 2013.
 - have an upper threshold of 150m² for a single dwelling house;
 - enable the physical development necessary to allow for the conversion, and where appropriate the demolition and rebuild, of the property on the same footprint;

- include prior approval for siting and design to ensure physical development complies with local plan policies on design, materials and outlook;
- include prior approval for transport and highways impact, noise impact, contamination and flooding risks to ensure that change of use takes place only in sustainable locations;
- apply to agricultural buildings constructed prior to announcement of the proposal to consult in the Budget Statement of 20 March 2013;
- apply in article 1(5) land as set out in the General Permitted Development Order (i.e. conservation areas, National Parks, Areas of Outstanding Natural Beauty, the Broads and World Heritage sites).

37. There is an existing definition of an agricultural unit set out in Part 6 of Schedule 2 to the General Permitted Development Order. This is agricultural land which is occupied as a unit for the purposes of agriculture, including any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or any dwelling on that land occupied by a farm worker. The Order currently grants less generous permitted development rights for operational development for agricultural units of less than 5 hectares. It is proposed that all agricultural units in place at the time of the consultation should have the same 3 dwelling house permitted development right. This recognises that the size of the unit does not necessarily relate to the number or suitability of buildings which it would be appropriate to convert.

38. The existing agricultural permitted development rights set out in Part 6 of Schedule 2 to the General Permitted Development Order allow for the construction of new agricultural buildings or extension of existing agricultural buildings, not including dwelling houses. Therefore it is proposed that in the future an owner will be able to choose to exercise either the existing permitted right to construct a new agricultural building or the new right for conversion of an agricultural building to a dwelling house. Where the new right is exercised the owner will only be able to exercise the permitted development for construction of a new agricultural building once a period of 10 years has elapsed. This recognises that it is only where the agricultural buildings are genuinely redundant that it is appropriate to grant a permitted development right to allow for the change of use. In addition an owner will not be able to exercise the new right if they used the existing permitted development right to construct a new agricultural building on or after this consultation paper was published. This will not prevent planning permission being sought for development during this period.

Question 3

Do you agree there should be permitted development rights, as proposed, for existing buildings used for agricultural purposes to change use to a dwelling house (C3) and to carry out building work connected with the change of use?

Supporting working families to find childcare

39. The participation of women in the labour market in this country is lower than in many other countries both in Europe and worldwide. The affordability and availability of childcare is a major barrier to work amongst parents of the under 5's. There is a strong demand for a greater number and range of nurseries providing childcare. Without suitable provision it is difficult for young families to be able to find places that are convenient for their journeys to work.
40. We are consulting on a proposal to relax planning rules so that non-domestic early years childcare providers can deliver additional and high quality places to meet increasing demand. To achieve this we believe that there is a strong case for replicating the permitted development rights for permanent change of use to state funded schools, which came into force on 30 May 2013, to cover nurseries providing childcare.
41. Permitted development rights for nurseries will enable providers to respond more quickly to changing market needs and help grow a thriving and competitive child care market. Access to suitable premises that can be quickly converted to nurseries is repeatedly flagged by providers as an issue which limits their ability to be rapidly responsive to growing childcare needs.
42. Our proposal would allow offices (B1), hotels (C1); residential institutions (C2); secure residential institutions (C2A) and assembly and leisure (D2) to change use to nurseries providing childcare and carry out limited building works, as allowed for schools under Part 32 of the General Permitted Development Order, connected with the change of use. The school permitted development rights were restricted to state funded schools. This reflected the policy importance attached to ensuring there were sufficient state school places available for all children whose parents wished to use the state sector. It is proposed that the permitted development right is applied only to registered early years childcare providers in non-domestic premises. The prior approval requirements in respect of transport and highways impact, noise and contamination risks that are in place for state-funded schools would also be replicated here.
43. All childcare providers must be on the Early Years Register which is regulated by Ofsted⁶. The register covers people caring for children aged from birth to 31 August after their 5th birthday. Providers are required to deliver the Early Years Foundation Stage. Ofsted regulation and inspections of providers will provide an assurance of quality.

Question 4

⁶ See Part 3 of the Childcare Act 2006 (c. 21)

Do you agree that there should be permitted development rights, as proposed, to allow offices (B1), hotels (C1); residential institutions (C2); secure residential institutions (C2A) and assembly and leisure (D2) to change use to nurseries providing childcare and to carry out building work connected with the change of use?

Provision for children in rural areas

44. The permitted development rights for agricultural buildings to be used for a range of commercial uses came into force on 30 May. These have been welcomed in the rural communities. However they did not include any changes to support education.
45. It can be particularly difficult in rural areas to find local educational provision and suitable buildings for new providers to convert to schools. Therefore it is proposed to build on the approach adopted for the agricultural permitted development rights to bring forward provisions for allowing change of use to state-funded schools as well as nurseries providing childcare.
46. The permitted development will allow for change of use with prior approval where the gross floorspace of the building is less than 500m². This upper threshold would be the same as for the existing permitted development right for agricultural buildings to change to various commercial uses, and will ensure that a number of farm buildings would be able to change their use under these new permitted development rights. The prior approval will cover noise, transport, flooding and contamination. This combines the existing permitted development prior approval requirements for agricultural buildings and schools. We propose that operational development should be permitted to the same extent as for agricultural buildings changing use under existing permitted development rights, i.e. a modified form of the operational development rights available under Class B of Part 41 of Schedule 2 to the General Permitted Development Order.
47. The permitted development right will be available in respect of more than one building on an agricultural unit, provided that the overall size limits are not breached. In recognition of cumulative impact, any proposed changes which take the cumulative size above the 500m² limit would trigger the need for a planning application.

Question 5

Do you agree there should be permitted development rights, as proposed, for buildings used for agricultural purposes to change use to new state funded schools or nurseries providing childcare and to carry out building work connected with the change of use?

Benefits and impact from our proposals

48. The planning system, including the Use Classes Order and the General Permitted Development Order, ensures that development which comes forward is delivered in suitable locations, in a manner that benefits local communities and that any adverse impact is properly managed.
49. In bringing forward proposals for permitted development rights the consultation recognises that there remains scope to secure forms of change of use with a lighter touch approach than would otherwise be possible through the planning application route. This will lighten the planning process for businesses, boost growth and contribute to delivering more homes.
50. There will be benefits for businesses and owners that carry out development by no longer being required to prepare and submit planning applications for certain developments. While all the proposals retain some element of local authority assessment, this will be limited to the particular impact of a development. This will allow local authorities to better focus on larger developments which are likely to be of a more strategic importance to the local area.
51. The proposals recognise that there are circumstances where it will remain important for developers to have the opportunity for engagement with local authorities and those who may be affected by the development. Therefore the proposals set out in this consultation seek to strike a balance between the engagement and the potential benefits of freeing up processes for changing use to achieve sustainable development.
52. Bringing forward further permitted developments with a consistent approach to prior approval will assist local authorities in ensuring they have in place systems that are light touch while also ensuring those affected by the development have the opportunity to comment on proposals that will impact on them.
53. The proposals set out should encourage owners to consider whether they are securing best use from their properties. It should ensure that the opportunity for a good quality proposal to be delayed is minimised, with any unacceptable impact properly managed or mitigated. In bringing forward these proposals we have sought to ensure that the new permitted development rights will not have an adverse impact or introduce burdensome processes.
54. We believe that the proposals outlined will provide greater opportunities to change use which in turn will contribute to making better use of existing buildings, deliver additional homes, support rural communities and high streets and contribute to the provision of schools and nurseries for working families.

55. It is the intention that these changes should be made nationally in England, with certain exclusions for article 1(5) land⁷. We are also proposing that the following types of development should be excluded from the permitted development right because they raise issues requiring further consideration:

- listed buildings and scheduled monuments;
- buildings within Sites of Special Scientific Interest, safety hazard zones and military explosives storage areas; and
- development where an environmental impact assessment is required.

56. The Department welcomes your views on the benefits and impact of these proposals for further permitted development rights, and any further evidence that might inform their development.

Question 6

Do you have any comments and further evidence on the benefits and impact of our proposals set out in the consultation?

⁷ Article 1(5) land' refers to types of areas set out in article 1(5) of the General Permitted Development Order

Consultation criteria

About this consultation

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004). If you want the information that you provide to be treated as confidential, please be aware that under the Freedom of Information Act 2000, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested. Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

If you have any queries regarding the consultation process, please contact:
DCLG Consultation Co-ordinator
Zone 6/H10 Eland House
London SW1E 5DU
email: consultationcoordinator@communities.gsi.gov.uk