

## TRAFFORD COUNCIL

**Report to:** Planning Development Control Committee  
**Date:** 13<sup>th</sup> June 2013  
**Report for:** Information  
**Report of:** Acting Chief Planning Officer

### **Report Title**

Changes to Permitted Development Rights.

### **Summary**

This report summarises the key changes to permitted development rights, which came into force on 30<sup>th</sup> May 2013.

### **Recommendation(s)**

That Members note the changes to permitted development rights.

### **Contact person for access to background papers and further information:**

Name: David Pearson  
Extension: 3198

Background Papers:  
The Town and Country Planning (General Permitted Development) (Amendment)  
(England) Order 2013

## **Background Information**

*Implications:*

Relationship to Corporate Priorities	Economic Growth and Development
Financial	Loss of planning application fee income through relaxation of requirement for planning permission.  Loss of S106 income through permitted changes, particularly from B1(a) office space to C3 residential use.  The Householder prior approval system does not attract a fee. Commercial prior approval fee not likely to be brought in until 1 <sup>st</sup> October 2013.
Legal Implications	The new prior approval processes will require an amendment to the Scheme of Delegation.
Equality/Diversity Implications	None directly from this report
Sustainability Implications	None directly from this report
Staffing/E-Government/Asset Management Implications	The service is working on putting new systems in place to deal with the changes. The need to ensure that new development is complete within 3 years for many of the new rights will impact on monitoring responsibilities.
Risk Management Implications	None directly from this report
Health and Safety Implications	None directly from this report

### **1.0 Background**

The Government has introduced a number of mainly temporary changes to permitted development rights aimed at deregulating the planning system and stimulating the economy. The changes came into effect on 30 May 2013.

#### **The Key Changes**

##### **House Extensions**

Larger house extensions (up to 8 metres single storey rear extensions on detached houses and up to 6 metres on any other house can be built until 30th May 2016). Other existing criteria governing the need for planning permission remain. This temporary permitted development right is subject to a new prior approval procedure. Before beginning the development the person relying on the right must notify the local planning authority. The authority will then notify neighbouring properties. If neighbours object to the proposed development, the authority must assess the impact of the extension on the amenity of all adjoining premises and consider whether prior approval should be approved or refused. The development may not be started until the authority has notified the person of their decision or until the expiry of 42 days without such a decision being notified. The Council will not receive a fee for dealing with this process.

### **Change of use from offices to dwellings**

Premises in B1(a) office use will be able to change to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination. The new permitted development right is temporary, and will expire on 30th May 2016.

**Increased thresholds for business change of use.** Thresholds have changed from 235 sq metres to 500 sq metres for permitted development for change of use from B1 or B2 to B8 and from B2 or B8 to B1.

**Premises in B1, C1, C2, C2A, D1 and D2 use classes will be able to change use permanently to a state-funded school,** subject to the prior approval of the local planning authority regarding transport and highways, noise impacts and contamination. Reversion to the previous use is also permitted.

There is also a temporary permitted development right allowing any building being used for a purpose which falls within one of the use classes set out in the Schedule to the Use Classes Order to change to use as a state-funded school for a single period of one academic year, provided the building has been approved for school use by the relevant Minister, the Secretary of State responsible for schools.

### **Fences at Schools**

Schools will be able to build a higher boundary fence or wall adjacent to a highway, provided it does not create an obstruction which is likely to be a danger for highway users.

**Agricultural buildings under 500 sq metres will be able to change to a number of other uses** (A1, A2, A3, B1, B8, C1 and D2). For buildings between 150 sq metres and 500 sq metres, prior approval covering flooding, highways and transport impacts, and noise will be required.

**Buildings within A1, A2, A3, A4, A5, B1, D1 and D2 uses will be permitted to change use** for a period of two years to A1, A2, A3 and B1 uses to help new and start-up businesses. The change of use may only relate to a floor space of no more than 150 square metres.

### **Industrial PD**

Permitted development rights increased to erect, extend or alter industrial and warehouse premises from 25% of gross floor space or 100 square metres (whichever is the lesser) to 50% or 200 square metres. The new permitted development right is temporary and will expire on 30th May 2016.

### **Telecoms PD**

On article 1(5) land (which includes conservation areas), the construction, installation or replacement of telegraph poles, cabinets or lines for fixed-line broadband services will not require prior approval for a 5 year period. In order to rely on this change to the permitted development rights, development must be completed before 30th May 2018.

### **Office PD**

Permitted development rights increased to extend or alter an office building from 25% of gross floor space or 50 square metres (whichever is the lesser) to 50% or 100 square metres. The new permitted development right is temporary and will expire on 30th May 2016.

**Shops PD**

Permitted development rights increased to extend or alter a shop, catering, professional or financial services establishment from 25% of gross floor space or 50 square metres (whichever is the lesser) to 50% or 100 square metres. The new permitted development right is temporary and will expire on 30th May 2016. The exclusion of development within 2 metres of the boundary of the curtilage is removed during the same period except in relation to premises which adjoin land or buildings in residential use.