

Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016

The 2015 GDPO was amended in March and these changes came into force on 6 April 2016. The key changes of note are summarised as follows:

Change of use of buildings to residential use

Laundrette's to residential

- Article 6 amends Class M of Part 3 of Schedule 2 to allow a building used as a laundrette to change to a residential use.

Office to residential

- Article 7 makes permanent the existing temporary right to change a building used as an office into residential use (Class O of Part 3 of Schedule 2). The previous deadline for completion of an office to residential scheme (which was formerly 31 May 2016), is completely removed.
- There is a condition that the development under Class O must be completed within a period of 3 years from the prior approval date. Where prior approval under Class O has already been given, this means that the three-year time limit for completion of the development is calculated from that date.
- A condition allowing the local planning authority to consider noise impacts on the intended occupants of the development from premises in commercial use is included in the extended right (in addition to the existing requirement for prior approval in respect of transport and highways impacts, contamination risks on the site, and flooding risks).
- The revisions to Class O make no provision for any demolition or rebuilding of the office building. The position remains, therefore, that any building operations (whether for partial or more substantial demolition, or for any new build, even of quite a minor nature) will still require a separate planning permission.

Light Industrial use (B1a) to residential

- A new Class of permitted development (Class PA) has been introduced that allows the residential conversion of premises that have been in light industrial use, although there will be only a limited window of opportunity within which this can be done.
- Development is *not* permitted by Class PA if a prior approval application in respect of the development is received by the local planning authority *before* 1 October 2017. Article 8 creates a temporary right (Class PA of Part 3 of Schedule 2) to change a building in light industrial use to residential use, where an application for determination as to whether prior approval is required is made on or after 1 October

2017 and the prior approval date occurs on or before 30th September 2020. It also allows development under Class PA to be completed up to 3 years from the prior approval date (defined in paragraph X of Part 3 of Schedule 2).

- It should be noted that current householder development rights (such as extensions and roof alterations, etc – as contained in Part 1 of Schedule 2) do not apply to development carried out under Class PA.

Other amendments of note:

- Article 11 allows that land may be used for a temporary period for commercial film-making under Class B of Part 4 of Schedule 2.

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