

ADDITIONAL PERMITTED DEVELOPMENT AND NEW USE CLASSES

On 1st September 2020, use classes for various types of premises in town centres will change.

Details of that and [new permitted development rights](#) which come into force on 31st August 2020 are in a [briefing](#) by Town Legal. It has details of the new Use Classes from section 3 and a clear summary of them at the end. A table of the uses that are being altered is [here](#).

An RIBA joint [letter](#) with RTPI, RICS and Chartered Institute of Building criticised the changes.

Being introduced on the dates above are:-

- A new permitted development right allowing the demolition and rebuilding of "vacant and redundant" office and light industrial buildings as homes without planning permission. It will apply only to buildings constructed prior to January 1990 that have been "entirely vacant" for six months prior to application for PD approval,
- New permitted development rights allowing the upward extension by up to two storeys and the creation of new homes above existing post-war houses, terraces, offices and shops, all without needing planning permission, and
- Changes to the use class system to allow high street uses – such as shops, restaurants, cafes, professional services premises and offices – to interchange without specific permission, through [the creation of a new broad "commercial, business and service" use class](#)

The latter is a very significant and there are more briefing notes on the new use classes by hgh [here](#) and by Ashtons Legal [here](#).

The freedom for change of uses within the new Use Class E would undermine Local Plan policies for Town Centres. It could lead to 'dead' frontages, if ground floor units become crèches or gymnasiums. That might be acceptable in some types of centre but the new Use Classes cover them all which could lead to serious harm in High Streets.

Out of town business parks could become shopping centres, contrary to long standing Government policy in the [National Planning Policy Framework](#) for 'Town Centres First'.

Mike Kiely, chairman of the Planning Officers Society, said authorities will be hugely concerned at the loss of control over their town centres as planning applications will not be required for many changes of use of premises.

However, removal of the need for many Change of Use permissions does not confer any exemption from other planning requirements which may retain a good deal of control. That could apply to conservation areas and where conditions exist on any building or use or are placed on any future permissions that are required.

Councils are not able to make Article 4 Directions to neutralise the effects of the new Use Class E, as changes within it are not development and are therefore not subject to Development Control.

Societies should discuss with their Council the local implications and how it is intended to deal with the new situation.

Feedback to London Forum on that and on what happens locally from 1st September would be welcome to planning@londonforum.org.uk