

## **PLANNING COMMITTEE – 1 DECEMBER 2020**

### **LEGISLATIVE UPDATES TO GENERAL PERMITTED DEVELOPMENT ORDER**

#### **1.0 Purpose of Report**

1.1 To provide an update to Members on a recently published Statutory Instrument (SI)

- SI 2020 No. 1243 - The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 3) Order 2020.

This statutory instrument will have a significant impact in terms of decision making for the types of permitted development proposals this applies to.

#### **2.0 Changes to Legislation**

2.1 The Government has made a number of changes to the Town and Country Planning (General Permitted Development) (England) Order 2015 since it originally came into force. This latest amendment includes a number of amendments as set out below.

2.2 From 6<sup>th</sup> April 2021, SI 2020 1243 will not permit any residential conversion where the gross internal floor area is less than 37m<sup>2</sup> in size, or which does not comply with the nationally prescribed space standard issues by the Department for Communities and Local Government in March 2015. Members will be aware that a new SI introduced an assessment of adequate natural light earlier this year. However, the assessment of floor size, unlike natural light is not subject to the prior approval process. The requirement in terms of floor area is in effect a condition that the developer has to comply with. The requirement will apply to any application submitted on or after the 6<sup>th</sup> April 2021.

2.3 In addition, the temporary change of use of buildings as a hot food take-away introduced as a result of the Covid-19 pandemic has been extended for a further 12 months until 23 March 2022. This permitted development right, as before, does not allow such a change of use where a condition has been imposed on a planning permission preventing this use change.

2.4 Lastly, the permitted development right for demolition of buildings under Part 11, Class B previously did not exempt any type of building from demolition. However, concert halls, venues for live music performance and theatres are now exempt, thus planning permission will be required from the 3<sup>rd</sup> December 2020 for their demolition. This permitted development right relates to the method of demolition and not the principle of demolition.

#### **3.0 RECOMMENDATIONS that:**

- (a) Members note the contents of this report.
- (b) Further changes to legislation will be reported to Members

### **Reason for Recommendations**

To enable Members to be up to date with recent planning changes.

### **Background Papers**

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 3) Order 2020 - <https://www.legislation.gov.uk/uksi/2020/1243/contents/made>

For further information please contact Lisa Hughes on Ext 5565.

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