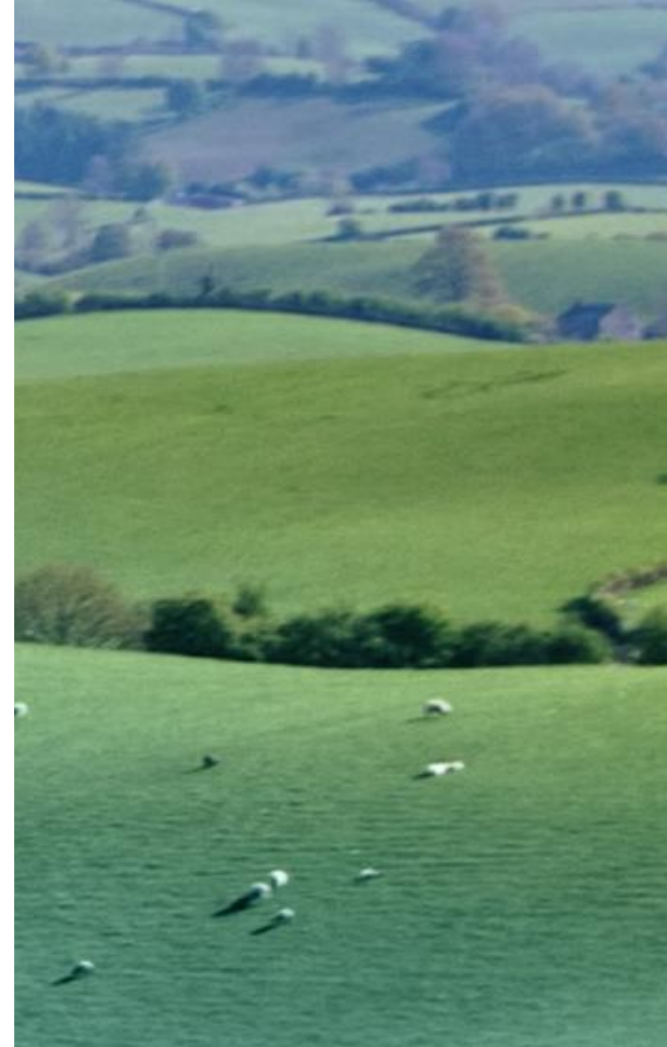


# All Change!

Permitted development rights  
for  
Change of use of farm building  
to dwelling

Fenella Collins MRICS  
Head of Planning



# The story so far

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- Town and Country Planning (General Permitted Development) Order 1995 (as amended)
  - Class MB
- Government guidance (March 2015)
- Town and Country Planning (General Permitted Development)(England) Order 2015 (SI2015 596)
  - Class Q

# What is permitted under new Class Q

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- The change of use of an agricultural building and land within its curtilage to use as a dwelling house

and

- The building operations necessary to convert the building to a dwellinghouse

# Conditions and Limitations

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- Established agricultural unit *“means agricultural land occupied as a unit for the purposes of agriculture”* AND on 20 March 2013
- Agricultural building *“trade or business”*
- 10 year rule
- Cumulative floor space = 450 sqm before and after
- Up to 3 dwellings on an established agric unit
- Can't extend beyond existing foot print



# Conditions and Limitations (cont)

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- Protection for tenants under AHA'86 and ATA'95
- New GPDO Part 3 Class MB vs GPDO Part 6
- GPDO Part 6 v new GPDO Part 3 Class Q
- GPDO Part 1 (dev within curtilage of dwelling)

# Conditions and Limitations (cont)

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Class Q not available on:

- Article 2(3) land (National Parks, AONBs, Conservation Areas, the Broads, WHS) or
- SSSI, safety hazard areas, military explosive storage areas or
- Listed buildings and scheduled monuments

# Conditions and Limitations (cont)

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Buildings operations “cannot extend beyond”:

- Installing or replacing
  - Windows, doors, roofs or exterior walls
  - Water, drainage, electricity, gas or other services

And

- Partial demolition “to the extent reasonably necessary”



# Structural integrity and new structural elements

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# Structural integrity and new structural elements

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# Class Q Notification requirements

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Prior approval required BEFORE any development commences

## Assessment of Impacts

- Transport and highways
- Noise
- Contamination
- Flooding

and



# Notification requirements (cont)

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Prior approval also to assess:

- Location
- Siting
- Impractical or undesirable
- Design and external appearance

# Decision-making

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- Decision – 56 days, start counting from day after **receipt** of prior approval application
- NPPF – prior approval matters only
- Request further information from applicants
- Conditions
- Refuse the prior approval

# When can development commence?

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- Receipt by applicant - written notice no prior approval required
- Receipt by applicant – written notice granting prior approval
- No decision issued by LPA **within 56 days\*\*** development can begin
- Development completed within 3 years starting with prior approval date

# Refusal

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- Planning appeal (s78 TCPA 1990)
- Full planning application

# Class MB

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# Class MB

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# Class Q

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# All change - Get cracking!

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# THANK YOU

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