

GUIDANCE NOTES

Planning

In England, the National Planning Framework was published in March 2012 and it revoked almost all existing Planning Policy Guidance Notes and Planning Policy statements. New planning guidance has been published on a number of topics including Rural Housing, Design and Use of Planning Conditions.

The General Permitted Development Order was consolidated in 2015 and means that many of the recently introduced Use Classes have new letters denoting them.

Agriculture to dwellings – Use Class Q allows the conversion of agricultural buildings to up to three dwellings to be permitted development, subject to conditions including:

- The buildings had to have been in agricultural use as part of an established agricultural unit on 20th March 2015 or when they were last in use.
- A maximum area of 450m can be converted into a maximum of 3 dwellings.
- The footprint of the completed development must not go outside that of the original building.
- The installation or replacement of doors, windows, roofs, external walls and services is allowed as permitted building operations. Partial demolition is also allowed.
- Prior approval will be required for location and siting, design and external appearance, transport and highways, noise, contaminated land and flood risk.
- Use Class Q does not apply to listed buildings or within National Parks or AONBs.
- If existing permitted development rights for agricultural buildings were exercised on the unit after 20th March 2014, the rights under Use Class Q cannot be used for 10 years and the converse is also applicable.



Use Class R covers conversion of a maximum of 500m of agricultural buildings per agricultural unit to other uses including shops, offices, restaurants, storage and distribution, hotels and leisure facilities. From April 2014 they can also be converted to state funded schools or registered nurseries.

Use Class O allows the conversion of offices to residential use – the change of use must take place before 30th May 2016.

In Wales, the Planning Act (Wales) 2015 introduces a number of changes including the preparation of a National Development Framework and the opportunity for Strategic Development Plans to be produced where development will affect more than one local plan area. Planning Consents in Wales will also have a lifespan of 5 years rather than the 3 years which applies to England. The Act introduces the ability for Welsh Ministers to expend the powers of Joint Planning Boards to allow them to carry out development functions in National Park areas although plans would continue to be produced by National Park Authorities.

The Act also allows Local Planning Authorities to require submission of retrospective planning permission and to decline this where an enforcement notice shows that the development has already been deemed to be inappropriate. To speed up the process, grounds of appeals under the Town and County Planning Act 1990 have been removed. Other appeals have been transferred from the Magistrates to the Welsh Government.

For further information, please contact Kathryn Williams on 07971 583638 or email kathrynWilliams@dmpcuk.com

Shropshire Office

103 Beatrice Street
Oswestry
Shropshire
SY11 1HL
Tel: 01691 659658
oswestry@dmpropertyconsultants.com

www.dmpropertyconsultants.com

North Wales Office

Plas Eirias Business Centre
Abergele Road
Colwyn Bay
Conwy
LL29 8BF
Tel: 01492 510360
colwynbay@dmpropertyconsultants.com