

Permitted Development Rights

OFFICES TO RESIDENTIAL DWELLINGS (CLASS O)

In May 2013 permitted development provisions were introduced allowing the change of use from Use Class B1(a) (offices) to C3 (dwelling houses) without the need for planning permission.

Under the Town and Country Planning (General Permitted Development) (England) Order 2015 this permitted development provision is known as Class O.

For these permitted development rights to apply, certain criteria needs to be met:-

- The subject building must have been used for a use falling within Class B1(a) (offices) on 29th May 2013 or, if not in use, its last use must have been B1(a) (offices);
- The application must be made on or before 30 May 2019.

The building must not be:-

- 1) a listed building or a scheduled monument;
- 2) form part of a safety hazard area;
- 3) form part of a military explosives storage area; or
- 4) be in an area which has been deemed exempt from these permitted development rights within the 2013 order i.e. Article 2 (5) land.

The development is subject to applying to the Local Planning Authority (LPA) with details of the proposal to determine whether the 'Prior Approval' of the LPA is required. The LPA will assess the proposal in terms of any impact on transport and highways, contamination, flood risk and the impacts of noise on the prospective occupiers of the development.

If prior approval is not required, or the LPA exceed the 56 day time limit to make a decision, the development can commence (albeit the 56 day determination period can be extended if both parties agree).

Development under Class O is subject to the condition that it must be completed within a period of 3 years starting with the approval date.

The applicant needs to bear in mind that although the use of the building can be changed under these permitted development rights, any physical changes which would alter the appearance of the building are not. Therefore, once the change of use of the building has been secured by the Prior Approval application a planning application is required in respect of any building operations.

Please note the above is only a brief summary of the Prior Approval procedure and landowners are advised to research what applies in their circumstances.



MIDLANDS & WALES

Oak House
Kingswood Business Park
Holyhead Road
Albrighton
Wolverhampton
WV7 3AU
Tel: 01902 625024

EAST & SOUTH EAST

Old Market Office
10 Risbygate Street
Bury St Edmunds
Suffolk
IP33 3AA
Tel: 01284 753271

SOUTH WEST

Addlepool Business Centre
Woodbury Road
Clyst St George
Exeter, Devon
EX3 0NR
Tel: 01392 873900

NORTH

Tel: 01524 793900

SOUTH EAST MIDLANDS

Tel: 01954 267418

YORKSHIRE

Tel: 0113 347 0430

ask@acorus.co.uk

