
EXPLANATORY NOTE

(This note is not part of the Order)

This instrument consolidates with amendments, in relation to England, the Town and Country Planning (General Permitted Development) Order 1995 and subsequent amending instruments and revokes in relation to England the instruments listed in Schedule 4.

The main purpose of this Order is to grant planning permission for certain classes of development without the requirement for a planning application to be made under Part 3 of the Town and Country Planning Act 1990 (c. 8). Schedule 2 to this Order sets out these classes of development in detail. The planning permissions granted by this Order are subject to the provisions of this Order (in particular article 3 which places restrictions where the development in question is EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (S.I. 2011/1824), or subject to regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490)).

Article 4 permits local planning authorities and the Secretary of State to direct that any or particular development permitted under article 3 is not to apply in relation to a specified area (and Schedule 3 sets out the procedures in relation to article 4 directions).

Article 5 permits local planning authorities, following a notification from a developer, to direct that certain minerals development permitted under article 3 is not to apply. Article 6 makes general provision in relation to directions. Article 7 provides that where a period for determining a prior approval is not specified in any class in Schedule 2 then the period shall be 8 weeks.

Article 8 includes a saving provision in relation to development referred to in article 6 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015. The saving provision is to cease to have effect 3 years after this Order comes into force.

In addition to minor changes the Order makes a number of other changes. The main changes made by this Order are as follows:

- the date for the expiry of the time-limited permitted development right for larger home extensions (in Class A of Part 1 of Schedule 2) has been extended, it now expires in May 2019;
- the previously time-limited permitted development rights for extensions to non-domestic premises (offices, shops, industrial buildings and schools etc) have been made permanent (Part 7 of Schedule 2);
- a number of new permitted development rights have been inserted in Part 3 of Schedule 2 (changes of use): the conversion of retail premises to restaurants / cafes (Class C); the existing permitted development to convert a shop to a deposit-taker is replaced by a wider right to convert a shop (or a betting office) to a premises providing financial and professional services (Classes D and F); the conversion of retail premises to assembly and leisure (Class J); the conversion of casinos or amusement arcades to dwellinghouses (Class N); and the conversion of premises used from storage or distribution centre uses to dwellinghouses (Class P);
- a new permitted development right for temporary use of building and land for commercial film-making has been inserted in Part 4 of Schedule 2;
- a new permitted development right has been included for the provision of click and collection facilities within the curtilage of a shop and for increasing the size of loading bays for shops and permitted development for the extension etc of buildings used for waste facilities (see Classes C, D and L of Part 7 of Schedule 2); and

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- a new permitted development right for the installation of solar PV panels, with a generating capacity of up to 1 megawatt, on the roofs of non-domestic buildings (see Class J(c) of Part 14 of Schedule 2).

Some permitted development rights require prior approval of the local planning authority. The following table sets out a summary of the prior approval requirements.

Table summarising the prior approval provisions

| Permitted development right | Subject matter of prior approval |
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| <i>(References are to Parts of Schedule 2 to this Order which require prior approval)</i> | |
| Part 1 – extension of dwellinghouses | |
| Large extensions of a dwellinghouse. (Paragraph A.1(g) and A.4(7) to (12)) | Where there are objections following neighbour notification, prior approval will consider impact of development on amenity of adjoining premises. |
| Part 3 – changes of use | |
| Retail to restaurants/cafes. (Paragraph C.2) | For the change of use— Noise impacts; Impacts of odour; Transport and highways impacts; Impacts of hours of operation; Impacts of storage and handling of waste; Impact on provision of services etc in area. For operational development— Siting, design or external appearance. |
| Retail to assembly and leisure. (Paragraph J.2) | Noise impacts; Transport and highways impacts; Impacts of hours of operation; Impact on provision of services etc in area. |
| Retail to dwellinghouses. (Paragraph M.2) | For the change of use— Transport and highways impacts; Contamination risk; Flooding risks; |

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| Permitted development right | Subject matter of prior approval |
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| | Impact on provision of services etc in area. For operational development— Design or external appearance. |
| Certain sui generis uses to dwellinghouses. (Paragraph N.2) | For the change of use— Transport and highways impacts; Contamination risk; Flooding risks. For operational development— Design or external appearance. |
| Offices to dwellinghouses. (Paragraph O.2) | Transport and highways impacts; Contamination risk; Flooding risks. |
| Storage or distribution centre use to dwellinghouses. (Paragraph P.2) | Air quality impacts; Transport and highways impacts; Contamination risk; Flooding risks; Noise impacts; |
| | Impact on sustainability of storage, distribution or industrial services in the area. |
| Agricultural building to dwellinghouses. (Paragraph Q.2) | For the change of use— Transport and highways impacts; Noise impacts; Contamination risk; Flooding risks; |
| | Whether location or siting makes it impractical or undesirable. For operational development— |

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| Permitted development right | Subject matter of prior approval |
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| Agricultural building to flexible use (within A1, A2, A3, B1, B8, C1 or D2). (Paragraph R.3(1)(b)) | Design or external appearance. Transport and highways impacts; Noise impacts; Contamination risk; Flooding risks. |
| Agricultural building to state-funded school or registered nursery. (Paragraph S.2(1)(b)) | Transport and highways impacts; Noise impacts; Contamination risk; Flooding risks. Whether location or siting makes it impractical or undesirable. |
| Various uses (B1, C1, C2, C2A and D2) to state-funded school or registered nursery. (Paragraph T.2(1)(b)) | Transport and highways impacts; Noise impacts; Contamination risk. |
| Part 4 | |
| Temporary use of land or buildings for commercial film-making. (Paragraph E.2(2)) | Schedule of filming dates; Transport and highways impacts; Noise impacts; Impacts of artificial lighting; Flooding risks. |
| Part 6 | |
| Erection or extension of agricultural buildings etc. (Paragraph A.2(2)(d) and B.5(2)(a)) | Siting, design or external appearance. |
| Erection or extension of forestry related buildings etc. (Paragraph E.2(1)(a)) | Siting, design or external appearance. |
| Part 7 | |
| Erection of click and collection facility. (Paragraph C.2(1)) | Siting, design or external appearance. |
| Part 9 | |

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| Permitted development right | Subject matter of prior approval |
| <i>(References are to Parts of Schedule 2 to this Order which require prior approval)</i> | |
| Facilities for the collection of tolls. (Paragraph D.2(a)) | Siting, design or external appearance. |
| Part 11 | |
| Demolition of a building. (Paragraph B.2(b)) | Method of demolition and any proposed restoration of the site. |
| Part 14 | |
| Installation etc of solar panels on roofs of non-domestic buildings providing up to 1 megawatt. (Paragraph J.4(2)) | Design or external appearance, in particular the impact of glare on occupiers of neighbouring land. |
| Part 16 | |
| On article 2(3) land, all electronic communications apparatus (subject to broadband exclusion until May 2019). Certain electronic communications apparatus: masts, antennas over 6 metres on buildings. (Paragraph A.2(4) and (5) and A.3(3)) | Siting and appearance. |
| Part 17 | |
| Mining related buildings, plant and machinery, structures or erections. (Paragraph B.2(1)) | Siting, design or external appearance. |
| Development for maintenance / safety of surface of land at or adjacent to a mine or disused mine. (Paragraph C.2(1)) | Siting, design or external appearance. |
| Buildings, plant and machinery, structures or erections for coal mining related development. (Paragraph F.3(1)) | Siting, design or external appearance. |
| Coal Authority etc development for maintenance / safety of surface of land at or adjacent to a mine or disused mine. (Paragraph G.1(1)) | Siting, design or external appearance. |
| Part 18 | |
| Development authorised by local or privates Acts or orders. (Paragraph A.1) | Prior approval of detailed plans and specifications. |

The documents referred to in this Order can be obtained or inspected as follows.

| <i>Reference Document</i> | <i>Where the document may be obtained in the Order</i> |
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| Article 2(5) and Part exempt | Maps of areas May be inspected at the Planning Directorate, Department for Communities and Local Government, 2 Marsham Street, London, SW1P 4DF |

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| <i>Reference Document in the Order</i> | <i>Where the document may be obtained</i> |
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| 3 of Schedule 6 from office to residential change of use permitted development | |
| Parts 3 (changes of use) and 4 (temporary uses of land and buildings) of Schedule 2 National Planning Policy Framework | <p>May be viewed online at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf</p> <p>May be inspected at the Planning Directorate, Department for Communities and Local Government, 2 Marsham Street, London, SW1P 4DF</p> |
| Parts 3 (changes of use) and 4 (temporary uses of land and buildings) of Schedule 2 Contaminated Land Statutory Guidance | <p>May be viewed online at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223705/pb13735cont-land-guidance.pdf</p> <p>May be inspected at Department for the Environment, Food and Rural Affairs, Noble House, 17 Smith Square, London, SW1P 3JR</p> |
| Part 14 (renewable energy) of Schedule 2 Microgeneration Certification Standards | <p>May be viewed online at: http://www.microgenerationcertification.org/mcs-standards/product-standards</p> <p>May be inspected at Department of Energy and Climate Change, 3 Whitehall Place, London, SW1A 2HH</p> |

An impact assessment has been prepared in relation to the Order and is published with the Explanatory Memorandum alongside this instrument at www.legislation.gov.uk or a copy may be inspected at the Planning Directorate, Department for Communities and Local Government, 2 Marsham Street, London SW1P 4DF.