

SCHEDULE 2

Permitted development rights

PART 3

Changes of use

Class P – storage or distribution centre to dwellinghouses

Permitted development

P. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B8 (storage or distribution centre) of the Schedule to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

P.1 Development is not permitted by Class P if—

- (a) the building was not used solely for a storage or distribution centre use on 19th March 2014 or in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (b) the building was not used solely for a storage or distribution centre use for a period of at least 4 years before the date development under Class P begins;
- [^{F1}(c) the prior approval date falls on or after 10th June 2019;]
- (d) the gross floor space of the existing building exceeds 500 square metres;
- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
- (f) less than 1 year before the date the development begins—
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under this Class, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;
- (g) the building is within—
 - (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 ^{M1};
 - (iii) the Broads; or
 - (iv) a National Park;
 - (v) a World Heritage Site;
- (h) the site is, or forms part of—
 - (i) a site of special scientific interest;
 - (ii) a safety hazard area;
 - (iii) a military explosives storage area;
- (i) the building is a listed building or is within the curtilage of a listed building; or

Status: Point in time view as at 06/04/2021.

Changes to legislation: There are currently no known outstanding effects for the *The Town and Country Planning (General Permitted Development) (England) Order 2015*, Cross Heading: *Class P – storage or distribution centre to dwellinghouses*. (See end of Document for details)

- (j) the site is, or contains, a scheduled monument;
- [^{F2}(k) the development is not completed within a period of 3 years starting with the prior approval date.]

Textual Amendments

- F1** Sch. 2 Pt. 3 Class P para. P.1(c) substituted (6.4.2018) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2018 \(S.I. 2018/343\)](#), arts. 1, **9(a)**
- F2** Sch. 2 Pt. 3 Class P para. P.1(k) inserted (6.4.2018) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2018 \(S.I. 2018/343\)](#), arts. 1, **9(b)**

Marginal Citations

- M1** 1981 c. 69. Section 41 was amended by sections 20 and 24 of, and Schedules 3 and 4 to, the [Agriculture Act 1986 \(c. 49\)](#), [Schedule 3](#) to the [Norfolk and Suffolk Broads Act 1988 \(c. 4\)](#), [Schedule 10](#) to the [Environment Act 1995 \(c. 25\)](#) and Schedules 11 and 12 to the [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#). There are other amendments not relevant to this Order.

Conditions

P.2 Development is permitted by Class P subject to the condition that before beginning the development, the developer must—

- (a) submit a statement, which must accompany the application referred to in paragraph (b), to the local planning authority setting out the evidence the developer relies upon to demonstrate that the building was used solely for a storage or distribution centre use on the date referred to in paragraph P.1(a) and for the period referred to in paragraph P.1(b);
- (b) apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—
 - (i) impacts of air quality on the intended occupiers of the development;
 - (ii) transport and highways impacts of the development,
 - (iii) contamination risks in relation to the building,
 - (iv) flooding risks in relation to the building,
 - (v) noise impacts of the development, and
 - (vi) where the authority considers the building to which the development relates is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services, whether the introduction of, or an increase in, a residential use of premises in the area would have an adverse impact on the sustainability of the provision of those services,

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Interpretation of Class P

P.3 For the purposes of Class P—

“curtilage” (except in paragraph P.1(i)) means—

- (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the building in storage or distribution centre use, closely associated with and serving the purposes of that building, or

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- (b) an area of land immediately beside or around the building in storage or distribution centre use no larger than the land area occupied by the building,

whichever is the lesser;

“general industrial use” means a use falling within Class B2 (general industrial) of the Schedule to the Use Classes Order;

“industrial services” means services provided from premises with a light industrial use or general industrial use;

“light industrial use” means a use falling within Class B1(c) (light industrial) of the Schedule to the Use Classes Order;

“storage or distribution centre use” means a use falling within Class B8 (storage or distribution) of the Schedule to the Use Classes Order; and

“storage or distribution services” means services provided from premises with a storage or distribution centre use.

Status:

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