



Changes to the planning use classes

EFFECTIVE FROM 1 SEPTEMBER 2020

Class E

(Commercial, business and service uses)

This new use class incorporates the following old use classes:

1. **A1 (Retail)** - excluding local community shops (see Class F.2)

2. **A2 (Financial and professional services)**

3. **A3 (Restaurants and cafes)**

4. **B1 (Business)** - offices, research and development, industrial processes in a residential area

5. **D1 (Non-residential institutions)** in part: clinics, health centres, creches, day nurseries and day centres

6. **D2 (Assembly and leisure)** in part: **gyms and certain indoor recreations**

The intention behind this new wider commercial, business and service use class is to allow greater flexibility to change between these uses which the Government hopes will help revive struggling town centres. Changes between these old uses classes no longer require planning permission as changes of use within a use class are not development subject to there being any conditions restricting change of use.

Sui generis uses

These types of uses have been expanded to include the following old use classes:

1. **A4 (Pubs or drinking establishments)**

2. **A5 (Hot food takeaway)**

3. **Certain D2 uses (Assembly and leisure)** such as cinemas, concert halls, bingo halls and dance halls.

Sui generis uses are those which fall outside the defined limits of any other use class. An express grant of planning permission is required to change from a sui generis to another use. Mixed uses are also sui generis uses (e.g. the use of a site for A4 & A5)

Class F.1

(Learning and non-residential institutions)

This new use class incorporates the following old **D1 (Non-residential institutions)**:

schools, non-residential education and training centres; museums, public libraries, public halls, exhibition halls, places of worship, and law courts.

Class F.2

(Local community uses)

This new use class incorporates:

- the following old **D2 (Assembly and leisure)** uses: indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms.

2. **LOCAL COMMUNITY SHOP**

A1 (Retail) of less than 280 sqm which mostly sells essential goods (including food) and is at least 1km away from a similar shop – to be known as local community shops.

For more information on the changes please see our [blog](#) on the topic. This guide is intended for initial reference purposes only and the relevant legislation must be consulted for full details.

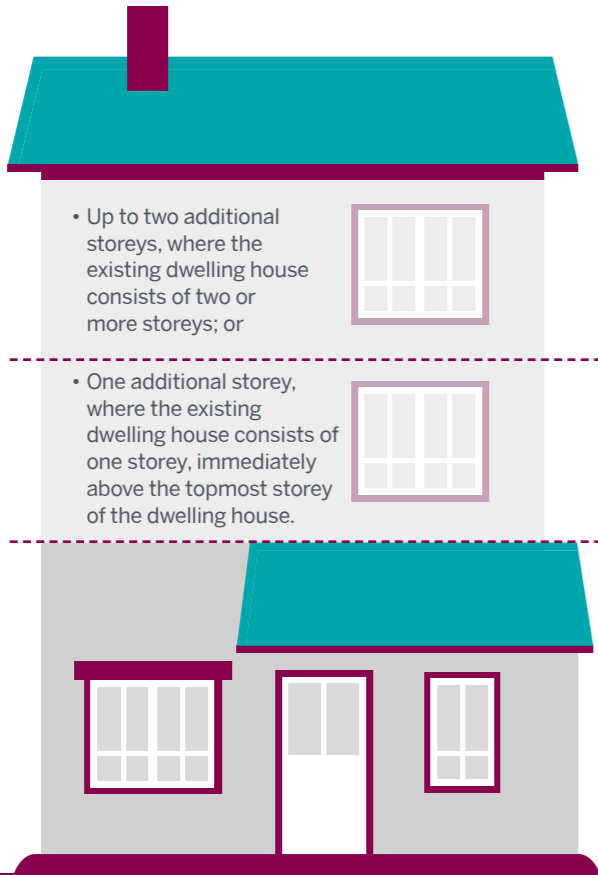
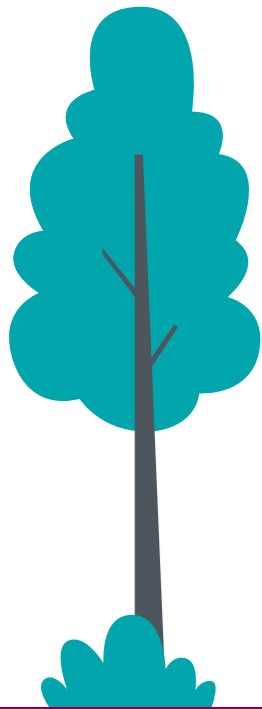


NEW PERMITTED DEVELOPMENT RIGHTS

Class AA

Part 1 GPDO

Addition of up to 2 storeys on a house



- Up to two additional storeys, where the existing dwelling house consists of two or more storeys; or
- One additional storey, where the existing dwelling house consists of one storey, immediately above the topmost storey of the dwelling house.

Class A

Part 20 GPDO

Additional Storeys on Blocks of Flats

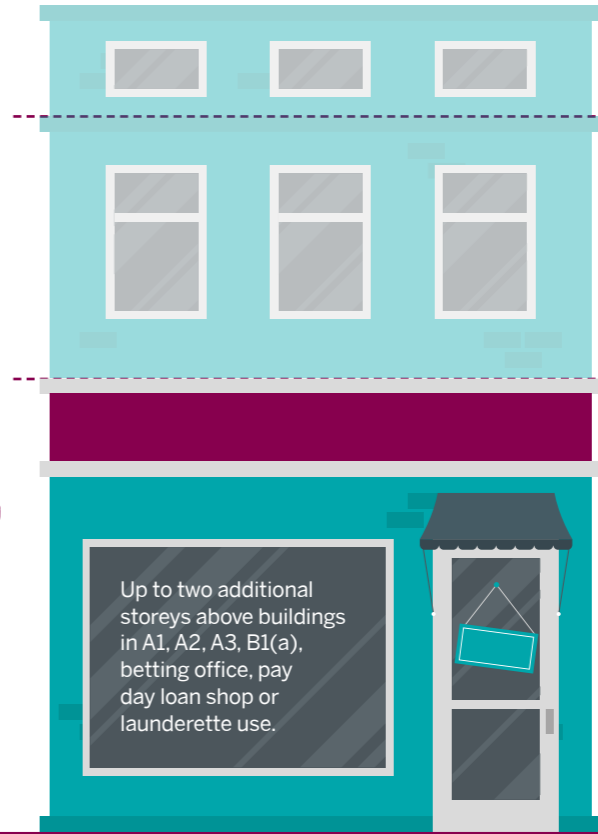
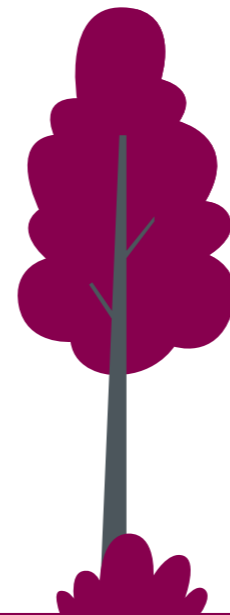
Up to two additional storeys of new dwellings above the existing top storey of a purpose built, detached block of flats.



Class AA (detached) and AB (terrace)

Part 20 GPDO

New flats above buildings in commercial or mixed use



Up to two additional storeys above buildings in A1, A2, A3, B1(a), betting office, pay day loan shop or launderette use.

Class ZA

Part 20 GPDO

Demolition and Rebuild

Demolition of:

- A purpose-built detached block of flats; or
- Any other detached building used as B1(a) office, B1(b) research and development, B1(c) industrial process.

And replacement with:

- Purpose built detached block of flats;
- Purpose built detached single dwelling house.



Class AC (terrace) and AD (detached)

Part 20 GPDO

New flats above existing houses



Up to two additional storeys where the existing house consists of two or more storeys; or

One additional storey, where the existing house is one storey.

Class E to Class C3

New legislation has introduced the Class MA permitted development right to change the use of any property falling within Class E (commercial, business and service), to Class C3 (dwelling houses). The potential impact of this right is far reaching and would enable a building in any Class E use to be converted to residential dwellings without planning permission.

The right is subject to prior approval of the local authority, which cannot be applied for until August 2021. There are a number of restrictions on the operation of this right which include: the property must have been in Class E use for two years before benefiting from this right and no more than 1,500 sqm of floorspace cumulatively in any building may change use. The restrictions and conditions will need to be checked to ensure the criteria are complied with.

Local authorities have the power to make an Article 4 Directions, restricting or removing the operation of permitted development rights within their area. It is important to check the applicability of any Article 4 Direction in your area which may remove the ability to rely on a particular permitted development right.

Please see our blogs on the new permitted development rights and Class E to Class C3 consultation for more information. This guide is intended for initial reference purposes only and the relevant legislation must be consulted for full details. Please contact the Forsters Planning Team if we can be of assistance.



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