



PINS NOTE 04/2018

To: All Inspectors

Relevancy: Planning casework (England only)

Date of Issue: 06 April 2018

Review Date: 08 October 2018

GPDO amendment Order 2018

Action

1. [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2018](#) came into force on 6th April 2018, amending The Town and Country Planning (General Permitted Development) (England) Order 2015.
2. A summary of the changes is provided below at Annexe A. Key changes to the GPDO include:
 - **Class Q (agricultural buildings to dwellinghouses)**
 - The total maximum number of dwellinghouses has been increased from 3 to 5 (including any previous development under Class Q);
 - New definitions of smaller and larger dwellinghouses have been introduced;
 - Up to 3 larger dwellinghouses and up to 5 smaller dwellinghouses are permitted;
 - Building operations development must now take place together with the change of use.
 - **Class P (storage or distribution centre to dwellinghouses)**
 - Class P has been extended until June 2019, with a requirement that the change of use is completed within 3 years.
3. The General Permitted Development Order & Prior Approval Appeals chapter will be updated shortly to reflect the changes.

Background

4. These changes form part of the Ministry of Housing, Communities and Local Government's ongoing planning reform agenda, as proposed in various consultation documents, including the [Fixing our broken housing market](#) consultation.

Contacts for further information

5. Please contact XXXX if you have any general queries on this Note.
6. Non-salaried Inspectors should approach XXXX with any queries in the first instance, on which XXXX will liaise with XXXX.

Summary of changes to the GPDO 2015

Class Q (agricultural buildings to dwellinghouses)

Class Q: Total maximum number of dwellinghouses

The total maximum number of dwellinghouses has been increased from 3 to 5 (including any previous development under Class Q).

Class Q: New definitions: smaller & larger dwellinghouses

New definitions of smaller and larger dwellinghouses have been introduced; the former having no more than 100 square metres of floor space (as defined in article 2 of the GPDO) in use as a dwellinghouse and the latter having between more than 100 and no more than 465 square metres of floor space in use as a dwellinghouse.

The existing floor space limitation on agricultural buildings that may change use under Class Q is extended from 450 square metres to 465 square metres, for larger dwellinghouses.

Including any previous development under Class Q, up to 3 larger dwellinghouses are permitted in total (with a maximum cumulative floor space of 465 square metres in use as a larger dwellinghouse or houses) and up to 5 smaller dwellinghouses are permitted (each to have no more than 100 square metres of floor space in use as a dwellinghouse).

In total, no more than 5 dwellinghouses can be developed under Class Q (including any previous development under Class Q).

Class Q: Building operations & change of use application

Class Q has also been amended so that development under paragraph Q.(b) (building operations) is permitted provided that it takes place together with development permitted by paragraph Q.(a) (change of use). Please see below, regarding the procedural requirements.

Class Q: Paragraph W of Part 3: Application requirements

Paragraph W of Class 3 (procedure for applications for prior approval under Part 3) has been amended to require that a prior approval application in respect of proposed Class Q development must specify how many larger or smaller dwellinghouses are proposed, whether any previous development has taken place under Class Q within the established agricultural unit (defined in paragraph X of Part 3) and the number of smaller and larger dwellinghouses previously developed.

Building operations & change of use application

Part 3, Classes C, M and N

Classes C (retail, betting office, pay day loan shop or casino to restaurant or café), M (retail and specified *sui generis* uses to dwellinghouses) and N (specified *sui generis* uses to dwellinghouses) amended to clarify that any development under the building operations provisions are permitted provided that they take place together with the change of use requirements, and not separately.

Part 3, Classes C, M, N and Q: Paragraph W of Part 3

Paragraph W (procedure for applications for prior approval under Part 3) amended to clarify that for Classes C, M, N and Q (please see above, regarding Class Q) of Part 3 of Schedule 2, where building operations development is proposed, this should be described on the same application as that describing the relevant proposed change of use development.

Extension of Class P to June 2019

Development under Class P of Part 3 of Schedule 2 (storage or distribution centre to dwellinghouses) is now permitted provided that the prior approval date (defined in paragraph X of Part 3 of Schedule 2) falls before 10th June 2019 and the change of use is completed within 3 years of the prior approval date.

Classes P & PA: Definition of buildings: Part of a building

The amendment disapplies the definition of "buildings", in Article 2(1) of the GPDO, as including part of a building, for Class P (storage or distribution centre to dwellinghouses) and Class PA (premises in light industrial use to dwellinghouses) of Part 3 of Schedule 2.

Definition of military explosives storage area

The definition has been updated to include safeguarding zones around sites at which military explosives may be stored, and to include definitions of "railway undertakers" and "transport undertakers" for the purposes of interpreting, respectively, Class A of Part 8 (railway or light railway undertakings) and Class C of Part 9 (tramway or road transport undertakings) of Schedule 2 to the GPDO.

Tramway or road transport undertakings

Clarification provided that development under Class C of Part 9 of Schedule 2 may only be undertaken by transport undertakers.

Size limits: agricultural land

The size limits that apply to development on agricultural land permitted by Classes A (agricultural development on units of 5 hectares or more) and B (agricultural development on units of less than 5 hectares) of Part 6 of Schedule 2 have been extended.

Removal of prior approval requirement for telecommunications installations for fixed-line broadband in protected areas

The previously temporary removal of the requirement to submit a prior approval application for telecommunications installations under Class A of Part 16 of Schedule 2 (electronic communications code operators) in connection with the provision of fixed-line broadband in protected areas (as defined in article 2(3) (such as National Parks)), has now been made permanent.

Prior approval applications: modified procedure in relation to call-in of applications

The time limits on periods for consideration of prior approval applications in instances where the Secretary of State is considering, or decides to, call-in such an application for his own consideration has been modified. Time will cease to be counted from the date the Secretary of State gives notice that he is considering calling-in a prior approval application until he either makes a direction in respect of that application or gives notice that he declines to do so. The requirements for Local Planning Authorities to undertake consultation will still apply.