

Place Shaping Community Toolkit

Appendix A Changes to Planning



Changes to Planning

New rules

- More types of commercial premises having total flexibility for example this means that you do not need planning permission to convert from retail to cafes/ offices.
- Wider range of commercial buildings change to residential use without the need for a planning application.
- Builders no longer need a normal planning application to demolish and rebuild vacant and redundant residential and commercial buildings (B1 uses) if they are rebuilt as homes.
- Additional storey on flats and houses under Permitted Development



More detailed information relating to changes in planning and Building Regulations can be found on our Youtube video

[Click here](#) ►

Use Class Order Changes

To enable greater flexibility in town centre uses

- New Class E (commercial, business and service) subsumes previous use classes which were specified in the Schedule to the Use Classes Order as Class A1(Shops), Class A2 (Financial and professional services), Class A3 (Restaurants and cafes) and Class B1(Business). Parts A and D are subsequently revoked.
- Some drinking establishments and hot food takeaways become sui generis and permission would be required for a change of use
- Residential Class C, general industrial Class B2 and storage and distribution Class B8 remain unchanged

A summary of the use class order changes can be found on the next page.

Guide to changes to the Use Classes Order in England

Use	Use Class up to 31 August 2020	Use Class from 1 Sept 2020
Shop not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021.

The new use classes comprise:

Class E (Commercial, business and service uses)	Class F.1 (Learning and non-residential institutions)	Class F.2 (Local community uses)
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Source: https://lichfields.uk/media/6020/guide-to-changes-to-the-use-classes-order-in-england_july-2020.pdf

Planning for the Future Government White Paper

The Government is proposing a number of changes to the planning system these include both short term change and more longer-term fundamental change to streamline and modernise the system.

Short-term changes to the current planning system

Consultation on four interim changes to the planning system, including:

- 1** changes to the standard method for assessing local housing need (to apply from November 2021)
- 2** temporarily lifting the small sites threshold below which developers do not need to contribute to affordable housing in urban areas from 10 to 40 or 50 dwellings
- 3** securing of First Homes as part of affordable housing requirements through developer contributions in the short term until the transition to a new system
- 4** extending the current Permission in Principle to major development.

All to be put in place until the new planning system is brought into force.

Longer Term changes – Planning for the Future

Main proposals for new planning system Identifies 3 ‘pillars’ –

- 1 Planning for the development** – to simplify and speed up plan making and planning decisions
- 2 Planning for beautiful and sustainable places** – design and master planning given greater importance
- 3 Planning for infrastructure** – new nationally set levy replacing current Section 106 and Community Infrastructure Levy



Pillar 1 / Planning for the development

Local Plan prepared to identify three types (or zones) of land:

- Growth - land identified for substantial development (could be new settlements, urban extensions or areas for redevelopment). Automatically granted outline planning permission upon adoption of the Local Plan.
- Renewal - land within existing built up areas for small scale development (could be infill development or development in town centres or rural areas). A statutory presumption in favour of development granted for specific, suitable uses in these areas as well as PD for certain building types and uses.
- Protected – areas of environmental or cultural character for more stringent development controls, such as AONB, Conservation Areas, Local Wildlife Sites, areas of flood risk or important green spaces and including countryside. A planning application required for development in these areas.
- 30 months statutory timetable from start to finish
- Development Management planning policies will be set nationally
- Local plan will allocate sites and set out only site-specific design requirements
- Design codes and standards produced alongside communities for local plans and neighbourhood plans
- A new nationally set housing requirement
- Planning decisions must be made within statutory time periods – automatic fee refunds if deadlines not met or appeal allowed
- Greater digitisation of plans (all online) and interactive mapping for proposals

Pillar 2 / Planning for beautiful and sustainable places

- Design and master planning given greater importance
- Creation of a body to support local design codes and a ‘chief officer for design’ in each local authority
- Fast-track planning approval process for sites which accord with local design codes and masterplans
- Quicker environmental assessment process, more use of national data and fewer site-specific surveys (detail subject to consultation in Autumn)
- Local Plans identify locations of internationally, nationally and locally designated heritage assets – Listed Buildings and Conservation Act to be reviewed separately
- Climate change – net zero by 2050 - Reviewing and implementing the Future Homes standard and setting national standards through building regulations

Pillar 3 / Planning for infrastructure and connected places

- Section 106 and Community Infrastructure Levy to be replaced with a single infrastructure levy to charge a nationally - set rate based on fixed proportion of development value above a threshold
- Extended scope for Infrastructure Levy to capture changes of use through permitted development rights
- More freedom for local authorities over how they spend the Infrastructure Levy and authorities could borrow against the levy fund
- Infrastructure Levy should deliver affordable housing provision
- Develop a comprehensive resource and skills strategy for the planning sector
- Strengthen enforcement powers and sanction

If you would like this information in another format or language please contact us:

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