

## Commercial to Residential Change of Use PDR Comparison Table, April 2021

Comparison of existing (including A1, A2 and B1(a)) and future (Class E) permitted development rights for change of use from commercial to residential

	Class MA commercial to residential from 1 August	Class O office to residential until 31 July	Class M retail to residential until 31 July for former use classes A1 and A2 <sup>i</sup>
<b>Permitted development</b>	Change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) <sup>ii</sup>	Change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses)	Including change of use of a building from a use falling within Class A1 (shops), Class A2 (financial and professional services), Class A5 (hot food takeaways), betting office, pay day loan shop or launderette to a use falling within Class C3 building operations reasonably necessary
<b>Fee</b>	£100 per dwellinghouse, up to a maximum of £5,000	£96	£96 change of use only £206 with operational development
<b>Limitations and conditions</b>			
<b>Designations where the development is not permitted</b>	If the building is within Article 2(3) land <sup>iii</sup> but with the exception of conservation areas where development is permitted If land covered by, or within the curtilage of, the building is or forms part of: <ul style="list-style-type: none"> <li>a safety hazard area or a military explosives storage area</li> <li>a listed building or land within its curtilage</li> <li>a scheduled monument or land within its curtilage</li> <li>a site of special scientific interest</li> </ul>	If the site is, or forms part of a safety hazard area or a military explosives storage area; If the building is a listed building or is within the curtilage of a listed building; or If the site is, or contains, a scheduled monument.	If the building is on Article 2(3) land <sup>iii</sup> If the building is: <ul style="list-style-type: none"> <li>in a safety hazard area or in a military explosives storage area</li> <li>a listed building</li> <li>a scheduled monument</li> <li>in a site of special scientific interest</li> </ul>
<b>Floorspace limitation</b>	1,500sqm cumulative	Unrestricted	150sqm cumulative
<b>Operational development also permitted?</b>	No	No	Yes, building operations reasonably necessary <sup>iv</sup>
<b>Vacancy test of three continuous months</b>	Yes	No	No
<b>Longevity of existing use</b>	The use of the building must have fallen within Class E and one or more of the classes subsumed by Class E for a continuous period of at least 2 years prior to the date of the application for prior approval.	Must have been in one of the uses on 29 May 2013 or, if in use before that date but not on that date, when last in use.	Must have been in one of the uses on 20 March 2013 or, if in use before that date but not on that date, when last in use.
<b>Development must be completed within a period of 3 years starting with the prior approval date</b>	Yes	Yes	Yes
<b>Prior approval required</b>	Yes	Yes	Yes
<b>Prior approval matters</b>			
<b>Transport and highways</b>	Yes, particularly to ensure safe site access	Yes	Yes
<b>Contamination risks</b>	In relation to the building	In relation to the site	In relation to the building
<b>Flooding risks</b>	In relation to the building	In relation to the site	In relation to the building
<b>Provision of adequate natural light in all habitable rooms</b>	Yes	Yes	Yes
<b>Design or external appearance of the building</b>	No (no operational development permitted)	No (no operational development permitted)	Yes
<b>Retail impact considerations:</b>	No	No	Yes <sup>v</sup>
<b>Impact of the change of use on the character or sustainability of a conservation area</b>	Yes, for a whole or partial ground floor change of use in a building located in a conservation area	No	No (not permitted in a conservation area)
<b>Impact on the local provision of the loss of a registered nursery, or a health centre<sup>vi</sup></b>	Yes, where applicable	Not applicable	Not applicable
<b>Impacts of noise from commercial premises on the intended occupiers</b>	Yes	Yes	No
<b>Impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses</b>	Yes	No	No

<sup>i</sup> At present, Class M is to be retained for uses outside Class E

<sup>ii</sup> Class E subsumed these former use classes: A1, A2, A3, B1, D1(a) (non-residential institutions – medical or health services,) Class D1(b) (non-residential institutions – crèche, day nursery or day centre), D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink.

<sup>iii</sup> Article 2(3) land: A conservation area, an area of outstanding natural beauty, area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside), the Broads, a National Park; and a World Heritage Site.

<sup>iv</sup> the external dimensions of the building must not extend beyond the external dimensions of the existing building at any given point. No demolition other than partial demolition reasonably necessary.

<sup>v</sup> whether it is undesirable for the building to change to C3 because of the impact on i) adequate provision of services of the sort that may be provided by a building falling within Class A1, A2 or A5 or a building used as a launderette, but only where there is a reasonable prospect of the building being used to provide such services, or ii) where the building is located in a key shopping area, on the sustainability of that shopping area.

<sup>vi</sup> As maintained under section 2 or 3 of the National Health Service Act 2006(a)