



Webinar: Opportunities arising from the proposed reforms to the Planning System

Tuesday 8th December 2020 - 10:15 – 11:00am

THE WEBINAR WILL BEGIN AT 10:15am

*Please remember to mute your microphone and turn off your camera (we will do this for you, if they are turned on) - this will keep the focus on the presenter.
To view the presenter only, select **'active cameras only'** from the viewing options on your screen*

Questions can be asked in the following ways:

- *Via the 'chat' function (look for the speech bubble and type your message to 'Organizers (only)')*
 - *During the Q&A sessions, unmute your microphone and ask Guy a question directly.*

This webinar will be recorded



Welcome

Guy Bransby

Lead Director

JLL Planning, Development & Heritage

Agenda



3 key changes to the planning system:

- THE USE CLASSES ORDER
- THE WHITE PAPER
- THE OTHER ACTS

The Use Classes Order



Reminder:

- Section 55 of TCPA 1990 states a material change of use requires planning
- A material change of use is from one class to another.
- Therefore, only allowed by planning permission or permitted development.
- Change within same use class doesn't require planning permission.

Big changes:

- A1 and A3 targeted in particular.
- As Government seeking greater flexibility to assist the high street.
- Was effective from 1st September 2020.
- Propose: new Class E, new Class F and expanded 'sui generis definition'.

In practice:

- No more Class A
- New CLASS E – *COMMERCIAL, BUSINESS AND SERVICE – SHOPS, RESTAURANTS, FINANCIAL SERVICES, INDOOR SPORT, RECREATION OR FITNESS, HEALTH AND OFFICE, RESEARCH OR DEVELOPMENT.*
- So, effectively amalgamation of parts of Class A and B and other uses.
- Powerful permitted development rights:
 - Shops to residential.
 - Offices to residential.
 - Freedom of movement within B classes [B2 to B1 and B8].
 - B8 to B1.
- **CAVEAT !**

A Guide to the Town and Country Planning (Use Classes Order) 1987 (as amended)

On 22 July 2020 the Government published legislation to bring in changes to the Use Class Order (UCO). The Government have revoked Use Classes A, B1 and D, and introduced new Use Classes E (Commercial, Business and Service), F.1 (Learning and Non-Residential Institutions) and F.2 (Local Community). The changes are summarised below.

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280 sqm 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
Takeaway	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 purposes (which can be carried out in any residential area without causing detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit)	B1c	E
Industrial	B2	B2
Storage and 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 dwelling house by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries	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 of meeting place for the principle use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and sports or recreations not involving motorised vehicles or firearms	D2	F.2

- Changes of use within the same class are not development. Sui Generis uses fall outside the defined limits of any other use class and planning permission is normally required for sui generis change of use.
- Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights until 31 July 2021 ('the material period') when further amendments to the General Permitted Development Order are expected. Additional permitted developments have been announced by Government which are material to the Use Class changes.
- For 'live' applications for planning permission submitted before 1 September 2020 (including ones submitted between now and September) which refer to uses or use classes in the current UCO, they must be determined by reference to those old use classes.
- The table is intended as general guidance only. Reference needs to be made to the Town and Country Planning (Use Classes) Order 1987 (as amended). Information correct as of 17 August 2020.

If you would like to discuss the implications of these changes on your existing planning permissions, please do not hesitate to contact the JLL Planning and Development Team



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The White Paper



White Paper & what it means



3 Pillars:

1. Speed up / simplify the system
2. Raise standards in design
3. Support infrastructure

Why?

- Planning is inflexible and a blocker
- Aid the recovery
- Move to a greener, low carbon economy
- Deliver 300,000 homes per annum
- Level up the regions

White Paper & what it means



3 Pillars

1. *Planning for development: Local Plans*

- Local Plans reformed to zoning-
 - **GROWTH AREAS** - SUITABLE FOR DEVELOPMENT.
 - **RENEWAL AREAS** - SUITABLE FOR SOME DEVELOPMENT.
 - **PROTECTED AREAS** - DEVELOPMENT IS RESTRICTED.
- Will set rules rather than policies
- Quicker : 30 months
- **LOCAL PLANS WILL BECOME THE SEMINAL STAGE OF THE PLANNING PROCESS, so influence them**



- **GROWTH** areas automatically receive outline planning permission
- **RENEWAL** areas general presumption in favour of development
- **PROTECTED** need a planning application and subject to NPPF
- 13 week deadline for determination is fixed, not aspiration

White Paper & what it means



3 Pillars

2. Planning for beautiful and sustainable places

- Design codes prepared locally with community involvement
- Pattern books
- Beautiful buildings, beautiful places to be fast-tracked

3 Pillars

3. Planning for infrastructure and connected places

- CIL to be replaced by an 'Infrastructure Levy' based on a fixed proportion of development value (uniform across country).
- To include affordable housing.
- S106 abolished?

White Paper & what it means



Gain or lose?

- Faster decision making (refunds and sanctions for non-performance)
- Smaller planning application requirements
- 1,000,000 new homes by end of Parliament
- New Local Plans by end of Parliament
- Net Zero Carbon by 2050
- Technology – A digital planning system

White Paper & what it means



Next *steps*

- Consultation finished 29 October 2020.
- Legislative framework Autumn 2021

The Coronavirus Act

- Automatic extensions to planning permissions to 1st May 2021

New Permitted Development Rights – going up for homes

- Upwards extensions to buildings allowed from 31st August 2020



Thank you

The slides and recording from this webinar will be available to AREF members later this afternoon.