



Factsheet: Permitted development rights: monitoring of new residential units (clause 13)

What are permitted development rights?

Permitted development rights for change of use were introduced in recent years and support the delivery of additional homes, contributing to the Government's housing supply ambitions. Permitted development rights are a national grant of planning permission, enabling certain types of development to be undertaken without the need for a specific planning application. Prior approval is required for some permitted development rights where the type of development is considered acceptable, but some specific planning issues still require local consideration.

What is the policy hoping to achieve?

The Bill will help both local and central government further understand the contribution these permitted development rights make to increasing housing supply. It will also help increase transparency about development proposals in an area. The Bill will do this by allowing the collection of information from the local planning authority on permitted development right prior approvals or notifications. It will enable specific applications for prior approval for permitted development rights to be put on an even-footing with applications for planning permission, enforcement notices and local and neighbourhood development orders, all of which appear on a public register kept by the local planning authority for the area.

The Government is not asking local planning authorities to undertake unnecessary additional tasks. The measure is intended simply to increase transparency, by making information about certain prior approval applications and notifications available to the public.

Where are we now?

In 2015/16 over 13,800 homes were delivered through permitted development rights for the change to residential use. In the same period, data collected from local authority returns indicate that over 5,000 prior approval applications to change to residential use were able to proceed under permitted development rights. However, this data does not provide information on the number of new homes proposed under permitted development rights. The Bill will enable the Government to collect data on the pipeline of much-needed homes able to proceed under permitted development rights.

Why is legislation needed?

Legislation is needed to provide the Secretary of State with the necessary powers to enable information relating to permitted development rights applications for prior approval and notifications to be placed on the planning register. Details of which prior approval applications or notifications should be placed on the planning register and specific information relating to those will be provided in secondary legislation.



How do we see this working in practice?

Following the introduction of regulations, local planning authorities in England will record information on applications for prior approval for specified permitted development rights on their planning register. The Government intends to introduce targeted regulations which require only prior approvals for development which will create additional housing units to be entered onto the register. Further information on how the Government intends to exercise the Bill's delegated powers have been published¹.

Key questions and answers:

Will placing prior approval applications on the planning register enable local people to comment on prior approval applications?

- In many cases, there is already provision for the local community to make representations on applications for prior approval for permitted development. By placing information on prior approval applications on planning registers local communities will be more aware of development proposed and permitted in their area.

Will this increase the costs for applicants using the prior approval application process?

- No. Any information that the Secretary of State requires to be placed on the planning register will be information that must already be provided in an application for prior approval. Applicants are required to set out the net increase in the number of homes proposed in their prior approval application.

Will the planning register contain information on the amount of office space changing to residential use?

- No. Only information required to be provided with an application for prior approval will be required to be placed on the planning register.

Do local planning authorities have any discretion over the use of permitted development rights in their area?

- Where there is robust evidence that it is necessary to protect the local amenity or wellbeing of an area, the local planning authority can consult the local community on removing a permitted development right by making an Article 4 direction. This means there can be local debate on whether the right is appropriate.

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¹ See document titled 'further information on how the Government intends to exercise the Bill's delegated powers' <https://www.gov.uk/government/publications/neighbourhood-planning-bill-overarching-documents>