

PLANNING CHANGES 2023/24



	White Paper 2023
	Levelling Up and Regeneration Act 2023
	Autumn Budget 2023
	Town and Country Planning (Fees for Applications [etc]) (England) (Amendment) Regulations 2023

SOURCE	PROPOSED CHANGE	DETAILS	STATUS	DATE IN FORCE
	Short term lets & Holiday lets (C5)	<ul style="list-style-type: none"> Possible new use class moving short term lets of 90 days or less into new Use Class C5. Definition & limits of these uses TBC 	Consultation expired: Under consideration	Estimated by July 2024
	Class C5 to C3 (& vice-versa)	<ul style="list-style-type: none"> New PD right to move to and from C5 use class to C3 use class: likely to only be available for short stays of 90 days or less 	Consultation expired: Under consideration	Estimated by July 2024
	Class MA	<ul style="list-style-type: none"> Removal of 3-month vacancy test Abolition of 1,500 sqm limit SI 2024/141 	Consultation expired: Under consideration	Changes in force from 05/03/2024
	Class M and Class N	<ul style="list-style-type: none"> Removal of 'date stamps' and 2 year rolling qualifying period instead Doubling or abolition of 150 sqm limit Conservation Areas included to Class M Launderettes excluded (i.e. no PD) 	Consultation expired: Under consideration	Estimated by July 2024
	Class G	<ul style="list-style-type: none"> Change of use of Class E space to up to 4 flats above a separate Class E unit 	Consultation expired: Under consideration	Estimated by July 2024

	Class Q	<ul style="list-style-type: none"> • Widening of qualifying uses (e.g. storage, livery, equestrian, agricultural) • Doubling of possible units to 10 units but each unit to be smaller (100 sqm or 150 sqm: TBC) • Land to include where last known use was agricultural or other uses, but structure/ use since 'abandoned'. • Possible ground floor rear extensions up to 4 metres • New buildings on land possibly 'acquiring' PD via 'long use' after 10 years. 	Consultation expired: Under consideration	Estimated by July 2024
	Class C1 to C3	<ul style="list-style-type: none"> • Hotels, guesthouses, bed and breakfast • Prior approval process similar to Class MA to be followed (e.g. flood risk, space standards, natural light, parking, noise). • Likely to be a size limit to avoid damage to local seaside tourist economy. 	Consultation expired: Under consideration	Estimated by July 2024
	Existing Class E Commercial	<ul style="list-style-type: none"> • GPDO Part 7 Class A • 50% or 100 sqm (whichever lesser) → 100% or 200sqm 	Consultation expired: Under consideration	Estimated by July 2024
	Existing Industrial and Warehouse buildings	<ul style="list-style-type: none"> • GPDO Part 7 Class H • 1,500 sqm or 75% increase on existing (whichever is lesser) • [<i>was 1,000 sqm or 50%</i>] 	Consultation expired: Under consideration	Estimated by July 2024
	New Industrial and Warehouse buildings	<ul style="list-style-type: none"> • 200 sqm to 400 sqm • [<i>new additional buildings on B2 or B8 land</i>] 	Consultation expired: Under consideration	Estimated by July 2024
	New Infrastructure Levy	<ul style="list-style-type: none"> • New tariff intended to supplement shortfalls in infrastructure funding. • Charge based on GDV. • To be charged on PD and Prior Approval schemes as well as full planning. • Based on a percentage of the estimated final GDV on sale or completion of the development. 	New legislation needed to confirm date	Unknown

		<ul style="list-style-type: none"> • Greater scope for payment in instalments or toward the back end of development funded by receipts from sales etc • To be trialled by volunteering local authorities on a 'test and learn' basis 		
	New National Development Management Policies	<ul style="list-style-type: none"> • Elevates importance of NPPF, NPPG and National Design Guide (& other relevant national development management policies) to planning primacy, e.g. NDSS could become assumed by law to be a development policy to be complied with (unless material considerations strongly indicate otherwise). 'Strongly' now inserted – making it harder to obtain planning against Local Plan or NDMP. • NDMP has primacy over Local Plan where there is any conflict between the two. • Increased powers for Neighbourhood Plans, greater power to local community to affect future development delivery; e.g. Allocation of sites for development, what, where, how much, timescale 	New legislation needed to confirm date	Unknown
	New National Design Codes	<ul style="list-style-type: none"> • Strengthening the role of the 'national model design code', to ensure that locally informed and clear design standards are in place in all parts of the country. • Includes a provision that would require every local planning authority to produce a design code for its area and which will have full weight in making decisions on development. • Detailed design codes in local areas or for sites down to the next level of detail could then be prepared but would have to be consistent with area design code and National Model Design Code 	New legislation needed to confirm date	Unknown
	Biodiversity Net Gain	<ul style="list-style-type: none"> • Minimum biodiversity net gain (BNG) of 10% required on all future commercial and residential projects (subject to exemptions). 	Biodiversity Gain (Town and Country Planning) (Consequential	Major development: from 13/02/2024; Minor development from 02/04/2024

		<ul style="list-style-type: none"> On site or off site provision of additional biodiversity preferred, but statutory 'credits' can be obtained (meant to be a last resort) from the Government at a price (to be reviewed every 6 months) BNG secured through pre-commencement conditions to new planning permissions 	Amendments) Regulations [2024]	
	'Street Votes'	<ul style="list-style-type: none"> Possible PD or local deregulation Order helping to fast-track some forms of development. Subject to 'Street Vote Development Orders' (SVDOs) established through a local community referendum. Regulations to set out conditions and limitations on the use of SVDOs. To be trialled by volunteering local authorities on a 'test and learn' basis. 	New legislation needed to confirm date	Unknown
	Community Land Auctions	<ul style="list-style-type: none"> Pilot system for LPAs to raise money for infrastructure through process of LPA acquiring an option to buy land put up for allocation in a local plan. Developers 'bid' for the land to be allocated as the price offered by the LPA to acquire the option can be taken into account in allocating land in the local plan along with other 'usual' considerations. LPA can then sell on the option and use the proceeds to be spent on local infrastructure as with CIL, IL and s106 To be trialled by volunteering local authorities on a 'test and learn' basis 	New legislation needed to confirm date	Unknown
	New Enforcement Periods (4 year vs 10 year 'rule')	<ul style="list-style-type: none"> Proposal to completely abolish '4 year' rule – all breaches to be subject to '10 year' rule. 	New legislation needed to confirm date	Unknown
	One house to two flats	<ul style="list-style-type: none"> New PD right to convert one house to two flats. Likely to be subject to size limits for new flats, natural light, noise and other possible prior approval conditions. 	Consultation expected in January 2024	Unknown

		<ul style="list-style-type: none"> No external changes allowed under PD. Not expected to be restricted by minimum size threshold. 		
	Speeding up National Infrastructure delivery	<ul style="list-style-type: none"> Seeking to improve delivery times and extended use of Local Development Orders 	Awaiting further news	Unknown
	Extending use of Planning Premium Services	<ul style="list-style-type: none"> Extending use of Planning Performance Agreements; guaranteed accelerated decision dates in return for additional fee. Refunds where deadlines not met. Limiting use of extension of time agreements. 	Awaiting further news	Unknown
	Local Development Orders	<ul style="list-style-type: none"> £5m investment in new local orders 	Awaiting further news	Unknown
	'Low Carbon Economy'	<ul style="list-style-type: none"> Prioritising EV charging points via NPPF and new PD for heat pumps 	Awaiting further news	Unknown
	Increased funding to the Local Nutrient Migration Funding	<ul style="list-style-type: none"> £110 million to Councils affected by nutrient neutrality rules to allocate toward local nutrient off-setting schemes (40,000 additional homes) 	Awaiting further news	Unknown
	Increased funding to the Affordable Homes Guarantee Scheme and toward Temporary Accommodation.	<ul style="list-style-type: none"> £3 billion extension to the AHGS. Additional £450 million to Temporary Accommodation 	Awaiting further news	Unknown
	Planning Application fees to be increased	<ul style="list-style-type: none"> Fees increasing by 25% across the board and by 35% affecting 'major development' Annual rise in application fees linked to inflation (and capped at 10%) every April from 2025 onwards. Undetermined non-major applications (including householder developments) will be eligible to receive a refund after 16 weeks, shortened from the 26-week period which remains 'as is' in all other cases. No 'free go' to second similar applications where first application submitted on/after 6th December 2023 	Made on the 8 th November 2023	From 6 th December 2023

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March 2024