

A GUIDE TO PRIOR NOTIFICATION FOR A CHANGE OF USE FROM OFFICE TO RESIDENTIAL (as from 6 April 2016)

What is Prior Notification?

The Town and Country Planning (General Permitted Development) Order (England) 2015, generally known as the GPDO, allows you to make a 'fast track' application for certain developments. The planning authority can only have regard to a limited range of considerations, and if you do not receive a decision within 56 days you can assume you have planning permission.

So what does this allow me to do to office buildings?

Class O of the GPDO allows for the change of use of an office building and any land within its curtilage (Use Class B1a) to residential use.

Can I make changes to the outside of the building?

No, any changes or extensions will need full permission

Does this apply to all office buildings?

The building must have been solely in use for office purposes on 29th May 2013.

So if it complies with that how many residential properties can I build?

There is no limit on the amount of properties. We recommend that they should meet the national minimum space standards.

Does this apply everywhere?

It does not apply in:

- Conservation Areas
- Areas of Outstanding Natural Beauty
- The Broads
- National Parks and
- World Heritage Sites

The site must also not be in a site of special scientific interest (SSSI), a safety hazard area or a military explosives storage area.

The rules also do not apply if the building is a scheduled monument or a listed building, or within certain local authorities. The authorities previously exempt from these provisions will however lose that exemption in May 2019.

If it is caught by one of the above can I still apply?

You cannot use the Prior Notification procedure but you could still make a full planning application.

Do I have to pay a planning fee?

A fee of £80 has to be made to the Council.

What else do I need to submit?

- a written description of the proposed development, which must include any building or other operations;
- a plan indicating the site and showing the proposed development;
- the developer's contact address;
- the developer's email address if the developer is content to receive communications electronically; and
- if the Environment Agency is to be consulted, a site specific flood risk assessment.

Is it then determined like any other planning application?

No. The Council can only consider a limited range of matters

- Transport and highway impacts
- Contamination risks on site
- Flooding risks on site
- noise from commercial premises on the intended occupiers of the development.

Can the planning authority impose conditions?

Yes the planning authority can impose conditions.

If I decide to make changes can I just do them?

If you don't build what you have permission for you may invalidate your permission and need to make a full application to seek to regularise the works.

How long do I have to do this?

These provisions are now permanent. The work must be completed within 3 years of the date of the prior approval being granted.

The above guidance only gives a flavour of what the Prior Notification system allows. Before undertaking any work you should seek professional advice to clarify matters.

The system is heavily caveated and needs to be approached carefully to secure planning permission.

The Town Planning Experts

Sanderson Centre
Lees Lane
Gosport
PO12 3UL

Tel: 023 92 523352
e-mail: help@tpexpert.org

www.tpexpert.org

Prepared: March 2016