

Government launches public consultation to make outdoor measures for high streets permanent

Temporary measures that have given a huge boost to high streets and hospitality during the pandemic could be made permanent following a [public consultation](#) launched today (5 September 2021).

From marquees being put up in pub grounds, to street markets operating all year round, permitted development rights (PDRs) allowed people to enjoy al fresco dining and visit town centres and tourist attractions as the nation reopened from the pandemic.

These planning reforms also gave businesses and councils a lifeline to operate alongside the right to regenerate and new licensing arrangements.

The government is aiming to make a number of these permanent so that people can continue to enjoy outdoor hospitality and local attractions, and businesses can innovate, as we build back better from the pandemic. The public will now be able to give their views on the proposed reforms, so they can continue to benefit everyone in the future.

Secretary of State for Housing Robert Jenrick said:

The simple reforms we made during the pandemic to help hospitality businesses, markets and historic visitor attractions make use of outdoor spaces more easily, made a massive impact. They helped thousands of businesses and attraction to prosper, made out town centres livelier and have been enjoyed by millions of us.

As part of our vision to transform high streets into thriving places to work, visit and live, we intend to make as many of these measures permanent fixtures of British life as possible.

The permitted development rights introduced over the past year and that the government are now consulting on include:

1. Right for markets to be held by or on behalf of local councils

As lockdown restrictions were eased in June 2020, the government implemented a temporary PDR which allowed markets to be held by, or on behalf of local councils for an unlimited number of days, including the provision of moveable structures related to this use.

This supported communities to hold outdoor markets and encouraged the use of outdoor public spaces, both to increase public health initiatives and the reopening of the high street. The government is proposing that this right be

made permanent.

2. Right for moveable structures in the grounds of pubs, cafes, restaurants and historic visitor attractions

In April 2021, moveable structures such as marquees and additional seating were allowed for the first time in the grounds of listed buildings, helping support the important hospitality and tourism sectors.

This has helped businesses increase capacity as they reopened, and the government is now seeking views on making this permanent.

The consultation will also seek views on new permitted development rights to support the efficient development of Ministry of Defence sites. This includes providing more accommodation, workspace, and training facilities at fewer facilities to reduce the pressure on local authorities.

This consultation contains proposed changes to two permitted development rights in the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) which were introduced to support businesses and the high street in response to the coronavirus pandemic. It covers the following areas:

Class BB of Part 4 permitting the provision of moveable structures in the curtilage of pubs, cafes, restaurants and historic visitor attractions.

The consultation is proposing that this be made permanent, subject to a number of factors, in looking to consult on a limitation of 56 days per year, bringing this in line with the right for the temporary use of land above. Views are also sought on introducing a height limit of 4 metres, and a size limit of no more than 50% of the existing buildings on site.

Class BA of Part 12 permitting for markets to be held by or on behalf of local authorities

This enabled markets to be held by or on behalf of local authorities for an unlimited number of days, including the provision of moveable structures related to this use. Previously there was a 14 days allowance per calendar year to hold a market under the temporary use of land permitted development right (Part 12, Class B).

This consultation also contains proposed new permitted development rights to support the delivery of infrastructure on Ministry of Defence sites, to invest and transform its estate. This includes providing more accommodation, workspace, and training facilities at fewer facilities.

To enable the efficient development of MOD sites and reduce the pressure on local authorities MOD is seeking permitted development rights:

- To enable us to expand our single living accommodation and it's supporting infrastructure by up to 25% of the footprint of the total

current single living accommodation buildings (and supporting infrastructure) on a military site at the time the legislation is brought into force.

- To enable us to expand our work and training facilities/space by up to 35% of the total footprint of the current workspace and training buildings on the military site at the time the legislation is brought into force.
- Where the proposed footprint on site exceeds 4,000 sqm, the permitted development rights will be subject to prior approval with the local authority in relation to the siting and scale of the work.
- Additional restrictions apply in relation to height.

These new permitted development rights will provide much greater flexibility and agility for those military sites that are being developed enabling MOD to utilise the sites better and deliver its full capability.