

# New freedoms to support high streets and fast track delivery of schools and hospitals across England introduced today

- New planning law enables unused commercial buildings to be changed into homes
- Will provide much-needed new homes across England and attract footfall to high streets
- New planning rules allowing for the speedy extension, of valued public buildings including schools, colleges, universities and hospitals
- Part of a wider package of government measures introduced to help high streets and town centres recover after lockdown and create the most small business friendly planning regime in the world.
- Support the hundreds of jobs that depend on housing and construction

New rules allowing commercial premises to be converted into homes come into force today, as part of a package of measures to revitalise England's cherished high streets and town centres (31 March 2021).

The new rules, announced by Housing Secretary Robert Jenrick, will help support the creation of much-needed homes while also giving high streets a new lease of life – removing eyesores, transforming unused buildings and making the most of brownfield land.

Today's package also introduces a new fast track for extending public service buildings. New rules allow for bigger extensions to existing public buildings including schools, colleges, universities and hospitals.

This will help deliver more classrooms and hospital space by enabling them to extend further and faster, as we emerge from the pandemic.

Allowing unused commercial buildings to be changed into homes will encourage more people to live near local high streets and come to the area for work and leisure, helping cement our high streets and town centres in their rightful place at the heart of communities.

The new homes will be delivered through a simpler 'prior approval' process instead of a full planning application and will be subject to high standards, ensuring they provide adequate natural light and meet space standards.

Currently, public buildings can have small extensions without the need for a full planning application. Today's changes mean they would be able to extend further and faster, helping to quickly deliver more classrooms and hospital space.

This will mean that vital public buildings will be expanded more quickly

through the planning system with a faster, more streamlined planning process.

Communities Secretary Rt Hon Robert Jenrick MP said:

We are creating the most small business friendly planning system in the world to provide the flexibility needed for high streets to bounce back from the pandemic.

By diversifying our town and city centres and encouraging the conversion of unused shops into cafes, restaurants or even new homes, we can help the high street to adapt and thrive for the future.

The public also want improvements to public services as quickly as possible and so these changes will also help schools and hospitals to adapt quickly to changing needs with a new fast track for extending public service buildings. This will help deliver more classrooms and hospital space by helping them extend further and faster.

This announcement supports a series of recent measures introduced to help high streets recover once lockdown restrictions are lifted which include:

- £56 million Welcome Back Fund to help boost the look and feel of high streets and seaside towns
- Relaxation of planning rules to allow pubs and restaurants to operate as takeaways.
- Planning freedoms to allow outdoor markets, marquees, pop-up summer fairs without the need of a planning application.
- Longer opening hours for retail to give shoppers more flexibility and ease transport pressures
- Extension of provisions for temporary pavement licences to facilitate alfresco dining

Measures announced today also include:

- Amendment of existing permitted development rights for ports so that they have the same freedoms as airports for undertaking development
- Amendments to the demolition permitted development right to ensure the removal of unlisted heritage assets is subject to due process and proper consultation via planning

## **Further information**

The government is now introducing legislation for England to bring forward this right from 1 August 2021. The right will allow for local consideration by the local planning authority of specific planning matters through the prior approval process. These considerations include:

- Flooding

- Impacts of noise from commercial premises
- Provision of adequate natural light to all habitable rooms
- In conservation areas only – consideration of the impact of the loss of the ground floor Commercial, Business and Service use
- Impact of the loss of health centres and registered nurseries on the provision of such local services

The right also includes a vacancy requirement that will ensure the building changing use has been vacant for 3 months before the date of the application to protect successful businesses in these premises. A size limit will also be included of 1,500 square metres of floorspace being able to change use under the right to focus the right on medium sized high street sites which are more likely to be suitable for conversion.

To prevent gaming, the building must have been in Commercial Business and Service use for two years before benefiting from the right. The right will apply in Conservation Areas, but not in other protected land listed in Article 2(3) of the GPDO (General Permitted Development (Order)) which includes national parks and Areas of Outstanding Natural Beauty (AONBs).

Where there is an existing Article 4 direction on 31 July 2021 in respect of the change of use from offices to residential (under Class O) it will continue to have effect on equivalent development in respect of offices (now within the Commercial Business and Service use class) until 31 July 2022.

## **Details on amendment of existing permitted development rights for ports**

The government response to the [Freeports consultation](#) (October 2020) and the [Freeports bidding prospectus](#) (November 2020) committed the government to amending the existing permitted development right for ports by April 2021, with the intention of aligning this right with the similar right for airports.

We have therefore amended the right to allow ports, and for the first time their agents, to erect buildings “in connection” with the operation of the port, for example to support logistics or facilities for arriving passengers. The right now:

- Specifically allows for development in connection with the provision of services and facilities at the port, including the erection or alteration of an operational building.
- Widen the scope of who can undertake development to include a port’s “agent of development”.
- As we are increasing flexibility by broadening the scope of what can be built, and to ensure that parity is achieved with airports, a requirement to consult the local planning authority will be introduced. As for airports, it includes an exemption for development below 4m and under 200 cubic metres capacity, or where it is urgently required for the running of the port.

## **Details on public service infrastructure PDR (permitted development right)**

To support the faster delivery of important public service infrastructure we have amended an existing permitted development right to allow larger extensions to certain infrastructure.

This amended permitted development right will allow for the extension, erection or alteration of school, college, university, hospital, and for the first time prison buildings by up to 25% of the existing footprint of the cumulative buildings on the site, or 250 square metres, whichever is greater. The existing height restriction on new buildings is also being increased from 5 metres to 6 metres.

## **Protect unlisted statues, memorials and monuments**

### **Background**

As announced in a written ministerial statement to Parliament on 18 January, we have introduced new measures to make the removal of unlisted statues, memorials and monuments subject to a requirement to obtain planning permission. To implement this, we have made changes to permitted development right regulations to ensure the demolition of unlisted statues, memorials and monuments is subject to planning decisions.

In determining applications to remove historic statues, local planning authorities will need to have regard to the government's policy that these should be retained and explained rather than removed.

The government is committed to ensuring that historic statues, memorials and monuments (both listed and unlisted) are appropriately protected and that they are not removed without proper consideration and public consultation.

- The government believes that historic statues, memorials and monuments should be retained and explained to help educate people about all aspects of our country's complex past.
- Listed statues, memorials and monuments are already protected through the listed building consent regime. But we also need to protect those unlisted statues which are important to local communities.
- To achieve this, we are amending permitted development rights to ensure that, in future, any proposals to demolish unlisted statues, memorials and monuments require an application for planning permission.