

## Summary of recent planning changes

### The Business and Planning Bill<sup>1</sup>

The Business and Planning Bill had its 1<sup>st</sup> reading in the House of Commons on the 26 June and has since passed through the Commons. It is now awaiting its 2<sup>nd</sup> reading in the House of Lords on the 6 July.

#### The key parts of the Bill

- Pavement licence holders are allowed to put removable furniture on pavements adjacent to their premises in order to facilitate the selling, serving, or consumption of food or drink. Pubs, wine bars, and any other unit used for the sale of food or drink for consumption on or off the premises may apply for a licence from their local authority.
  
- Extension of consents.
  - Full and outline planning permissions that were due to expire between when sections 17-19 of the Act comes into effect (28 days after it passes) and 31 December 2020, will be automatically extended until 1 April 2021.
  - If listed building consents had conditions that required work to commence between the 23 March 2020 and 31 December 2020, this Bill automatically extends this deadline up to the 1 April 2021.
  - Any application for approval of a reserved matter due to be made from the 23 March to the 31 December 2020 can be made until the 1 April 2021.
  - Where planning permissions and outline planning permissions that have Environmental Impact Assessment requirements or habitat requirements have expired between the 23 March and the day before section 17 comes into force (28 days after the Act is passed), additional environmental approval is needed. In these cases, the local planning authority must ensure that these EIA and habitat requirements are still met.
  
- Planning appeals are to be sped up. Written representations, hearings and inquiries may be used at the same time to deal with planning appeals in England, where prior only one procedure could be used at a time.
  
- Extensions to construction working hours are to be made. New measures introduced in the Bill provide a faster route for developers to apply to lengthen working hours on construction

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<sup>1</sup> <https://publications.parliament.uk/pa/bills/lbill/58-01/119/5801119.pdf>

sites beyond the hours set out in conditions of planning permission. This extensions to hours will expire at the latest by the 1 April 2021.

### **‘Build build build’<sup>2</sup> and ‘A New Deal for Britain’<sup>3</sup>**

The Prime Minister’s speech on Tuesday 30 June<sup>4</sup> was accompanied by two press releases published the same day by the Prime Minister’s Office. The speech and releases set out part of the government’s plans for economic recovery.

The government has said it will launch a new Policy Paper this month, intended to modernise and transform the English planning system. In advance of this paper the government has published some changes that will be made to the existing system. They are that:

- Normal planning permission will no longer be needed to demolish vacant or redundant residential or commercial buildings, so long as they are rebuilt to provide homes. This is largely orientated around building on brownfield sites. £400 million of funding received by the Brownfield Land Fund has been allocated to support the delivery of 24,000 new homes in the West Midlands, Greater Manchester, West Yorkshire, Liverpool City Region, Sheffield City Region, and North of Tyne and Tees Valley.
- Changes to the Use Classes Order will allow for change of use for more commercial facilities without the need for a planning application or local authority approval. Those premises deemed ‘essential to the lifeblood of communities’ like pubs, libraries and village shops are not to be given this flexibility.
- Property owners may build additional space above properties, conditional on consultation with neighbours and a fast track approval process. The changes suggested in The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 allow for the permitted development of two extra storeys on top a block of flats of over 3 three storeys above ground level, so long as the building will not be over 30 metres high.
- In general, the system will be changed in order to try and speed up the pace and lower the cost of building. The removal of red tape intended to accelerate the building of housing developments, new infrastructure, hospitals and schools.

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<sup>2</sup> <https://www.gov.uk/government/news/pm-build-build-build>

<sup>3</sup> <https://www.gov.uk/government/news/pm-a-new-deal-for-britain>

<sup>4</sup> See entire speech at <https://www.gov.uk/government/speeches/pm-economy-speech-30-june-2020>