

## Updated planning rules: development through conversion of agricultural building



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On 6 April 2018 updated, planning regulations came into force which allow for larger scale residential development to take place through the conversion of agricultural buildings, without the need for planning permission.

#### CONTACT

**Neil Jones**  
07774 652426  
[neil.jones@rapleys.com](mailto:neil.jones@rapleys.com)

The amendments to the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 (SI 2018 no. 343) extended the permitted development rights in relation to agricultural buildings.

Permitted development rights allow for certain types of development and changes of use to be carried out without the need to submit a planning application.

#### Previous permitted development rights

Under the previous regulations (2015), agricultural buildings could be converted to residential dwellings, via permitted development rights, as long as the conversion did not create more than 3no. dwellings and no single dwelling could have a maximum floor space above 450 sq.m.

#### Permitted development rights now

The new regulations (2018) increase the number of houses that can be created from the conversion of agricultural buildings without the need for planning permission. Agricultural buildings can now be converted to provide:

- 5no. small scale dwellings with a max floor space of 100 sq m; or
- 3no. larger dwellings with a max floor space of 465 sq m; or
- 5no. dwellings comprising 3no. large dwellings (a max floor space of 465 sq m) and 2no. small dwellings with a max floorspace of 100 sq m.

#### What does this mean for land owners & developers?

The Government anticipates that the new regulations will result in an increase in the number of new homes created through the conversion of agricultural buildings. It is hoped that this will positively contribute to the supply of homes to meet local needs and result in the delivery of new houses which safeguard the character of local areas.

The changes to the regulations allow land owners and developers greater flexibility when considering the conversion of agricultural buildings both in terms of the number of new houses which can be created and the size of the dwellings. This in turn, should create more opportunities for small scale residential development within rural areas.

Whilst a planning application to convert an agricultural building to residential use is not required if the proposal meets the criteria set out above, along with some more detailed criteria, it will still be necessary to apply for prior approval from the Local Planning Authority to confirm that specified elements of the development are acceptable.

If you require further information or advice on how you might benefit from the new regulations, please contact [Rapleys](https://www.rapleys.com).

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**0370 777 6292**