Alex Christopher, associate director, planning & development, at BNP Paribas Real Estate, the leading property adviser, comments on the government publishing a permitted development right to allow office space to be converted into homes without planning permission from a council:

“Eric Pickles yesterday announced in a written ministerial statement details of the coalition’s new planning measures that will seek to convert empty and under used offices into much-needed housing in an effort to maximise the use of previously developed land nationally. The proposed new permitted development rights will allow for offices to be converted into a residential use without the need for planning permission, with DCLG hoping that this approach will provide a valuable contribution to easing the existing national housing shortage.

Following the initial consultation undertaken on these proposals in April 2011, it is apparent that DCLG have however listened to concerns previously expressed as a ‘one cap fits all’ approach, with Pickles stating that local authorities will be able to opt out of these proposals “where this can be justified on economic grounds”, explaining that there may be “unique local circumstances which should be taken into account”. It is envisaged that the majority of ‘central’ London authorities will seek to opt out of these proposals, with several authorities having previously expressed their concern at a surge in the loss of smaller offices to residential uses in recent years, with such units lending themselves to residential conversions.

As anticipated the revised policy approach will however be highly caveated with the inclusion of a ‘prior approval process’ which will ensure that developments are acceptable in planning terms in relation to considerations including transport, highway, flood risk, land contamination and safety hazard zones.

The new regulations for permitted development rights will be brought forward once requests for exemption from local authorities have been considered, with the issued letter by DCLG confirming that any local authorities seeking to request an exemption must do so by Friday 22 February 2013. It is anticipated that the new permitted development rights will come into force in spring 2013.”

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