

# Information

## Agricultural Permitted Development Rights

### What are Permitted Development Rights?

Permitted Development rights (PD rights) allow certain building works and changes of use to be carried out without planning permission (in some circumstances, prior approval may be required).

In England, PD rights are granted under the Town and Country Planning (General Permitted Development) Order 2015 (the GPDO). Separate Orders apply in Scotland and Wales. The GPDO is frequently amended and added to as planning policy and legislation develops.

There are no defined “agricultural” PD rights but in this Information Sheet we aim to focus on those which might affect our agricultural and rural clients more directly.

All PD rights are subject to strict conditions and limitations so you should seek specific advice on your proposal as early as possible.

### Changes made last year

The following changes came into force on 6 April 2018

- 1 An extension of PD rights under Class P of Part 3 (Changes of Use) to Schedule 2 of the GPDO for the conversion of buildings used for storage and distribution (B8) into residential dwellings (C3). The deadline for applying for prior approval for PD was extended to 10 June 2019. The conversion must be completed within 3 years of obtaining prior approval.
- 2 An extension of Class Q of Part 3 (Changes of Use) to Schedule 2 of the GPDO to allow former agricultural buildings to be converted into:

- 5 smaller residential dwellings each with a maximum floor space of 100m<sup>2</sup>; or
  - 3 larger residential dwellings (where the cumulative floor space of the existing agricultural building or the part of the building being converted is no greater than 465m<sup>2</sup>); or
  - A mix of no more than 5 smaller and larger residential dwellings so long as the floor space of larger residential accommodation is not more than 465m<sup>2</sup>.
- 3 An extension of PD rights for the erection, extension and alteration of agricultural buildings.
    - For holdings of 5 hectares or more, PD rights allow additional buildings of up to 1,000m<sup>2</sup> (rather than the previous limit of 465m<sup>2</sup>).
    - For holdings below 5 hectares, PD rights allow such holdings to be extended by up to 1,000m<sup>2</sup> provided the cubic content of the original agricultural building does not increase by more than 20%.

### Building Regulations are different!

Just because you have PD rights to convert your barn, doesn't always mean you should! Your proposals also need to comply with Building Regulations and Health and Safety requirements.

### Further information

This information is based upon our understanding of the law in April 2019. For further information please contact Kate Jardine on 01893 510000 or email at:

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