

The GPDO 2015

Harriet Townsend, assisted by Richard Hanstock

1. Today a new General Permitted Development Order comes into force, the GPDO 2015, which revokes and replaces the GPDO 1995 with effect from the 15th April 2015.
2. It is in large part a consolidation. The excitement which may have been caused by a reduction within Schedule 2 from 43 Parts to 19 is not in fact justified by any reduction in length or complexity. However, a more sensible grouping of Parts and a more user-friendly presentation combine to make it a worthwhile exercise. The new Order applies only in England which also simplifies matters somewhat.
3. The GPDO 2015 is not accompanied by any specific guidance. The Impact assessment is of limited assistance to the application of the new GPDO but in case of interest may be found using the link
http://www.legislation.gov.uk/ukia/2015/211/pdfs/ukia_20150211_en.pdf
4. The origin of the changes can be found in the Government's July 2014 Technical Consultation on Planning.
5. Complementary to the GPDO 2015 is the amendment to the Use Classes Order [SI 2015/597] which makes betting shops and payday loan shops sui generis and which also comes into force on the 15th April 2015.
6. This Note is designed to take some of the pain out of the process of checking whether, and how, any relevant permitted development rights have changed.
7. In considering the available material it is necessary to recognise that only 9 days ago certain amendments to the GPDO 1995 came into force, introduced by the Amendment Order of 2015 [SI/2015/659]. These amendments restrict permitted development rights in relation to Assets of Community Value and buildings nominated for that status by excluding from certain Classes within Part 3 "specified buildings" for a "specified period" – each of these being defined by the Order.
8. The increased use of prior approval procedures will also be noted. There is a useful summary of these within the Order's Explanatory Note published with the Order [at pages 159-161].
9. The table below summarises the essential parts of the 2015 Order and, where relevant, their equivalent within the 1995 Order.

<u>GPDO 2015</u>	<u>GPDO 1995</u>
Articles 1-4 provide for commencement, extent, the grant of permission, and its withdrawal. Article 4 direction procedure moved to Schedule 3. New Article 7 re prior approval procedure.	Very similar
Schedule 1	
Article 2(3) land (eg conservation areas and AONBs)	Article 1(5) land
Article 2(4) land (eg National Parks)	Article 1(6) land



Article 2(5) land: defines the “exempt commercial areas”	Article 1(6A) land
Schedule 2	
Part 1: Development within the curtilage of a dwelling house Class A-H: The time limited permitted development right for larger home extensions [Class A] is extended to May 2019	
Part 2: Minor operations Class A-E similar. Class F: CCTV for security purposes	Part 33 Class A of GPDO 1995
Part 3: Changes of Use	
Class A: A3, A4, A5 to A1 and A2 Not if “specified building” for “specified period”	Class A and Class C of GPDO 1995
Class B: A4, A5 to A3 Not if “specified building” for “specified period”	Part 3 Class AA of GPDO 1995 (2005)
Class C: A1, A2, betting office, pay day loan shop, casino to A3 Facilities for ventilation/extraction/rubbish to enable use as A3 Prior approval.	New in 2015
Class D: A1 to A2	New in 2015
Class E: If building has a display window at ground floor level A2, betting office, payday loan shop to A1.	Part 3 Class D of GPDO 1995 – A2 to A1
Class F: Betting Office, payday loan shop to A2	New in 2015
Class G: A1, A2, betting office, payday loan shop to mixed A1 and up to 2 flats or A2 and up to 2 flats (provided if it’s a new A1 use there’s a display window at ground floor level) A betting office or payday loan shop to a mix of either use and up to 2 flats.	The flexibility within A1 and A2 is new – see Part 3 Class F of GPDO 1995. The provisions for betting offices and payday loan shops are new.



<p>Class H: Reversal of Class G but not unless each flat was previously used for the commercial use to which it is changed.</p>	Part 3 Class G of GPDO 1995.
<p>Class I: B2 and B8 to B1, and B1 and B2 to B8</p>	See Part 3 Class B GPDO 1995
<p>Class J: A1, A2, betting office, payday loan shop to D2 Prior approval</p>	New in 2015
<p>Class K: casino to D2</p>	See Part 3 class H GPDO 1995 (2006)
<p>Class L: C4 (HMO) to C3 and C3 to C4 New restriction on increase in number of units of accommodation</p>	See Part 3 Class I GPDO 1995 (2010)
<p>Class M: A1, A2, betting office, payday loan shop, or mix of uses of this kind to C3 Prior approval where building operation</p>	See Part 3 Class IA GPDO 1995 (2014)
<p>Class N: Amusement arcade, casino to C3 Building operations necessary to convert the building Prior approval where building operation</p>	New in 2015
<p>Class O: B1a) offices to C3 Prior approval</p>	Part 3 Class J GPDO 1995 (2014)
<p>Class P: B8 to C3 Prior approval</p>	New in 2015
<p>Class Q: Agricultural building to C3 Building operations necessary to convert Prior approval where building operation.</p>	Part 3 Class MB GPDO 1995 (2014)
<p>Class R: Agricultural building to flexible use within A1, A2, A3, B1, B8, C1, D2 and changes of use within that list</p>	Part 3 Class M GPDO 1995 (2013)



<p>Class S: Agricultural building to state funded school or registered nursery. Prior approval</p>	Part 3 Class MA GPDO 1995 (2014)
<p>Class T: B1, C1, C2, C2A, D2 to state funded school or registered nursery. Prior approval</p>	Part 3 Class K GPDO 1995 (2013)
<p>Class U: Reversal of Class T change to the previous lawful use Prior approval</p>	Part 3 Class L GPDO 1995 (2013)
<p>Class V: Change of use permitted on application to another which would have been specifically granted at the time.</p>	Part 3 Class E GPDO 1995
Part 4: Temporary Buildings and Uses	
<p>Class A: Temporary buildings and structures</p>	
<p>Class B: Temporary uses of land – new exclusion film making</p>	
<p>Class C: Use of a building and curtilage as a state funded school for one year</p>	
<p>Class D: Change to a flexible use for 2 years</p>	
<p>Class E: Temporary use of buildings or land for film making purposes.</p>	New in 2015
Part 5 Caravan Sites and recreational campsites	
<p>Class A: Use as a campsite where a licence is not required</p>	
<p>Class B: Development required by the conditions of a site licence</p>	



<p>Class C: The use of land by members of a recreational organisation and erection/placing of tents for that purpose.</p>	Part 27 Class A GPDO 1995
Part 6 Agricultural and Forestry	
<p>Class A: Development necessary for agriculture on unit of >5 hectares</p>	
<p>Class B: Development necessary for agriculture on unit of <5 hectares</p>	
<p>Class C: Mineral working for agricultural purposes</p>	
<p>Class D: Interpretation</p>	
<p>Class E: Forestry developments</p>	Part 7 GPDO 1995
Part 7 Non-domestic extensions and alterations	
<p>Class A: Extension or alteration of a shop or financial or professional services establishment.</p>	Part 42 Class A GPDO 1995 (2014)
<p>Class B: The erection or construction of a trolley store within the curtilage of a shop</p>	Part 42 Class B GPDO 1995 (2014)
<p>Class C: Click & collect facilities within the curtilage of a shop. Prior approval.</p>	New in 2015
<p>Class D: Modification of shop loading bay</p>	New in 2015
<p>Class E: Hard surface within the curtilage of a shop or catering, financial or professional services establishment</p>	Part 42 Class C GPDO 1995 (2014)
<p>Class F: Extension or alteration of an office building</p>	Part 41 Class A GPDO 1995 (2014)
<p>Class G: Hard surfaces for office buildings</p>	Part 41 Class B GPDO 1995 (2014)



<p>Class H: Erection, extension, alteration of an industrial building or warehouse. Time limited provisions introduced in 2014 made permanent.</p>	Part 8 Class A GPDO 1995
<p>Class I: Development relating to an industrial process</p>	Part 8 Class B GPDO 1995
<p>Class J: Hard surface in the curtilage of an industrial building or warehouse.</p>	Part 8 Class C GPDO 1995
<p>Class K: Waste deposits from an industrial process</p>	Part 8 Class D GPDO 1995
<p>Class L: On land used as a waste management facility, the extension or alteration of a building and replacement of plant and machinery</p>	New in 2015
<p>Class M: Erection, extension, or alteration of a school, college, university or hospital building</p>	Part 32 Class A GPDO 1995 (2014)
<p>Class N: Hard surface in curtilage of school, college, university or hospital building</p>	Part 32 Class B GPDO 1995 (2014)
Part 8 Transport related development	
<p>Class A: Development by railway undertakers on operational land</p>	Part 17 GPDO 1995
<p>Class B-E: Development relating to water transport</p>	Part 17 GPDO 1995
<p>Class F -N: Development at or near an airport</p>	Part 18 Classes A-I GPDO 1995
Part 9 Development relating to roads	
<p>Class A: Highway authority works required for maintenance or improvement of a road where it involves development</p>	Part 13 Class A GPDO 1995
<p>Class B: Secretary of State or Strategic highway authority works</p>	Part 13 Class B GPDO 1995
<p>Class C: Tramway or road transport undertakings</p>	Part 17 Class H GPDO 1995
<p>Class D: Toll road facilities</p>	Part 30 GPDO 1995



Class E: Repairs to unadopted streets and private ways	Part 9 GPDO 1005
Part 10 Repairs to Services	Part 10 GPDO 1995
Part 11 Heritage and Demolition	
Class A: Development by Historic England	Part 26 GPDO 1995
Class B: Any building operation consisting of demolition of a building Prior approval	Part 31 Class A GPDO 1995
Class C: Demolition of a gate fence wall or other means of enclosure	Part 31 Class B GPDO 1995
Part 12 Development by local authorities (including Parish Councils)	
Class A: Small ancillary buildings, kiosks etc	
Class B: Deposit of waste material on land in a site used as such on 1-7-48	
Part 13 Water and Sewerage	
Class A: Development by statutory undertakers for the purposes of their undertaking re water or hydraulic power	Part 17 Class E GPDO 1995
Class B: Development by or on behalf of a sewerage undertaker	Part 16 Class A GPDO 1995
Class C: Development by a drainage body re watercourse or land drainage works	Part 14 Class A GPDO 1995
Class D: Development by the Environment Agency	Part 15 Class A GPDO 1995
Part 14 Renewable Energy	
Class A-I: Various consents re microgeneration on or in curtilage of a dwelling house or block of flats	Part 40 Class A-I GPDO 1995 (2008)



<p>Class J-O Similar for non-domestic buildings New class Jc) permits solar PV equipment up to 1 megawatt and subject to a determination whether prior approval necessary [J3 and J4].</p>	Part 43 Class A-F GPDO 1995 (2012)
Part 15 Power related development	
<p>Class A: Development by a gas transporter for the purposes of the undertaking</p>	Part 17 Class F GPDO 1995
<p>Class B: Similar for electricity undertaking</p>	Part 17 Class G GPDO 1995
Part 16 Communications	
<p>Class A: Electronic communications code operators</p>	Part 24 GPDO 1995
<p>Class B-C: Other telecommunications development, microwave antennae</p>	Part 25 GPDO 1995
<p>Class D: Driver information systems</p>	Part 29 GPDO 1995
<p>Class E: Universal postal service providers (eg posting boxes)</p>	Part 17 Class J GPDO 1995
Part 17 Mining and mineral exploitation	
<p>Class A-C: Developments related to a mine</p>	Part 19 GPDO 1995
<p>Class D-G: Coal mining development by the Coal authority</p>	Part 20 GPDO 1995
<p>Class H-I: Waste tipping at a mine</p>	Part 21 GPDO 1995
<p>Class J-K: Temporary use for mineral exploration</p>	Part 22 GPDO 1995
<p>Class L-M: Removal of material from a stockpile</p>	Part 23 GPDO 1995
Part 18 Miscellaneous Development	
<p>Class A: Development under a local or private Act or Order</p>	Part 11 GPDO 1995



Class B: Development at amusement parks	Part 28 GPDO 1995
Part 19 Development by the Crown or for National security	
Class A-T Crown development and national security	Parts 34-38 GPDO 1995
Schedule 3 Procedure for making Article 4 directions	Articles 5 and 6 of the GPDO 1995