

PART THREE – PERMANENT CHANGES OF USE ON OUR HIGH STREETS

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In the previous article of our four-part series, we covered ‘Meanwhile Uses and Temporary Changes of Use’ of space on our high streets (article reference; [Part Two – Meanwhile and Temporary uses of space](#)).

In Part Three our team of experts outline the ‘Permanent Changes’ to the Planning System, and how such changes effect both land owners and tenants alike.

On the subject of Permanent Changes, an interesting article in the Sunday Times appeared over the weekend relating to the most topical Government Advisor, Dominic Cummins. The article, which was covered by Planning Resource, examines the High Street and the notion of total flexibility of uses being explored, by Cummins and Robert Jenrick, as part of the overhaul of the Planning System (article; [Planning Resource article](#)).

Whilst we all wait for total flexibility and a renaissance of town centres, which are ever evolving, our team of experts have put together a table of the permitted changes on a permanent basis for your knowledge. See below;

Table key:

STPA – “STPA” means there are qualifying conditions and the change of use must be consented by the local authority

* – Does not apply to Listed Building

** – Does not apply to Article 2(3) Land defined as Conservation Area, AONB, National Parks, The Broads, World Heritage Site

*** – Does not apply to SSSI, Safety Hazard Area, Scheduled Monument, Military Explosives Area.

EXISTING USE	CHANGE
A1 E.g. Retail (not hot food) sandwiches etc, hairdressers, travel agents, post office.	A2 A3 (up to 150sqm and STPA) **** B1 (a) (up to 500sqm and STPA, building in use on 29th October 2018) * * * * * C3 (up to 150 sqm STPA) *** D2 (up to 200sqm STPA, building in use on 5th December 2013) * * * * * Mixed A1/A2 and up to two flats (conditional)
A2 (financial and professional services) E.g. Services in a high street where members of the public visit, displays in the window	A1 A3 (up to 150sqm STPA) **** B1 (a) (up to 500sqm and STPA 29th October 2018) * * * * * C3 (up to 150 sqm STPA) * * * * * D2 (up to 200sqm STPA, in use on 5th December 2013) * * * * *
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	AA (drinking establishment with expanded food)
A5 (hot food takeaways)	A1/A2/A3 B1 (a) (up to 500sqm STPA, in use on 29th October 2018) * * * * * C3 (up to 150sqm STPA) * * * * *
B1 (business) (a) Offices (b) Research and development (c) Industrial appropriate in a residential setting	BB (up to 500sqm) State funded school or registered nursery (STPA) ****
B1 (a) offices	C3 (STPA) **** State funded school or registered nursery (STPA) ****
B1 (c) light industrial	C3 up to 500sqm until 30 September 2020 **** State funded school or registered nursery STPA ****
D1 (non-residential institutions)	For state funded schools or registered nurseries to the former lawful land use ****
D2 (Assembly and Leisure)	For state funded schools or registered nurseries to the former lawful land use ****
Betting Shop (Suis Generis)	A1/A2 A2 A3 * * * * * B1 (a) up to 500sqm STPA, 29th October 2018 * * * * * Mixed use including betting shop or an A1/A2 use and 2 flats (subject to specific criteria) C3 up to 150sqm (submitted to prior approval) * * * * * D2 up to 200sqm STPA * * * * *
Casino (Suis Generis)	D2 A3 (up to 150sqm STPA) **** C3 (subject to prior approval up to 150sqm) * * * * * (N.B. not restricted in Conservation Areas)
Pay day loan shop (Suis Generis)	A1 A3 (up to 150sqm and STPA) **** B1 (a) (up to 500sqm, subject to prior approval and only if in use on 29th October 2018) * * * * * Mixed use including pay day loan shop or an A1/A2 use and 2 flats (subject to specific criteria) C3 (up to 150sqm STPA) * * * * *
Amusement arcade (Suis Generis)	C3 (up to 150sqm STPA) * * * * * (N.B. not restricted in Conservation Areas)
Laundrette (Suis Generis)	B1 (a) (up to 500sqm STPA) * * * * * C3 (up to 150sqm STPA) * * * * *

Conclusion:

The above listed information does seemingly provide a degree of flexibility for permanent changes in the high street. However, we certainly appreciate that the bane of a prior approval application, and the lack of certainty in this regard, could be a real put off for a new tenant – and ultimately a versatile high street.