

Changing use of town centre premises

Changes in national planning policy that come fully into effect in summer 2021, may alter the composition of town centre businesses. Here we summarise the changes.

Under the new use class and permitted development rights systems shops, for example, can now be changed to professional and financial services; medium-sized cafes or restaurants; offices; housing; or assembly and leisure, without planning permission.

Simplified use classes

The ways the business use of a building is classified was simplified in September 2020. New regulations created a streamlined new use class system, although the terminology does not change until July 2021.

The new use classes are: a broad Class E (commercial, business and service), Class F1 (learning and non-residential institutions) and Class F2 (local community). Shops fall into Class E or Class F2 depending on their use, size and location. This change is important in shaping the potential mix of town centre businesses because it is no longer necessary to obtain planning permission for some changes between various non-residential uses required under the previous use classes. The full list of the new use classes and their previous equivalents is shown in table 1 overleaf.

Read government guidance on [flexible use of the High Street](#).

Permitted development

In addition to the changes allowed within the broader use class definitions, some changes between use classes are covered by 'permitted development' rights (meaning that planning permission is deemed to have been given).

The new rules allowing commercial premises to be converted into homes come into force on 31st March 2021. The government is introducing legislation for England to bring forward this right from 1 August 2021.

The change from business premises to new homes will be delivered through a simple 'prior approval' process instead of a full planning application. The legislation will allow for local consideration by the local planning authority of specific planning matters through the prior approval process. These considerations include: Flooding; impacts of noise from commercial premises; provision of adequate natural light to all habitable rooms; consideration of the impact of the loss of the ground floor commercial, business and service use (in conservation areas only); impact of the loss of health centres and registered nurseries on the provision of such local services.

The right also includes a vacancy requirement that will ensure the building changing use has been vacant for 3 months before the date of the application to protect successful businesses in these premises. A size limit will also be included of 1,500 square metres of floorspace being able to change use under the right to focus the right on medium sized high street site

Read more about permitted development rights as part of government's [new measures to support High Streets](#).



Table 1: Changes in Use Class Definitions

Use	Previous Use Class	New Use Class
Shop ≤ 280m ² mostly selling essential goods, incl. food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Takeaway	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process	B1c	E
Industrial	B2	B2*
Storage or distribution	B8	B8
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwelling house by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2



Table 2: Permitted Developments Rights/Changes of Use (using previous use classes)

From	To
A1 (shops)	• A2 • A3 up to 150m² and subject to Prior Approval • B1(a) up to 500m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval • D2 up to 200m² and subject to Prior Approval and only if the premises was in A1 use on 5th December 2013 • A mixed use comprising an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions
A2 (professional and financial services)	• A1 • A3 up to 150m² and subject to Prior Approval • B1(a) up to 500m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval • D2 subject to Prior Approval and only if the premises was in A2 use on 5th December 2013 • A mixed use comprising an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A4 (drinking establishment) with A3 (restaurants and cafes)
A4 (drinking establishment) with A3 (restaurants and cafes)	A4 (drinking establishments)
A5 (hot food takeaways)	• A1 or A2 or A3 • B1(a) up to 500m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval
B1(a) (business - offices)	• B8 up to 500m² • C3 subject to Prior Approval • State-funded school or registered nursery subject to Prior Approval
B1(b) (business - research and development)	• B8 up to 500m² • State-funded school or registered nursery subject to Prior Approval
B1(c) (business - light industrial)	• B8 up to 500m² • State-funded school or registered nursery subject to Prior Approval

B2 (general industrial)	• B1 • B8 up to 500m²
B8 (storage and distribution)	• B1 up to 500m²
C1 (hotels)	State-funded school or registered nursery subject to Prior Approval
C2 (residential institutions) / C2A (secure residential institutions)	State-funded school or registered nursery subject to Prior Approval
C3 (dwelling houses)	C4 (small houses in multiple occupation)
C4 (small houses in multiple occupation)	C3 (dwelling houses)
D2 (assembly and leisure)	State-funded school or registered nursery subject to Prior Approval
Sui generis (agricultural buildings)	A1, A2, A3, B1, B8, C1, C3, D2, State-funded school or registered nursery , all subject to meeting relevant criteria and Prior Approval. See notes below.
Sui generis (amusement arcade/centre)	C3 up to 150m ² and subject to Prior Approval
Sui generis (betting offices and pay day loan shops)	• A1 • A2 • A3 up to 150m² and subject to Prior Approval • B1(a) up to 500m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval • A mixed use comprising a betting office or a pay day loan shop, or an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions. • D2 up to 200m² and subject to Prior Approval
Sui generis (casinos)	• A3 only if existing building is under 150m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval. • D2
Sui Generis (laundrette)	• B1(a) up to 500m² and subject to Prior Approval • C3 up to 150m² and subject to Prior Approval

Restrictions on permitted development

The table above summarises the permanent changes of use covered by ‘permitted development’ but there are additional limitations and conditions that any such proposals will need to comply with to be eligible.

