

Summary of recent legislative changes that have been laid / brought into force and that relate to Town and Country Planning matters in England

Last updated 22nd July 2020

Title	Brief summary	Status	Date due / came into force
Business and Planning Bill 2019-21	The Bill responds to the Covid-19 emergency and brings forward temporary changes to the planning system to support economic recovery. There is guidance available to support the Bill.	In force	22/07/2020
The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2020	The Government is introducing a new permitted development right to allow purpose built detached blocks of flats, of 3 storeys or more, to be extended upwards to create new homes. These regulations prescribe the fees to be payable to local planning authorities for applications for prior approval for these new permitted development rights.	Draft – not made or laid in debate	Twenty eighth day after the day on which they are made
The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020	These Regulations amend the Town and Country Planning (Use Classes) Order 1987) as it applies to England. The changes made by these Regulations create new use classes in relation to England contained in the new Schedule 2 to the amended Order namely, Class E (Commercial, Business and Service), Class F.1 (Learning and Non-residential institutions) and Class F.2 (Local community). It also moves certain uses which were in the Schedule to the Use Classes Order into regulation 3(6) (namely, uses which cannot be included in a specified class).	Laid (21/07/2020)	01/09/2020
The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 3) Order 2020	<p>Introduces a new permanent permitted development right to allow for the demolition of certain types of buildings and replacement build as residential to create new homes, while allowing for local consideration of key planning matters.</p> <p>Will apply to vacant and redundant free-standing buildings that fell within the B1(a) offices, B1 (b) research and development, B1 (c) industrial processes (light industrial), and free-standing purpose-built residential blocks of flats (C3) use classes on 12 March 2020, the date of Planning for the future.</p> <p>To provide that the right applies to buildings that are vacant and redundant and are no longer suitable for modern use the right will apply to those built before 1 January 1990.</p>	Laid (21/07/2020)	31/08/2020 (10.00am)

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	<p>The right provides for the new residential building to be up to 7 metres higher than the old to accommodate up to two additional storeys to provide additional homes, within a final overall maximum height of 18 metres.</p> <p>The right allows for local consideration of specific planning matters through prior approval.</p>		
The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020	<p>This Order amends the Town and Country Planning (General Permitted Development) (England) Order to introduce a permanent permitted development right to allow existing houses to be extended to provide more living space by constructing additional storeys.</p> <p>Introduces permanent permitted development rights to allow the construction of additional storeys on free standing blocks and on buildings in a terrace that are houses or in certain commercial uses, and in mixed uses with an element of housing, to create additional self-contained homes.</p> <p>The right applies to houses built since 1 July 1948 and 28 October 2018.</p> <p>The right is subject to obtaining prior approval from the local planning authority</p>	Laid (21/07/2020)	31/08/2020 (9.00am)
The Town and Country Planning (Spatial Development Strategy) (Coronavirus) (Amendment) Regulations 2020	<p>Amends the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 and the Combined Authorities (Spatial Development Strategy) Regulations 2018 to remove, on a temporary basis, the requirements on the Mayor of London and combined authorities with spatial development strategy making powers to make certain documents available for physical inspection and to provide hard copies on request. The temporary modifications will only apply until 31 December 2020. The documents will, instead, need to be made available on the relevant authority's website.</p>	Laid (21/07/2020)	12/08/2020
The Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020	<p>The Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020 amend, on a temporary basis, certain requirements placed on applicants (and the Secretary of State, where appropriate) to make certain documents available at places, including in the vicinity of a proposed project for</p>	In force	22/07/2020

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	inspection. The amendments provide for the guidance . The amendments will apply until 31st December 2020.		
The Community Infrastructure Levy (Coronavirus) (Amendment) (England) Regulations 2020	<p>New regulations make provision to enable a CIL collecting authority (in certain circumstances and if it is considered appropriate), to defer CIL payments, to credit late payment interest accrued, and to disapply, for a limited time, late payment interest and surcharges for late payment. These provisions are a time limited response to the economic impact of coronavirus and will only apply in respect of small/medium sized developers.</p>	In force	22/07/2020
The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020	<p>Amends the Town and Country Planning (Local Planning) (England) Regulations 2012 to remove, on a temporary basis, the requirements on local planning authorities to make certain documents available for inspection at premises and to provide hard copies on request. The temporary modifications will only apply until 31 December 2020. The documents will still need to be made available on the local planning authority's website.</p>	Part in force	16/07/2020 & 12/08/2020
The Environmental Assessment of Plans and Programmes (Coronavirus) (Amendment) Regulations 2020	<p>Amend the Environmental Assessment of Plans and Programmes Regulations 2004 on a temporary basis until 31st December 2020. Modifies requirements placed on responsible authorities and the Secretary of State for documents relating to strategic environmental assessment ("SEA") to be available for physical inspection by members of the public at an address, for consultees to be informed of that address and for a copy of those documents to be available to be obtained from that address. This instrument will temporarily replace this with a duty to make the documents available for online inspection, and for consultees to be informed of the website address where this can be inspected.</p>	In force	16/07/2020
The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020	<p>Amends the Health Protection Regulations to allow indoor gatherings of more than 30 persons which are able to take place in places which are not private dwellings from 4 July and has published guidance on the safe use of council buildings.</p>	In force	04/07/2020
Ministerial Statement Planning update: Written statement - HLWS311	<p>Sets out supporting temporary measures to the Business and Planning Bill that the Government proposes to ensure the planning system continues to operate effectively (some are now reflected in the legislative provisions above and below).</p>		25/06/2020

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The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020	<p>Amend the Town and Country Planning (General Permitted Development) (England) Order 2015 to allow development to assist in supporting the Government’s economic renewal package following the coronavirus outbreak. They provide an additional allowance for the temporary use of land from 1st July 2020 to 31st December 2020. They also introduce a new permitted development right to allow a local authority to hold a market for an unlimited number of days without the requirement to submit an application for planning permission.</p> <p>Introduce a permanent permitted development right to allow additional storeys to be constructed on existing purpose-built blocks of flats to create new homes.</p> <p>Amend existing permitted development rights to ensure that new homes developed through permitted development rights provide adequate natural light for the occupants.</p> <p>Amend to limit the compensation liability where a local planning authority withdraws the new permitted development right to extend upwards existing purpose-built blocks of flats to create additional homes by making a direction under article 4 of the General Permitted Development Order.</p>	Part in force	25/06/2020 and 01/08/2020
The Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020	<p>Amend, on a temporary basis, certain requirements placed on local planning authorities and applicants for development requiring an Environmental Impact Assessment (EIA) for publicity and inspection of documents where the authority or applicant (as the case may be) is not able to comply with a particular requirement because it is not reasonably practicable to do so for reasons connected to the effects of COVID-19, including restrictions on movement.</p> <p>In order for local planning authorities to continue to make sound decisions on planning applications during the response to coronavirus, this instrument gives them more flexibility to meet their publicity requirements.</p>	In force	14/05/2020

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The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020	Amends the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the General Permitted Development Order”) to introduce a new permitted development right to allow local authorities and health service bodies to carry out development, both works and change of use, of facilities required in undertaking their roles to respond to the spread of coronavirus, without a requirement to submit a planning application.	In force	09/04/2020