

## Your Legal Questions

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**Q** I own some offices near a town centre which I cannot let. I understand that I may be able to convert these into homes without applying for planning permission. Is that correct?

**A** The government proposes new rules to allow land owners and developers to change the use of certain space to residential without the need for planning permission. According to the government these new rules are planned for Spring 2013.

However, it is important to realise that even if your offices come within the new rules, planning permission will still be required for any physical works to the exterior of the property to convert it to a residence.

There are other hurdles which may need to be overcome. For example, if your development is likely to have a significant impact on the local infrastructure (transport and highways) or is in an area of high flood risk, prior approval may be required from the local planning authority.

Local planning authorities can also apply to central government to be exempted from the rules altogether although such exemption is only likely to be granted in exceptional circumstances.

Another option which local authorities may consider to limit the effect of the new rules is to issue a directive dis-applying the new rights within its planning area.

Finally, they might try to restrict the exercise of the new rights by imposing restrictive conditions on planning permissions to prevent unapproved changes to the property in the future. This would mean a planning application to remove the condition from the existing permission or possibly an entirely new application.

However, many local authorities might see the proposed new rules as a way to use vacant and unwanted office space to stimulate housing supply in a stagnant market. The rules will initially be limited to a three year period until 2016 so time will tell how effective the initiative will be.

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