



Changes to Barn Conversion Permitted Development Rights 2024

AUTHOR / KEY CONTACT



Adam Corcoran
Partner

✉ adam.corcoran@la-law.com
☎ 01202 786114

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024 (SI2024/579) came into force on the 21st May 2024.

It amends existing Permitted Development rights from [2015](#), which allow the Change of Use of former agricultural buildings to residential dwellings under Class Q without making a full planning application. The rights now also allow '*buildings on agricultural units and former agricultural buildings*' to be converted to dwelling houses, essentially awarding these rights to outlying buildings that haven't been used for agricultural purposes. The rights also apply to enable land within the curtilage of those buildings to be converted to residential use.

In summary, the rules now:

- Allow rear single-storey extensions up to 4m, but otherwise, the footprint must remain as per the existing building/s;
- Limit the maximum floorspace of the dwelling/s to 150m²
- Increase the maximum number of dwellings to 10, but with a maximum floor space of 1000 m² in total.
- Amend the definitions of 'curtilage' and 'agricultural unit.'
- State that sites must have existing highway access

Class Q rights only apply to the conversion of existing buildings with four walls and a roof. The development needs to be carried out within three years of prior approval. Where substantial rebuilding is required, full planning permission will likely be needed.

For Permitted Development ('PD') rights to be valid, qualifying criteria in the rules must be fully met. It should also be noted that in some cases, PD requires prior approval of the local authority. PD rights can also be

partially restricted or withdrawn by an Article 4 direction (temporarily or permanently) or as a condition of a planning permission/Section 106 Agreement. Additionally, Class Q rights don't apply to Sites of Special Scientific Interest, safety hazard areas, military explosive storage areas, or listed buildings or sites with scheduled monuments. It is, therefore, essential to seek advice before relying on them, particularly as the time limit for bringing enforcement action for breach of planning controls increased in April 2024 to ten years.

It should also be noted that where charging schedules exist for the area in which the conversion is proposed, the Community Infrastructure Levy will be applicable to the new dwellings, save where an exception exists, such as the self-build exception.

Transitional arrangements apply in respect of developments which had prior approval before the 21st May 2024 and for those electing to apply the previous PD rules for new conversions until 20th May 2025. These prior rules continue to allow:

- Up to three larger dwellings with floorspace up to 465m²; OR
- Up to five smaller dwellings up to 100m² each; OR
- A combination of larger and smaller dwellings, up to five units, but no more than three of them, can be larger dwellings (as defined above).

However, the need for suitable access will apply to conversions under the prior rules during the transitional period.

Meanwhile, changes to Class R PD rights for the conversion of buildings from agricultural to commercial use have:

- extended those rights to include sports and recreational uses, and
- doubled the maximum allowed floorspace to 1000m²

These rules apply immediately as there are no transitional arrangements for Class R rights.

Contact

For more information regarding Permitted Development rights, please get in touch with our real estate team

at online.enquiries@LA-law.com.