




Simple guide to conversion of buildings within Use Class E to residential.






Since the 5th March 2024, it has become easier to convert a building under Use Class E to residential following amendments to Class MA of Part 3 (changes of use) of Schedule 2 to the General Permitted Development Order. There is no longer any limit to the floorspace that can be converted, and the requirement to demonstrate that the property has been vacant for three months has also been removed. The building must have been in a continuous Use Class E use for the last two years.

What falls within Use Class E?

Basically, Shops, Financial and professional services, restaurants and cafes, offices, light industrial, medical or health services, creches, day nursery, indoor sports etc., see link. [Use Classes - Change of use - Planning Portal](#)

Can I convert my Use Class E property under Class MA Prior Approval if:	
I want it to be a HMO?	
If it's in a Conservation Area?	 *Caveat below
If it's a Listed Building or a Scheduled Monument?	

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If it's in an AONB, SPA, the Broads, National Park, World Heritage Site, SSSI, Safety Hazard Zone or a Military Explosives Area	
If the site is occupied under an Agricultural Tenancy?	 *Caveat below
Do the dwellings created need to meet Nationally Described Space Standards?	

Other points to note:

- ◆ Buildings that have already been partly converted could now potentially be fully converted to residential.
- ◆ Any material alterations to the external appearance of the building will require separate planning permission and it is probably wise to do that while still in Class E use.
- ◆ If you are converting the ground floor of a building in a conservation area an impact assessment will have to be undertaken, of that ground floor conversion only, on the character and appearance of the conservation area.
- ◆ If the existing use is a registered nursery or health centre then an impact assessment on the loss of that provision from the locality will also be required.
- ◆ Check whether any Permitted Development Rights have been removed by the Council under an Article 4 Direction.
- ◆ The application under **Class MA** must be considered by the Council within 56 days and the fee from the Council will be £100 per dwelling created.
- ◆ Once granted you have three years from the date of the prior approval to carry out the works.
- ◆ If under an Agricultural Tenancy, permission must be given by the tenant and the landowner.
- ◆ If the building is higher than 18 metres (ignoring plant & machinery on the roof) or contains more than 7 stories above ground then a fire safety report will be required. *See the DMPO 2015 extract below for the legislation.*

What will the Council look at when assessing a Prior Approval application?

The Council can assess the application against:

- Transport impacts, especially to ensure safe site access,
- Contamination risks,
- Flood Risk,
- Impacts of noise from commercial units on future residents,
- Provision of natural light to all habitable rooms; and
- Impact of any future residents in an area considered by the Council as important for uses not generally compatible with residences, like heavy industry, waste management etc.

Link to full MA Class wording: [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](#) This note is meant for initial guidance only; EJS Town Planning accept

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no liability regarding its use, and would always advise a fully chartered Member of the RTPI is approached for formal advice prior to undertaking any development project.

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