

Planning Permission (*ref 57*)

1. Building new property and some changes to existing properties will need planning permission before the work can go ahead. If properties are in conservation areas or Areas of Outstanding National Beauty or National Parks, extra restrictions can come into force. Work on listed buildings is subject to particularly close scrutiny. If a change of use is intended, this may also need planning permission.
2. Planning permission has caused problems for several reasons: it may not be clear when permission is required; local authority policy over single person shared housing may not be explicit; and the criteria which are applied may vary widely across the country. Legislation and terms used are open to interpretation. Applicants may need to seek advice when dealing with planning authorities.
3. The following planning definitions come into play where supported housing is concerned:
 - C1. Hotels and Boarding houses. This is where a property is used as a boarding house, guest house or hotel and no significant element of care is provided. C1 also includes Hostels, which are broadly defined as non-self contained residential accommodation with board, or facilities for preparation of food. If you have a guest house that you start using as a hostel, you will need Change of Use permission, and vice versa.
 - C2. Residential institutions, which are:
 - the provision of residential accommodation and care to people in need of care (other than a use within C3 – dwelling houses)
 - hospitals or nursing homes
 - residential schools, colleges or training centres
 - C3. A dwelling-house, whether or not a sole or main residence, when the dwelling is used:
 - by a single person or by people living together as a family, or
 - by no more than 6 residents living as a single household, including a household where care is provided for residents.
4. There is a planning law definition of 'care' - personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder.
5. You can apply to the local planning authority under *Section 64* of the *Town and County Planning Act 1990* for a determination whether or not planning permission is required for work. There is a government circular *ODPM 3/2005* which is intended to clarify the position.
6. There is scope in planning rules for arguments about what class is appropriate for accommodation that provides care and support, and around whether change of use is needed if a property is to be used as supported housing.
7. A useful site which covers all practical questions on planning permission is www.planning-applications.co.uk.

If you require further information or have other queries contact Housing Options.

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Although we try to ensure that statements as to the law and other facts are accurate this report gives general guidance and does not aim to cater for individual cases. Housing Options and our sponsors cannot accept responsibility for any loss incurred as a result of relying on such statements, specific advice should always be obtained on individual cases.

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