

# Briefing Sheet



Further provisions of the Planning and Compulsory Purchase Act 2004 are due to come into force during 2006. It is hoped the changes will make the planning system more effective and provide more certainty for communities and developers alike.

Thomas Eggar has a dedicated Town and Country Planning Unit. We understand the complex regulatory framework surrounding planning law and as such are able to offer a comprehensive service, advising on all aspects of the legislation.

We are delighted to announce the arrival of Satinder Tamber. Satinder joins us from Worthing Borough Council and is a welcome addition to the Planning team.

If you would like advice on the changes featured or any other planning issue please contact:

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## Update on changes to planning legislation

The major changes to the Planning and Compulsory Purchase Act 2004 include:

### Retail floor space including mezzanines

As of 10 May 2006 an increase in the internal retail floor space of 200 square metres or more (excluding those retail units selling hot food) will require planning permission from the Local Planning Authority (LPA). This change includes those retail outlets using mezzanines to increase floor space. Mezzanines allowed retailers especially in out of town developments to expand floor space without having to obtain planning permission.

### Consideration of planning applications

From 10 May 2006 LPAs will have thirteen (13) weeks instead of eight (8) weeks to determine major planning applications before an applicant can appeal on the basis of non-determination.

### Design and access statements

From 10 August 2006 it will be necessary for most types of planning applications to be accompanied by a design and access statement. This will allow LPAs to ensure developments are of a high quality and also see how issues such as disabled access are addressed by the applicant. A design and access statement will not, however, be required for householder, changes of use, engineering and mining operation applications.

### Local Development Orders

Local Development Orders will enable LPAs, to grant planning permission in advance and or to extend permitted development rights for certain types of development at the local level. This should speed up the process, free up the LPA resources and provide greater clarity for developers.

LPAs can use Local Development Orders to allow retailers in town centres to continue to use flexible mezzanine developments.

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