

REPORT FOR INFORMATION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28TH JULY 2015
SUBJECT:	DEVELOPMENT MANAGEMENT PERFORMANCE
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL OR EXECUTIVE (NON KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	ANNUAL SUMMARY OF APPLICATION PERFORMANCE STATISTICS AND PLANNING LEGISLATION CHANGES AND PLANNING QUALITY FRAMEWORK
OPTIONS & RECOMMENDED OPTION	TO NOTE THE REPORT
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management N/A
Statement by Executive Director of Resources:	n/a
Equality/Diversity implications:	No (see paragraph below)
Considered by Monitoring Officer:	n/a
Wards Affected:	All

Scrutiny Interest:	NO
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TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

- 1.1 This is the annual update report to the Members of the Planning Control Committee, which sets out key matters and changes that affect the Development Management team and processes and by default, the Planning Control Committee.
- 1.2 Permitted Development - The last year has seen a number of changes both locally and nationally that are set out in greater detail and in addition to this, there have been changes in personnel and the way in which the team works, reflecting local conditions and changes in practice across the Council's centrally located staff and accommodation provisions. This report discusses these and sets out the implications on land use and considerations in terms of permitted development.
- 1.3 Performance – The report sets out application performance in terms of numbers and types of applications received and the speed in which decisions were issued, which is a key part of the Government's Planning guarantee.
- 1.4 Planning Quality Framework – Planning performance and speed of issuing decisions is only part of the planning process. The Planning Advisory Service have instigated an initiative to build on performance statistics through questionnaires with applicant's and agents to determine whether the quantitative performance reflects qualitative decision making.

2.0 Legislation changes

- 2.1 Planning remains within a subject of significant change by the Government, with the intention of aiding economic recovery. The general structure of changes are towards the requirement of less intervention by Local Planning authorities through the introduction of many changes of use that do not require public consultation or the consideration of the merits of a proposal, simply an accordance with a series of set criteria.
- 2.2 Permitted development has existed for many years (most commonly, people could build small extensions without the need of planning permission). However, it is the increase in allowances, resulting in for example, much bigger extensions to be built without the need for permission, as well as many different changes of use being allowed without the need for planning permission.
- 2.3 Throughout the term of the previous Government, many changes were introduced including the deletion of the many Planning Policy Statements and replacement by the NPPF; the introduction of the National Planning Policy Guidance (web based guidance allowing its updating to be quickly done), changes of use covering a temporary two year period to residential and offices resulting overall, in greater development freedom.

- 2.4 All of these changes were consolidated in the Town & Country Planning (General Permitted Development)(England) Order 2015 and its accompanying procedure order and this came into force 15 April 2015.

Town & Country Planning (General Permitted Development) (England) Order 2015

EXAMPLES

❖ House Alterations and Extensions

- Extensions can project by 8m on detached dwellings and 6m in any other case up to 2019
- Impact based criteria rather than volumetric tolerances
- Allowance of windows to be inserted (subject to obscure glazing requirements)
- Confirmation of being permitted development by virtue of a prior approval procedure i.e. a check that the proposals comply with the parameters set out

❖ Electrical Upstand for recharging vehicles

❖ Changes of use not requiring planning permission

- 2.5 Planning permission is not needed when the existing and the proposed uses fall within the same “use class”, or if the Town and Country Planning (Use Classes) Order 1987 (as amended) says that a change of class is permitted to another specified class. Appendix 1 contains a guide of the differing use classes and uses.

For example, a greengrocer’s shop could be changed to a shoe shop without the need for planning permission as these uses fall within the same ‘use class’, and a restaurant could be changed to a shop or a estate agency as the Use Classes Order allows this type of change to occur without requiring planning permission.

- 2.6 Whilst a change of use might not need permission, any external building work associated with a change of use may still require planning permission.

The table below summarises the permitted changes of use following the 2015 Use Classes Amendment Order. The table simplifies the complex legislation and should be read as a guide only, and in conjunction with the additional comments and restrictions below.

From	To
A1 (shops)	A2 , or up to 150m2 A3 subject to Prior Approval, or up to 200m2 D2 subject to Prior Approval and only if the premises was in A1 use on 5 th December 2013. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions. C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval.
A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) of the Schedule to the Use Classes Order, or (ii) a use as a betting office or pay day loan shop,	to a flexible use falling within A1 , A2 , A3 or B1 (business) for a single continuous period of up to 2 years beginning on the date the building and any land within its curtilage begins to be used for the flexible use or on the date given in the notice under paragraph D.2(a), whichever is the earlier.
A2 (professional and financial	A1 , or up to 150m2 A3 subject to meeting relevant criteria

services) when premises have a display window at ground level, but excluding betting offices or pay day loan shops	and Prior Approval. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions. C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval.
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A1 or A2 or A3 except buildings that may be defined as “community assets”.
A5 (hot food takeaways)	A1 or A2 or A3
B1 (business)	Up to 500m2 B8 .
B1(a) (business)	C3 subject to meeting relevant criteria and Prior Approval.
B2 (general industrial)	B1
B2 (general industrial)	Up to 500m2 B8
B8 (storage and distribution)	Up to 500m2 B1 or C3 all subject to meeting relevant criteria and Prior Approval.
C3 (dwellinghouses)	C4 (houses in multiple occupation)
C4 (houses in multiple occupation)	C3 (dwellinghouses)
B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions) or D2 (assembly and leisure);	a state-funded school or registered nursery subject to Prior Approval or any building for a single academic year
Sui Generis (casinos and amusement arcades/centres)	D2 , or only if existing building is under 150m2 A3 or subject to Prior Approval. C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval.
Sui Generis (betting offices and pay day loan shops)	A1 or A2 . C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval. A mixed use comprising a betting office or a pay day loan shop, or an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions.
Sui Generis (agricultural buildings)	A1, A2, A3, B1, B8, C1, C3, D2 , a state-funded school or registered nursery - all subject to meeting relevant criteria and Prior Approval.

- 2.7 The table provides a summary for the most common changes of use that apply in most circumstances, but there may also be further restrictions that do not allow you to implement the change of use. For example, if the property is within a Conservation Area, National Park, or Area of Outstanding Natural Beauty, or if the building is a Listed Building or Scheduled Monument, within a site of special scientific interest, safety hazard area, or military explosives area.
- 2.8 Local Planning Authorities can also remove permitted development rights in certain areas, meaning that you will require planning permission, so you should always check with your local Council before you consider undertaking any works.
- 2.9 Some changes of use are also permitted, either only on a temporary basis, and/or subject to additional restrictions.
- 2.10 Some changes of use are subject to a Prior Approval procedure with the Local Planning Authority. This seeks approval of various matters, dependent on the nature of the use, but might typically include matters relating to parking and highways, flooding, and contaminated land. In the case of A3 uses, Prior Approval is required in respect of matters relating to noise, odour, waste collection, impact of the hours of opening, transport and highways impact, impact on existing shopping provision and the design of any external changes.

All Prior Approval applications require a fee to be paid to the Local Planning Authority.

- 2.11 There are some restrictions on the change of use of public houses (Class A4) where they have been designated or could be nominated as a “community asset”. If a public house has already been defined by the Council as a community asset then there are no permitted development rights, and a planning application is required for any change of use or demolition. If the building is not a community asset, developers are required to give notice to the Local Planning Authority at least 56 days in advance of the commencement of any works. If community groups are then interested in buying the property to retain it as a community asset, then permitted development rights are temporarily removed, and the community group must be given the opportunity to purchase the property. See [Assets of Community Value \(England\) Regulations 2012](#).
- 2.12 Where a development comprises a “mixed use” in the retail uses classes and betting office / pay day loans shop category then there are also some permitted development rights for changes of use of that mixed use, similar to the presiding use identified in the table above. (See Class M).
- 2.13 Temporary permitted development rights currently apply in respect of the change of use of premises from a B1(a) office use to C3 residential use. This is subject to Prior Approval being sought in respect of flooding, contamination, highways and transport issues. For a property to benefit from C3 use, the use must begin by 30th May 2016 (See Class O).
- 2.14 Temporary permitted development rights also apply in respect of the change of use of premises from B8 storage and distribution use under 500m² to C3 residential use. This is subject to a number of criteria being met and subject to Prior Approval being sought in respect of air quality, transport and highways impacts, contamination risks, flooding risks, noise impact, and impact on the sustainability of adjoining uses. For a property to benefit from C3 use, the use must begin by 15th April 2018 (See Class P).
- 2.15 Buildings with A1, A2, A3, A4, A5, B1, D1 and D2 uses are permitted to change use for a single period of up two years to A1, A2, A3 and B1 uses.
- 2.16 Agricultural buildings under 450sq m are permitted to change to Class C3 dwellinghouses, together with some building operations necessary to facilitate the conversion. This is subject to meeting certain criteria, including no more than 3 dwellings within an agricultural unit.
- It is also subject to Prior Approval being sought in respect of transport and highways impacts, noise impact, contamination risks, flooding risks, whether the building is suitable for a residential use, and the design or external appearance of the building (See Class Q).
- 2.17 Agricultural buildings under 500sq m are permitted to change to a flexible commercial use, comprising A1, A2, A3, B1, B8, C1 or D2 uses. This is subject to meeting certain criteria, and Prior Approval being sought in relation to uses over 150m² in respect of transport and highways impacts, noise impact, contamination risks and flooding risks (See Class R).
- 2.18 Agricultural buildings within land under 500sq m are permitted to change to a state funded school or a registered nursery. This is subject to meeting certain criteria, and Prior Approval being sought in respect of transport and highways impacts, noise impact, contamination risks, flooding risks and whether the building is suitable for the proposed use (See Class S).
- 2.19 Buildings and land within Class B1, C1, C2, C2A and D2 uses are permitted to change to a state funded school or registered nursery. This is subject to meeting certain criteria, and Prior Approval being sought in respect of transport and highways impacts, noise impact, and contamination risks (See Class T).

2.20 Changes of use requiring a planning application

- Other than for the permitted changes of use listed above and changes where both uses fall within the same use class, planning permission is generally required for a material change of use.
- Most external building work associated with a change of use is also likely to require planning permission, although [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) does also allow some minor external changes.

Whilst many of the recently introduced classes are permitted development, there are occasions whereby there will be a need to consider some external implications including traffic, noise, flood risk, contaminated Land.

2.21 Other Development

The following is a list of other newer permitted development rights. However note that each class has set criteria and thresholds that apply within which to comply with.

- ❖ Small extensions to shops, industrial and warehouse buildings, schools, colleges universities or hospitals
- ❖ The erection of trolley stores
- ❖ The erection or construction of a click and collect facility
- ❖ The provision of a hard surface within the curtilage of a shop or catering, financial or professional services establishment, schools, colleges, universities or hospitals, office building or the replacement in whole or in part of such a surface.
- ❖ The extension or alteration of an office building.
- ❖ The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on— (a) a dwellinghouse or a block of flats; or (b) a building situated within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of stand-alone solar for microgeneration within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a microgeneration ground source heat pump within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a microgeneration water source heat pump within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a flue, forming part of a microgeneration biomass heating system, on a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a flue, forming part of a microgeneration combined heat and power system, on a dwellinghouse or a block of flats.
- ❖ The installation, alteration or replacement of a microgeneration air source heat pump— (a) on a dwellinghouse or a block of flats; or (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.
- ❖ The installation, alteration or replacement of a microgeneration wind turbine on— (a) a detached dwellinghouse; or (b) a detached building situated within the curtilage of a dwellinghouse or a block of flat and free standing ones.

2.22 The Town & Country Planning (Development Management Procedure)(England) Order 2015

This document has also consolidated many of the existing and newly introduced rules that have affected the planning system. The document sets out the regulations on the processes that must be undertaken in carrying out the Development Management function.

The following is a list of some of the more recent changes that reflect the growth agenda and planning guarantee.

- ❖ Design and Access statements now are only needed for certain types of development including one or more dwellings or extensions to buildings over 100sqm
- ❖ The introduction of non-material amendment process and 28 days in which to determine them
- ❖ The introduction of a 'Validation dispute' process that where there are disagreements over what is needed to validate an application can be mutually waived and not form part of the consideration of the application
- ❖ Imposing a statutory duty on consultees to respond to consultations within 21 days and must annually report their performance against the target
- ❖ Deemed discharge of a planning condition if not determined within 28 days. Exemptions apply to conditions relating to contaminated land, flood risk, EIA related condition, affecting SSSI's, archaeology, highways accesses, requirement for reserved matters, something that would require a s106, affected by a development order, simplified planning zone, enterprise zone or crown development.
- ❖ The payment of the fee must be made for an application to be valid
- ❖ As well as giving a reason for a planning condition, the LPA must state, where pre-commencement conditions are imposed, why they need to be pre-commencement
- ❖ Regulations in relation to Local Development Orders
- ❖ Registers of local development orders and neighbourhood development orders

3.0 Planning Performance

- 3.1 Each Council is required to provide quarterly returns to DCLG on its performance on the numbers of applications received, determined and the time taken to process. The returns are gathered and published as datasets to enable a detailed picture to be understood as to the main types of work each district receives and how this work is processed.
- 3.2 Bury is a Metropolitan District Authority and as such deals with both district and County matters (the latter covering for example, minerals and waste applications). It's work type therefore is very wide and varied and requires a broad range of professional expertise in order to process the different types of applications and the expertise employed set against other local authorities shows that Bury Council performs extremely well.

District	2014/2015 totals
Bury	990
Bolton	1446
Manchester	2238
Oldham	1050
Rochdale	1028
Salford	948
Stockport	1915
Tameside	902
Trafford	1910
Wigan	1163

Comparison of published statistics ending March 2015 (adjustment is therefore needed to bring into line with the table for Bury as our figures are up to date)

- 3.3 Overleaf are the annual returns for Bury broken down into detailed datasets by application and decision type from July 13/14 and July 14/15.

Application Type	1/7/13 to 1/7/14		1/7/14 to 1/07/15	
Majors	39	100% within 13 weeks (75% nationally)	22	100% within 13 weeks (76% nationally)
Minors	231	74.46% within 8 weeks	182	80.22% within 8 weeks
Advertisements	67	92.09% within 8 weeks	45	92.62% within 8 weeks
Householder	515		503	
Listed Building Consents	14		14	
Certificates of lawful Development	41		26	
Notifications	9		24	
Changes of Use	58		80	
Conservation Area Consents	1		0	
Minerals	3		0	
Others (eg NMA's, tree applications and conditions)	N/A		94	
	978		990	

3.3 Performance across the AGMA districts has improved with other Council's issuing decisions on major applications within time, with the exception of Manchester (70%) and Wigan (72%). Comparison statistics to all authorities within the country Bury remains as a top performing authority across the country in delivering 100% of decisions on major developments within time.

3.4 The staffing and expertise that the Development Management Section has a direct correlation to the quantity and complexity of development applications that the Council receives. This is also reflected in the level of planning fees that the section receives over the year. In addition to straight numbers of applications received, the levels of fees indicate the size and or complexity of the applications that are received, which is particularly demonstrable in major proposals.

3.5 The fees received from July 1st 13/14 were £669,209 and for 1st July 14/15 were £517,950.

Staffing

3.6 The staffing within the section has changed over the last year through two VER approvals having now retired. The response to this has been to create promotion for one officer to principal planner and the introduction of one graduate post and one career grade Technical Support Officer.

3.7 The section now has:
1 x Development Manager
1 x Principal Planner
2 x Senior Planners
2 x Assistant Planners
1 x Senior Technical Support Officer

1.5 x Technical Support Officers
1 x Career Grade Technical Support Officer
1 x Senior Enforcement Officer
1 x Enforcement Officer

The trend in the economy would generally indicate a growth in the numbers of applications and increases in their complication. As is shown in the work output table above, there is always a need to monitor both income and throughput as the Government have introduced 'special measures' whereby Council's must achieve minimum delay in the issuing of decisions.

- 3.8 Currently, the special measures requirements relate only to the issuing of County matters and Majors, with the need to issues in excess of 50% of decisions within time. The trend of Government is to widen special measures to other development types, a measure which was announced within the recent budget. This sits under the initiative of the *Planning Guarantee*. The effects of becoming a special measures authority would mean that applicants have the right to apply to the Planning Inspectorate for planning permission and pay their fees directly to them. However the work is still carried out at a local level. As such, performance is directly related to the ability to deliver in terms of manpower and is keenly monitored.

4.0 Planning Quality Framework

- 4.1 Very closely related to the preceding paragraphs on performance, the Planning Advisory Service (PAS) are a Government initiative whose aim is to assist Local Planning Authorities to deliver greater efficiencies in the light of the *planning guarantee*.
- 4.2 Currently, planning service performance is judged predominantly against targets. National Indicator NI157 is the performance standard requiring councils to issue decisions on most applications within 8 or 13 weeks depending on the type/scale of development. While pursuing speed/time targets, opportunities are often missed to improve the customer experience, create more consistency and certainty, and avoid duplication and waste.
- 4.3 The Planning Quality Framework is a collection of tools and techniques to help councils understand how their Development Management service is performing. This information can be used to benchmark performance against others and/or to plan service improvements. The Framework focuses councils on the things that matter to customers. It uses real-time data about planning applications and survey information provided by people that use the planning process. It allows councils to build a more rounded picture of performance and quality. It is quick and simple, and because it plots things over time is something that councils participate in every three months.
- 4.4 Two years ago, the Government were considering introducing local fee setting regime to enable Councils to charge for planning applications based upon their time recording. However, the variance between Local Councils nationally was so great that one of the key fundamental aims of planning consistency would not have been achievable. This work however, did enable a clear understanding to determine where the 'main efforts' are required in delivering decisions and then when combined with quantitative data of applications received and throughput, performance and handling improvements could be derived instead.
- 4.5 The future for performance - PAS see this as the natural next phase of their benchmarking and improvement work. In the short/medium term PAS will help councils use the results to create more sustainable approaches to continuous improvement, and to positively influence key stakeholders and service providers by presenting a more consistent sector-wide approach to performance measurement.

PAS Benchmark	Quality Framework
You have to do it all	It's built of chunks – the more you do the better the value
All together, once per year, and if you miss the boat – tough.	You just begin. We encourage an annual review – but you have the power to bring it together whenever it suits you.
Based on understanding and improvement	Based on understanding and improvement
Strong emphasis on cost – timesheeting	Emphasis is on low hassle and ease of use. Means to end.
Quality threshold but non-judgemental.	Quality threshold *and* judgemental. We have to believe your stats.
Internal management tool	External badge of quality

4.6 The Planning Quality Framework starts by using much of the data that councils already send to government, supplements it with some new approaches to customer and quality feedback, and brings it all together in one, holistic report. The first steps have all been about the creation of tables through the Planning returns that all Councils have to do. These returns are then manipulated to produce clean comparable data, removing the anomalies of differing numbers of applications and types through samples of a fixed number of applications over a period of time and using mean data.

4.7 The *qualitative* element is the second phase of the work, whereby those people involved in the planning process such as agents, applicants and other correspondents are asked to complete a questionnaire. This is then to be analysed and would show what the perspective of those people were, who were involved or affected by the planning process. For example, if a Council took a longer than average time to determine an application, was the applicant still happy with that timeframe? Was a speedy decision appreciated? Are these views consistent across different district by the public or agents?

4.8 The Planning Quality Framework is well underway and the first part of the work has been completed through the creation of the tables, the insertion of the data and a set of data tables and graphs have been produced.

4.9 It is too early yet to set out what has been produced as the tables represent historic data that is not of the most recent returns and has no qualitative evidence built into it. As such, it is hoped that this will have been completed by the end of the year and a full report shall be written to the Committee on this work and outputs.

5.0 CONCLUSION

5.1 It is clear that Planning remains a key area of Government objectives in the role of delivering economic recovery and responsiveness to both a local and national level. Council's and planners alike have to adopt and adapt in this changing world of planning and from the recent budget announcement, changes to seek improvement will be ongoing.

List of Background Papers:-

Planning Statistics Returns

<https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics#live-tables>

The following links provide the detailed legislation:

- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
- [The Town and Country Planning \(Compensation\) \(England\) Regulations 2015](#)
- [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Order 2015](#)
- [Explanatory memorandum](#) (PDF)

The Planning Quality Framework

<http://www.pas.gov.uk/planning-quality-framework>

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APPENDIX 1 – Use Classes

The following list gives an indication of the types of use which may fall within each use class. Please note that this is a guide only and it is for local planning authorities to determine, in the first instance, depending on the individual circumstances of each case, which use class a particular use falls into.

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.
- **A2 Financial and professional services** - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops - these are now classed as “sui generis” uses (see below).
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs).
- **A5 Hot food takeaways** - For the sale of hot food for consumption off the premises.
- **B1 Business** - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** - This class includes open air storage.
-
- **C1 Hotels** - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).
- **C2 Residential institutions** - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
- **C2A Secure Residential Institution** - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
- **C3 Dwellinghouses** - this class is formed of 3 parts:
 - C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
 - C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
 - C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
- **C4 Houses in multiple occupation** - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
- **D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.
- **D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

- **Sui Generis** - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: betting offices/shops, pay day loan shops, theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, laundrettes, taxi businesses, amusement centres and casinos.