**The creation of more unsafe converted flats must be stopped**

Briefing for the House of Lords about permitted development

December 2024

# Overview

Evidence from over ten years of expanded permitted development rights (PDR) has shown that this approach is failing to deliver the healthy and affordable homes that people need. We know that vulnerable people are being housed in converted flats that do not meet fire safety and other minimum standards. The government mission to help people stay healthy and address health inequalities is being undermined through PDR.

# Why we need change

PDR changes have made it much easier to convert offices, industrial and other buildings into homes without the proper planning scrutiny. By ducking the strategic and discretionary planning process key requirements are missed that promote the quality and appropriate location of homes, and cut developer contributions towards affordable housing and local amenities[[1]](#footnote-2),[[2]](#footnote-3) . Converting empty buildings into homes can be part of the response to the housing crisis but only if they provide residents with good building standards and access to local services to live a decent life.

## What is permitted development?

Historically, PDR aimed to simplify relatively insignificant development applications, such as home extensions. More significant change of use of an existing building to residential use required a full planning application. However, since 2013, planning policy has changed several times, allowing a growing range of buildings to be converted into homes via PDR. Between 2015 and 2023, over 108,000 homes have been produced through this route.

## What is the problem with PDR?

Research has already shown this is resulting in some very poor quality ‘homes’[[3]](#footnote-4), and that deregulation is producing some homes that are unsafe and a health risk to their occupants. Examples of PDR buildings where there have been serious fire safety concerns, include **Joseph Rank House in Harlow** and **Sycamore House in Croydon**[[4]](#footnote-5).

Multiple concerns have been raised about PDR conversions, including:

* Fire safety concerns, regarding cladding, evacuation and internal design safety
* High numbers of extremely small flats in former offices (e.g. over 100 units of 15-20m2 floor space), some overcrowded with large families
* Inadequate window arrangements, inoperable windows, no locks, lack of privacy
* Overheating in summer and excess cold in the winter
* Mould and damp
* Infestations, such as cockroaches and rats
* Absence of outdoor or play space provision for children
* Remote, noisy and polluted locations, e.g. active industrial estates and on major roads
* Inadequate maintenance from building managers
* Low fees and lost developer contributions to local amenities and affordable homes.

Residents have described the detrimental impact of being housed in extremely low-quality PDR housing. They have likened it to ‘living in a prison’ and feeling in fear for their safety:

‘*Since I’ve been living there, three times we’ve had to get out in the middle of the night… It was so scary. My daughter has nightmares because of it. Every time I pass that place, I think, ‘Oh my God, we could be like Grenfell’ … [The council have] known the building wasn’t safe since March 2021, and nothing’s been done until the fire occurred and we had to evacuate the building.*’ PDR resident, Croydon

‘*The developers ... took short cuts with regard to safety. We're now paying the price via astronomical service charges and cannot sell up. Very stressful. Wished we'd never moved here.*’ PDR resident, Lincoln

Poor quality physical environments directly impact the health of residents and also magnify issues such as anti-social behaviour. UCL’s review of PDR housing for MHCLG (2020) found that the larger conversions tended to be of a lower standard. A more recent pilot study in four London boroughs found lower wellbeing scores among survey participants were associated with lack of space, no indoor cooling options, reduced local amenities and low perceived safety[[5]](#footnote-6).

Consultation with public bodies has highlighted significant deficiencies in capacity to influence the conditions people are being housed in under PDR. As part of current research with UCL[[6]](#footnote-7), we consulted 86 local government officers from planning, public health, building control and environmental health departments. There was a clear consensus that PDR rules are not producing safe and healthy homes than people need. In particular, concerns were raised about how:

* **Lower standards under PDR are producing very poor quality and insecure conditions**, especially for vulnerable people in temporary accommodation
* **The current regulatory levers available to local authorities are insufficient** to empower local authorities in shaping the quality of PDR housing
* **PDR housing undermines affordable housing contributions** and wider contributions to community amenities and services via Section 106 agreements
* **Resourcing pressures in local authorities is making it hard to properly scrutinise PDR** prior approval applications, including the reduced timeframe and fees involved
* **There needs to be clearer requirements to use health evidence when taking decisions on PDR housing**, including health impacts to the individual and wider community.

‘*[PDR homes] were quick wins for a fast buck for some dodgy developers. They're not going to be investing in them, they're not going to be keeping them up to date, they're not going to be maintaining them. They're just going to fall into worse and worse repair until they need to be pulled down.*’ (local government planning officer)

‘*The difficulty is, there are so many different classes within the [General Permitted Development Order], it is a minefield for planning officers to know what conditions they can apply and then make a decision on whether it is appropriate and won't go to appeal...We need consistency for prior approval. It would all be solved if we didn't have PD and everything went through the planning system.*’ (local government policy officer)

While not all PDR housing is poor quality, it is the poorest quality units which often house the most vulnerable residents, particularly those in temporary accommodation. Inadequate planning checks and building control increases the risks faced by residents. This situation is entirely preventable. We also found that Building Regulations are not consistently applied to PDR homes. A ‘material change of use’ to dwellings or flats are not required to consider rules on: structural safety, accessibility, risk of falls, resistance to moisture, or overheating.

The Building Safety Regulations regarding fire safety on ‘high risk’ buildings only apply to PDR homes that fit within The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2021. This means Planning Gateway One requirements apply to ‘high risk’ buildings currently under the ‘commercial’ use (class MA / E) and commercial buildings with flats above (class A and AA) which will contain 2 or more dwellinghouses over 18 meters or seven stories. Therefore, the conversion of **storage centres, industrial buildings, learning and community buildings, and everything else** (classes B, F1 and F2, and ‘sui generis’ buildings) **are not included** in those requirements.

## How can government stop these dangerous homes being created?

If the government wants to promote healthy placemaking, we strongly recommend that it should adopt a moratorium on further PDR conversions to residential use, and review whether to revert to PDR regulations, relating to the creation of new dwellings and flats, as they applied in 2012.

**Will this reduce the total number of new homes being built?**

We acknowledge the government is committed to building more homes that the country so urgently needs. But the central mission must be to create healthy homes not future slums. Housing from PDR conversion only contributes a relatively small fraction of the total - 6% of new homes built between 2015/16 to 2022/23[[7]](#footnote-8). As highlighted above, PDR conversions often house the most vulnerable in society – many who already experience poor health. Given the government’s commitments to prevent ill health and reduce health inequalities, there is a strong argument to prevent further homes being produced through this unsafe route. Good quality conversion schemes would still be permissible through full planning permission. Sub-standard and poorly situated homes could be prevented through proper planning scrutiny by local authorities.

# More information

* Oral question: [**lordsbusiness.parliament.uk/?businessPaperDate=2024-12-18**](http://www.lordsbusiness.parliament.uk/?businessPaperDate=2024-12-18)
* Further PDR resources: [**tcpa.org.uk/permitted-development**](https://www.tcpa.org.uk/permitted-development)

Contacts:

* Rosalie Callway, Policy and project manager at the TCPA, **Rosalie.Callway@tcpa.org.uk**
1. TCPA (2024) Permitted Development Housing and Health – a review of national policy and regulations [www.tcpa.org.uk/resources/permitted-development-housing-and-health-a-review-of-national-policy-and-regulations](http://www.tcpa.org.uk/resources/permitted-development-housing-and-health-a-review-of-national-policy-and-regulations)  [↑](#footnote-ref-2)
2. MHCLG (2020) Research into the quality standard of homes delivered through change of use permitted development rights

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/902220/Research\_report\_quality\_PDR\_ho mes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902220/Research_report_quality_PDR_homes.pdf) [↑](#footnote-ref-3)
3. TCPA (2023) ‘These are homes’ photobook. [www.tcpa.org.uk/these-are-homes-photobook](http://www.tcpa.org.uk/these-are-homes-photobook)  [↑](#footnote-ref-4)
4. <https://insidecroydon.com/2019/08/23/residents-living-in-fear-of-fire-in-three-council-run-housing-blocks/> [↑](#footnote-ref-5)
5. Pineo, H., et al. ‘Health and Wellbeing Impacts of Housing Converted from Non-Residential Buildings: A Mixed-Methods Exploratory Study in London, UK.’ *Wellbeing, Space and Society*, 2024. [https://api.semanticscholar.org/CorpusID:268624299](https://api.semanticscholar.org/CorpusID%3A268624299)  [↑](#footnote-ref-6)
6. The UCL Permitted Development Converted Housing Project <https://www.uclpdhousing.co.uk/> [↑](#footnote-ref-7)
7. 102,830 PDR housing from 1,592,490 total new homes, 2015-2023 [gov.uk/government/statistical-data-sets/live-tables-on-net-supply-of-housing](https://www.gov.uk/government/statistical-data-sets/live-tables-on-net-supply-of-housing)  [↑](#footnote-ref-8)