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Guidance

Coronavirus (COVID-19): construction update

Q&A

Questions and answers on today's (13 May 2020) announcement on construction site working hours to enable social distancing working practices.

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Ministry of Housing, Communities & Local Government

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What is the purpose of the written ministerial statement on planning and construction working hours?

On 13 May 2020, the government published a written ministerial statement (<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2020-05-13/HLWS230/>) on planning and construction working hours. This statement expects local planning authorities to approve requests to extend construction working hours temporarily to ensure safe working in line with social distancing guidelines until 9pm, Monday to Saturday, unless there are very compelling reasons against this.

Who will be able to benefit from this flexibility?

Developers should expect their local planning authority to grant temporary changes to construction working hours until 9pm or later, 6 days a week, wherever possible and where construction working hours are controlled by planning condition. This flexibility is in relation to control imposed by the planning system only.

How can a developer benefit from this?

A developer wishing to amend their conditioned construction working hours should contact their local planning authority. They will be able to tell you whether they are happy to agree amended working hours informally, or whether you need to submit a formal application as well as through which route.

What is the process involved?

Where there are modest or short-term changes to construction working hours, this may be agreed informally with the local planning authority, and they should use their discretion to not enforce against a breach of working hours.

Where long or more significant changes to working hours are required, a formal application may be requested by the local planning authority. In doing so, it will be important for applicants to consider potential impacts and, where necessary, to put forward plans to manage concerns, drawing on existing good practice.

How will the local planning authority come to their decision?

We expect local planning authorities to be supportive of reasonable requests. Local authorities should accept proposals for extended working hours unless there are very strong reasons against this. They should ensure that decisions are issued within 10 days where possible. We expect this to be a soft and user-friendly process and for guidance to be available on the local authority website.

In making their decision local planning authorities may consider where there are unreasonable impacts but they will be able to reject proposals only where there are very compelling reasons. These reasons could include the significant impact on neighbouring businesses or uses, such as care homes, which are particularly sensitive to noise, dust or vibration, which cannot be overcome through other mitigation, or where impacts on densely populated areas would be unreasonable.

Will extensions to construction working hours into late evening or at weekends be allowed?

The aim is to allow construction work until 9pm, Monday to Saturday. Longer hours may be justified, especially if there are no residential dwellings nearby. However, local planning authorities will maintain local discretion, and where there are unreasonable impacts, they will be able to reject proposals to extend construction hours into the late night or on a Sunday. In all cases, sympathetic site management should be demonstrated.