

Revised Hours of Working on Construction Sites

The Written Ministerial Statement ‘Construction Update’ (13 May 2020) made it clear that construction work can be undertaken providing sites are able to operate safely in line with the new COVID-19 Secure guidelines. The Business & Planning Act includes legislation to make temporary extensions to work hours that may be required to facilitate safe working and allow tasks to be completed where social distancing can be challenging. Longer working hours may also be needed to facilitate social distancing in the wider community, for instance by reducing pressure on public transport.

Local planning authorities are being called upon to take a swift and positive approach to requests from developers for greater flexibility around construction site working hours. The London Borough of Richmond appreciate that a balance needs to be reached between protecting residents and businesses that are sensitive to noise, dust or vibration, and enabling the construction industry to recover to provide vital homes, schools, community facilities and business.

The Government has produced further guidance on 22 July 2020 which can be accessed using the following link:- [Construction Working Hours](#) and outlines a new fast track ‘deemed consent’ route to amend an existing planning restriction on construction working hours.

This new route is provided under section 74B of the Town and Country Planning Act 1990 and allows urgent changes to construction working hours to support safe construction working. For many construction sites, the implementation of this guidance will require changes to working practices, including staggered starts and finishes, requiring different hours of operation to those which are currently permitted. This temporary, fast track deemed consent route enables existing hours of construction work imposed in a planning condition or in details discharged by a planning condition to be varied.

Information to accompany an application.

There is no specific application form or fee that would apply to the submission of these applications. It should be noted that applicants will need to provide details of:

- the planning permission to which the application relates
- the existing agreed construction working hours
- details to identify the condition or approved document such as construction management plan which details the working hours
- the proposed revised construction working hours
- the date the revised construction working hours should take effect
- the date on which the application is sent
- the date on which the revised construction working hours should cease to have effect (no later than 1st April 2021)

To aid swift decision making, applicants should also provide:

- a short justification on why extended hours are necessary to enable safe working practices on site

- a list of the primary construction activities, expected to take place during the extended working hours, including plant and equipment to be used
- a proportionate assessment (where relevant) of the likely impact of noise upon sensitive uses near to the site (e.g. dwellings, hospitals and, care homes)
- details of their mitigation plan as set out below.

Please note that applications can only be made online via the DCTechnicalSupportHub@richmondandwandsworth.gov.uk email address

The new guidance gives The London Borough of Richmond 14 calendar days to consider such an application. If an application is approved, this will temporarily amend planning restrictions on construction working hours until 1 April 2021, unless another date has been agreed by the local planning authority and applicant. If the application is not determined within 14 days (excluding public holidays), the revised working hours are deemed to have been consented to and construction can take place in accordance with these new hours.