

2012 No. 2257

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2012

<i>Made</i> - - - -	<i>31st August 2012</i>
<i>Laid before Parliament</i>	<i>6th September 2012</i>
<i>Coming into force</i> - -	<i>1st October 2012</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61 and 333(7) of the Town and Country Planning Act 1990(a), makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2012 and shall come into force on 1st October 2012.

(2) This Order applies in relation to England only.

Amendment in relation to flats in mixed use buildings

2.—(1) Part 3 of Schedule 2 (changes of use) to the Town and Country Planning (General Permitted Development) Order 1995(b) is amended as follows.

(2) In Class F (permitted development)—

- (a) in paragraph F(a), (b) and (c), for “a single flat”, wherever it occurs, substitute “up to two flats”;
- (b) in paragraph F.1(a)—
 - (i) after “floor below the”, insert “lowest”;
 - (ii) omit “single”;
- (c) in paragraph F.1(b) and (c), for “the single”, wherever it occurs, substitute “a”.

(3) In Class G (permitted development)—

- (a) in paragraph G(a), (b) and (c), for “a single flat”, wherever it occurs, substitute “up to two flats”;
- (b) in paragraph G.1—

(a) 1990, c. 8; to which there are amendments not relevant to this Order. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order (S.I. 1999/672), article 2; see the entry in Schedule 1 for the Town and Country Planning Act 1990 (c. 8). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

(b) S.I. 1995/418, to which there are amendments not relevant to this Order.

- (i) after “unless”, for “the”, substitute “each”;
- (ii) omit “single”.

Signed by authority of the Secretary of State for Communities and Local Government

Greg Clark
Minister of State

31st August 2012

Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends, in England, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418). Part 3 sets out permitted development rights in relation to certain changes of use, the effect of which is that those changes of use are granted planning permission without the need for a planning application.

Class F of Part 3 permits buildings used as shops, or for financial and professional services, to change to a mixed use incorporating a single residential flat, subject to conditions. Class G permits such mixed use buildings to revert back to single use.

This Order amends Classes F and G to extend the permitted development right and reversion to a mixed use incorporating up to two residential flats.

An impact assessment has been prepared in relation to this Order. The assessment has been placed in the Library of each House of Parliament and copies may be obtained from the Department for Communities and Local Government, Bressenden Place, London, SW1E 5DU or from the Department’s website: <http://www.communities.gov.uk>.

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