

1993 No. 277

PLANNING

**Planning (Use Classes) (Amendment) Order
(Northern Ireland) 1993**

Made 18th June 1993

Coming into operation 1st August 1993

The Department of the Environment, in exercise of the powers conferred on it by Article 11(2)(e) of the Planning (Northern Ireland) Order 1991(a) and all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Planning (Use Classes) (Amendment) Order (Northern Ireland) 1993 and shall come into operation on 1st August 1993.

Amendment

2. The Planning (Use Classes) Order (Northern Ireland) 1989(b) is amended as follows—

- (1) in Article 2(1) (interpretation) omit the definitions of “hazardous substance” and “notifiable quantity”;
- (2) omit Article 3(4).

Sealed with the Official Seal of the Department of the Environment on 18th June 1993.

(L.S.)

J. McConnell

Assistant Secretary

(a) S.I. 1991/1220 (N.I. 11); see Art. 2(2) for the definition of “the Department”

(b) S.R. 1989 No. 290

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Planning (Use Classes) Order (Northern Ireland) 1989 (the principal Order). Article 3 of, and the Schedule to, the principal Order specify classes for the purposes of Article 11(2)(e) of the Planning (Northern Ireland) Order 1991, which provides that a change of use of a building or other land does not involve development if the new use and the former use are both within the same class specified in an order.

Article 3(4) of the principal Order provides that no class specified in the Schedule includes any use which involves the manufacture, processing, etc, of a hazardous substance which would result in the presence of a notifiable quantity of that substance in, on, over or under that building or any site of which that building or land forms part. This Order removes that exclusion by omitting Article 3(4).

The presence of a hazardous substance will be controlled in future under Articles 53 to 63 and 81 of the Planning (Northern Ireland) Order 1991 which come into force on the same date as this Order comes into force.