
STATUTORY INSTRUMENTS

2010 No. 2134

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (General Permitted
Development) (Amendment) (No.2) (England) Order 2010**

<i>Made</i>	- - - -	<i>1st September 2010</i>
<i>Laid before Parliament</i>		<i>7th September 2010</i>
<i>Coming into force</i>	- -	<i>1st October 2010</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61(1) and 333 of the Town and Country Planning Act 1990(1), 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 2010 and shall come into force on 1st October 2010.

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

Amendment of the Town and Country Planning (General Permitted Development) Order 1995

2.—(1) The Town and Country Planning (General Permitted Development) Order 1995(2) is amended as follows.

(2) In article 6 (directions with immediate effect), in paragraph (5) for “Paragraph (11)(b) of article 5” substitute “Paragraph (8)(b)”.

(3) In Part 3 of Schedule 2 (changes of use), for Class I substitute—

(1) 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 article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; see the entry in Schedule 1 for the Town and Country Planning Act 1990 (c.8) as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/ 253). 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.

(2) S.I. 1995/418. Relevant amendments were made by S.I. 2005/85, S.I. 2006/221 and S.I. 2010/654.

“Class I

Permitted development

I. Development consisting of a change of the use of a building—

- (a) **to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class C4 (houses in multiple occupation) of that Schedule;**
- (b) **to a use falling within Class C4 of that Schedule from a use falling within Class C3.”.**

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

Grant Shapps
Minister of State
Department for Communities and Local
Government

1st September 2010

EXPLANATORY NOTE

(This note is not part of the Order)

The Town and Country Planning (General Permitted Development) Order 1995 ([S.I. 1995/418](#)) (“the GPDO”) grants planning permission for specified development without the need for a planning application. The amendments made to it in this Order apply to England only.

Paragraph (2) of article 2 of this Order replaces an incorrect reference to paragraph (11)(b) in article 6(5) of the GPDO.

Paragraph (3) amends Class I of Part 3 (changes of use) of Schedule 2 to the GPDO to give permitted development rights for changes of use from buildings used as dwellinghouses to buildings used as small scale houses in multiple occupation.

An impact assessment has been prepared in relation to this Order. It has been placed in the library of each House of Parliament and copies may be obtained from the Planning Directorate, the Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU or www.communities.gov.uk.