

SCHEDULE 2

Permitted development rights

PART 18

Miscellaneous development

Class B – development at amusement parks

Permitted development

B. *Development on land used as an amusement park consisting of—*

- (a) *the erection of booths or stalls or the installation of plant or machinery to be used for or in connection with the entertainment of the public within the amusement park; or*
- (b) *the extension, alteration or replacement of any existing booths or stalls, plant or machinery so used.*

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) the plant or machinery would—
 - (i) if the land or pier is within 3 kilometres of the perimeter of an aerodrome, exceed a height of 25 metres or the height of the highest existing structure (whichever is the lesser), or
 - (ii) in any other case, exceed a height of 25 metres;
- (b) in the case of an extension to an existing building or structure, that building or structure would as a result exceed 5 metres above ground level or the height of the roof of the existing building or structure, whichever is the greater; or
- (c) in any other case, the height of the building or structure erected, extended, altered or replaced would exceed 5 metres above ground level.

Interpretation of Class B

B.2 For the purposes of Class B—

“amusement park” means an enclosed area of open land, or any part of a seaside pier, which is principally used (other than by way of a temporary use) as a funfair or otherwise for the purposes of providing public entertainment by means of mechanical amusements and side-shows; but, where part only of an enclosed area is commonly so used as a funfair or for such public entertainment, only the part so used is to be regarded as an amusement park; and

“booths or stalls” includes buildings or structures similar to booths or stalls.