
STATUTORY INSTRUMENTS

2015 No. 597

The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015

Transitional provisions for premises in the process of conversion to use as a betting office or a pay day loan shop

3.—(1) The amendments made to the Use Classes Order by this Order do not apply to development specified in paragraph (2) and accordingly the Use Classes Order, in the form in which it existed immediately before the coming into force of this Order, continues to apply in relation to that development.

(2) Development is specified for the purposes of paragraph (1) where it consists of a change of use of a building to use as a betting office or a pay day loan shop (which has the meaning in article 3(6A) of the Use Classes Order⁽¹⁾)—

- (a) from a use falling within Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments) or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order provided that before the commencement date a betting premises licence under Part 8 of the Gambling Act 2005⁽²⁾ has been issued in relation to the building;
 - (b) from a use as an agricultural building provided that the change of use is carried out in accordance with the requirements of Class R of Part 3 of Schedule 2 to the Permitted Development Order and—
 - (i) the developer submitted the information required under paragraph R.3(1)(a) of Part 3 of that Schedule before the commencement date; or
 - (ii) the prior approval date fell on a day before the commencement date;
 - (c) from a use falling within one of the uses mentioned in Class D(a) of Part 4 of Schedule 2 to the Permitted Development Order provided that—
 - (i) the change of use is carried out in accordance with the requirements of Class D; and
 - (ii) before the commencement date, the developer notifies (or further notifies) the local planning authority under paragraph D.2(a) of Part 4 of that Schedule of the change of use.
- (3) For the purposes of paragraph (2)—
- “agricultural building” has the same meaning as in Part 3 of Schedule 2 to the Permitted Development Order;
- “Permitted Development Order” means the Town and Country Planning (General Permitted Development) (England) Order 2015⁽³⁾; and
- “prior approval date” means, in relation to a particular development, the date when—

(1) 1987/764; article 3(6A) is inserted by this Order.

(2) 2005 c. 19.

(3) S.I. 2015/596.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) prior approval of the local planning authority in respect of the matters in paragraph R.3(1) (b) of Part 3 of Schedule 2 to the Permitted Development Order is given;
 - (ii) a determination that such approval is not required is given, or
 - (iii) the period for giving such a determination has expired without the applicant being notified whether prior approval is required, given or refused.
- (4) The transitional provisions in this article cease to have effect at the end of the 3 year period beginning with the commencement date.