
STATUTORY INSTRUMENTS

2017 No. 619

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017

Transitional and saving provisions

- 5.—(1) Where, in relation to specified development, the period of 56 days referred to in—
- (a) paragraph A.2(4) of Part 3 of Schedule 2 to the General Permitted Development Order; or
 - (b) paragraph C.2(f)(iii) of Part 4 of that Schedule,

expired before 23rd May 2017 then the planning permission granted under Class A or Class B of Part 3 or, as the case may be, Class C or Class D of Part 4 of Schedule 2 to the General Permitted Development Order continues to have effect as if the amendments made by this Order had not been made.

(2) Where, in relation to specified demolition, a prior approval event occurred before 23rd May 2017, then planning permission granted under Class B of Part 11 of Schedule 2 to the General Permitted Development Order continues to have effect as if the amendments made by this Order had not been made, provided that the period of 56 days referred to in paragraph B.2(b)(x) of Part 11 of Schedule 2 to the General Permitted Development Order expired before 23rd May 2017.

(3) In relation to a building falling within the scope of a relevant article 4 direction the amendments made by article 3(1)(b) of this Order do not have effect until 23rd November 2018.

- (4) For the purposes of this article—

“the General Permitted Development Order” means the Town and Country Planning (General Permitted Development) (England) Order 2015 as it was in force immediately before the coming into force of this Order;

“prior approval event” has the same meaning as in paragraph B.3 of Part 11 of Schedule 2 to the General Permitted Development Order;

“relevant article 4 direction” means a direction under article 4(1) of the General Permitted Development Order which is in force immediately before the coming into force of this Order which removes permission to change the use of a building falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order to a use falling within Class A3 (restaurants and cafes) of that Schedule;

“specified demolition” means demolition in relation to a building used or last used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order which is intended to be carried out under Class B of Part 11 of Schedule 2 to the General Permitted Development Order;

“specified development” means development in relation to a building used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order which is intended to be carried out under—

- (a) Class A of Part 3 of Schedule 2 to the General Permitted Development Order;
- (b) Class B of Part 3 of that Schedule;
- (c) Class C of Part 4 of that Schedule; or

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- (d) Class D of Part 4 of that Schedule; and
“the Use Classes Order” means the Town and Country Planning (Use Classes) Order 1987⁽¹⁾.

⁽¹⁾ S.I.1987/764. Relevant amendments were made by S.I. 2005/84 and 2015/597.