
STATUTORY INSTRUMENTS

2020 No. 1243

The Town and Country Planning (General Permitted Development) (England) (Amendment) Regulations 2020

PART 2

**Amendments to the Town and Country Planning
(General Permitted Development) (England) Order 2015**

Amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015

2. The Town and Country Planning (General Permitted Development) (England) Order 2015⁽¹⁾ is amended in accordance with regulations 3 to 10.

Amendment in relation to space standard

3. In article 3, after paragraph (9) insert—

“(9A) Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

- (a) where the gross internal floor area is less than 37 square metres in size; or
- (b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015⁽²⁾.

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.”

Amendments in relation to additional temporary use of land

4. In Class BA of Part 4 of Schedule 2, in paragraph BA.2, in the definition of “relevant period” for the words “1st July 2020 to 31st December 2020” substitute “1st January 2021 to 31st December 2021”.

Amendments in relation to temporary provision of takeaway food

5. In Class DA of Part 4 of Schedule 2, in paragraph DA, for the words “23rd March 2021” substitute “23rd March 2022”.

(1) S.I. 2015/596 amended by S.I. 2016/332, S.I. 2016/765, S.I. 2016/1040, S.I. 2016/1154, S.I. 2017/391, S.I. 2017/402, S.I. 2017/571, S.I. 2017/619, S.I. 2017/1011, S.I. 2017/1012, S.I. 2018/119, S.I. 2018/343, S.I. 2018/695, S.I. 2019/907, S.I. 2020/330, S.I. 2020/412, S.I. 2020/632, S.I. 2020/755 and S.I. 2020/756.

(2) “Technical housing standards – nationally described space standard” – <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard> a copy of which can be inspected at the Planning Directorate, the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF. A copy in different formats (including braille) and in languages other than English is available on request.

Amendments in relation to concert halls, venues for live music performance and theatres

6. In Class B of Part 11 of Schedule 2, in paragraph B.1—
- (a) after sub-paragraph (b) omit “or”;
 - (b) after sub-paragraph (c) insert—
 - “; or
 - (d) the building is used, or was last used, for the purpose of—
 - (i) a concert hall;
 - (ii) a venue for live music performance; or
 - (iii) a theatre.”.

Amendment in relation to holding of a market by or on behalf of a local authority

7. In Class BA of Part 12 of Schedule 2, in paragraph BA, for the words “23rd March 2021” substitute “23rd March 2022”.

Amendment in relation to emergency development by a local authority or health service body

8. In Class A of Part 12A of Schedule 2, in paragraph A.2(b), for the words “31st December 2020” substitute “31st December 2021”.

Amendment in relation to development by the Crown relating to an emergency

9. In Class Q of Part 19 of Schedule 2, for paragraph Q.1(b) substitute—
- “(b) on or before the expiry of the period of 12 months beginning with the date on which the development began—
 - (i) any use of that land for a purpose of Class Q ceases and any buildings, plant, machinery, structures and erections permitted by Class Q is removed; and
 - (ii) the land is restored to its condition before the development took place, or to such other state as may be agreed in writing between the local planning authority and the developer,unless permission for the development has been granted by virtue of any provision of this Schedule or on an application under Part 3 of the Act.”.

Amendments in relation to development by the Crown relating to a pandemic

10. In Part 19 of Schedule 2, after Class Q insert—

“Class QA – development by the Crown relating to a pandemic

QA. Permitted development

Development by or on behalf of the Crown on Crown land for the purposes of—

- (a) preventing a pandemic;
- (b) reducing, controlling or mitigating the effects of a pandemic; or
- (c) taking other action in connection with a pandemic.

QA.1 Conditions

Development is permitted by Class QA subject to the following conditions—

- (a) the developer must, as soon as practicable after commencing development, notify the local planning authority of that development; and
- (b) on or before the expiry of the period of 12 months beginning with the date on which the development began—
 - (i) any use of that land for a purpose of Class QA ceases and any buildings, plant, machinery, structures and erections permitted by Class QA is removed; and
 - (ii) the land is restored to its condition before the development took place, or to such other state as may be agreed in writing between the local planning authority and the developer,

unless permission for the development has been granted by virtue of any provision of this Schedule or on an application under Part 3 of the Act.

QA.2 Interpretation of Class QA

For the purposes of Class QA—

In calculating the number of days during which development is permitted, no account is to be taken of any day during which development is permitted under Class Q of Part 19 of this Schedule;

“pandemic” means a public health emergency of international concern within the meaning given by the International Health Regulations (2005) of the World Health Organisation adopted by the fifty-eighth World Health Assembly on 23rd May 2005(3);

“World Health Assembly” has the meaning set out in the Constitution of the World Health Organisation adopted by the International Health Conference held in New York from the 19th June to 22nd July 1946 and signed on 22nd July 1946(4);

“World Health Organisation” means the specialised agency within the terms of Article 57 of the Charter of the United Nations, established by the Constitution of the World Health Organisation(5).”

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- (3) “the International Health Regulations (2005) of the World Health Organisation adopted by the fifty-eighth World Health Assembly on 23rd May 2005”- https://apps.who.int/iris/bitstream/handle/10665/43883/9789241580410_eng.pdf;jsessionid=73BCAD85F145CE5CF4220563D242419F?sequence=1. A copy of which can be inspected at the Planning Directorate, the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF.
 - (4) “the Constitution of the World Health Organisation adopted by the International Health Conference held in New York from the 19th June to 22nd July 1946 and signed on 22nd July 1946”- https://www.who.int/governance/eb/who_constitution_en.pdf. A copy of which can be inspected at the Planning Directorate, the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF.
 - (5) “the Charter of the United Nations, established by the Constitution of the World Health Organisation” - <https://www.un.org/en/sections/un-charter/un-charter-full-text/>. A copy of which can be inspected at the Planning Directorate, the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London SW1P 4DF.