

SCHEDULE 2

Permitted development rights

PART 3

Changes of use

F1 Class MA – commercial, business and service uses to dwellinghouses

Textual Amendments

F1 Sch. 2 Pt. 3 Class MA inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), 6 (with art. 15(3))

Development not permitted

MA.1.—(1) Development is not permitted by Class MA—

- ^{F2}(a)
- (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;
- ^{F3}(c)
- (d) if land covered by, or within the curtilage of, the building—
- (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;
- (e) if the building is within—
- (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;
- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or
- (g) before 1 August 2022, if—
- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this

Changes to legislation: There are currently no known outstanding effects for the *The Town and Country Planning (General Permitted Development) (England) Order 2015, Paragraph MA.1.* (See end of Document for details)

Order which has not since been cancelled in accordance with the provisions of Schedule 3.

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

- (a) the following classes of the Schedule as it had effect before 1st September 2020—
 - (i) Class A1 (shops);
 - (ii) Class A2 (financial and professional services);
 - (iii) Class A3 (food and drink);
 - (iv) Class B1 (business);
 - (v) Class D1(a) (non-residential institutions – medical or health services);
 - (vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);
 - (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;
- (b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.]

Textual Amendments

- F2** Sch. 2 Pt. 3 Class MA para. MA.1(1)(a) omitted (5.3.2024) by virtue of [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2024 \(S.I. 2024/141\)](#), arts. 1(1), **3(2)(a)**
- F3** Sch. 2 Pt. 3 Class MA para. MA.1(1)(c) omitted (5.3.2024) by virtue of [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2024 \(S.I. 2024/141\)](#), arts. 1(1), **3(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Paragraph MA.1.