

**Status:** Point in time view as at 06/04/2016.

**Changes to legislation:** There are currently no known outstanding effects for the *The Town and Country Planning (General Permitted Development) (England) Order 2015*.  
Cross Heading: *Class O – offices to dwellinghouses*. (See end of Document for details)

## SCHEDULE 2

### Permitted development rights

## PART 3

### Changes of use

#### *Class O – offices to dwellinghouses*

#### Permitted development

**O.** *Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.*

#### Development not permitted

**O.1** Development is not permitted by Class O if—

- [<sup>F1</sup>(a) the building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;]
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—
  - (i) on 29th May 2013, or
  - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- [<sup>F2</sup>(c) . . . . .]
- (d) the site is, or forms part of, a safety hazard area;
- (e) the site is, or forms part of, a military explosives storage area;
- (f) the building is a listed building or is within the curtilage of a listed building; or
- (g) the site is, or contains, a scheduled monument.

#### Textual Amendments

- F1** Sch. 2 Pt. 3 Class O para. O.1(a) substituted (6.4.2016) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2016 \(S.I. 2016/332\)](#), arts. 1, **7(1)(a)**
- F2** Sch. 2 Pt. 3 Class O para. O.1(c) omitted (6.4.2016) by virtue of [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2016 \(S.I. 2016/332\)](#), arts. 1, **7(1)(b)**

#### Conditions

[<sup>F3</sup>**O.2**—(1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and

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(d) impacts of noise from commercial premises on the intended occupiers of the development, and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.]

**Textual Amendments**

**F3** Sch. 2 Pt. 3 Class O para. O.2 substituted (6.4.2016) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2016 \(S.I. 2016/332\)](#), arts. 1, **7(1)(c)**

**[<sup>F4</sup> Interpretation of Class O**

**O.3.** For the purposes of Class O, “commercial premises” means any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of application under paragraph O.2(1), and includes any premises licensed under the Licensing Act 2003 or any other place of public entertainment.]

**Textual Amendments**

**F4** Sch. 2 Pt. 3 Class O para. O.3 inserted (6.4.2016) by [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2016 \(S.I. 2016/332\)](#), arts. 1, **7(1)(d)**

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