
STATUTORY INSTRUMENTS

2019 No. 907

The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019

PART 2

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

Amendments to Part 3, Class J

6. In Part 3 of Schedule 2, after Class J, insert—

“Class JA – retail, takeaway, betting office, pay day loan shop, and launderette uses to offices

Permitted development

JA. Development consisting of a change of use of a building from—

- (a) a use falling within Class A1 (shops), Class A2 (financial and professional services), or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order, or
 - (b) a use as a betting office, pay day loan shop or launderette,
- to a use falling within Class B1(a) (offices) of that Schedule.

Development not permitted

JA.1. Development is not permitted by Class JA if—

- (a) the building was not used for one of the uses referred to in Class JA(a) or (b)—
 - (i) on 29th October 2018, 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;
- (b) permission to use the building for a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Use Classes Order has been granted only by this Part;
- (c) the development (together with any previous development under Class JA) would result in more than 500 square metres of floor space in the building having changed use under Class JA; or
- (d) the building is—
 - (i) on article 2(3) land;
 - (ii) in a site of special scientific interest;

- (iii) in a safety hazard area;
- (iv) in a military explosives storage area;
- (v) a listed building, or within the curtilage of a listed building; or
- (vi) a scheduled monument or contains a scheduled monument.

Conditions

JA.2(1) Where the development proposed is development under Class JA, development 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) whether it is undesirable for the building to change use to a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order because of the impact of the change of use—
 - (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 (shops), Class A2 (financial and professional services) or Class A5 (hot food takeaway) of that Schedule or, as the case may be, as a launderette, but only where there is a reasonable prospect of the building being used to provide such services; or
 - (ii) where the building is located in a key shopping area, on the sustainability of that shopping area; and
- (c) impacts of noise from commercial and retail premises on the intended occupiers of the development; and

the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Development under Class JA is permitted subject to the condition that—

- (a) development must be completed within a period of 3 years starting with the prior approval date; and
- (b) a building which has changed use under Class JA is to be used as an office within the meaning of Class B1(a) (offices) of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such an office.”.