
STATUTORY INSTRUMENTS

2020 No. 757

**The Town and Country Planning (Use Classes)
(Amendment) (England) Regulations 2020**

10.—(1) In article 3 (Use Classes)—

(2) In paragraph (1)—

- (a) after “where a building or other land” insert “ is situated in Wales and ”,
- (b) for “the Schedule” substitute “ Schedule 1 ”, and
- (c) for “shall not” substitute “ is not to ”.

(3) After paragraph (1) insert—

“(1A) Subject to the provisions of this Order, where a building or other land is situated in England and is used for a purpose of any class specified in—

- (a) Part B or C of Schedule 1, or
- (b) Schedule 2,

the use of that building or that other land, or if specified, the use of part of that building or the other land (“part use”), for any other purpose of the same class is not to be taken to involve development of the land.

(1B) Part B of Schedule 1 applies to a building or other land that is situated in England subject to the modifications set out in paragraph (1C).

(1C) Part B of Schedule 1 applies to a building or other land that is situated in England as if—

- (a) Class B1 (Business) were omitted, and
- (b) for Class B2 (General industrial) there were substituted—

“Class B2. General industrial

Use for the carrying on of an industrial process other than one falling within the uses described in Schedule 2, Class E, sub-paragraph (g).”

(4) In paragraph (2) after “paragraph (1)” insert “ and (1A) ”.

(5) In paragraph (3) for “the Schedule” in both places it occurs, substitute “ Schedule 1 or 2 ”.

(6) For paragraph (4), substitute—

“(4) Where land on a single site or on adjacent sites used as parts of a single undertaking is used for purposes consisting of or including purposes falling within—

- (a) in relation to Wales, Classes B1 and B2 in Schedule 1, or
- (b) in relation to England, the use described in Schedule 2, Class E, sub-paragraph (g) and Class B2 in Schedule 1 as modified by paragraph (1C)(b),

those classes may be treated as a single class in considering the use of that land for the purposes of this Order, so long as the area used for a purpose falling within Class B2, or Class B2 as modified, is not substantially increased as a result.”.

(7) In paragraph (6)—

(a) for “the Schedule” substitute “ Schedule 1 or 2 ”, and

(b) after sub-paragraph (o) insert—

“(p) as a public house, wine bar, or drinking establishment,

(q) as a drinking establishment with expanded food provision,

(r) as a hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises,

(s) as a venue for live music performance,

(t) a cinema,

(u) a concert hall,

(v) a bingo hall,

(x) a dance hall.”.

(8) In paragraph (6A) in the definition for “pay day loan shop”, in sub-paragraph (b), for “the Schedule” substitute “ Schedule 1 or Class E (Commercial, Business and Service) of Schedule 2 ”.

Commencement Information

II Reg. 10 in force at 1.9.2020, see reg. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, Section 10.