

2021 No. 467

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (General Permitted
Development) (England) (Amendment) (Coronavirus) Order
2021**

<i>Made</i> - - - -	<i>14th April 2021</i>
<i>Laid before Parliament</i>	<i>15th April 2021</i>
<i>Coming into force</i> - -	<i>16th April 2021</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 59, 60, 61 and 333(7) of the Town and Country Planning Act 1990(a):

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (England) (Amendment) (Coronavirus) Order 2021 and comes into force on the day after it is laid before Parliament.

(2) This Order extends to England and Wales, and applies in relation to England only.

Amendment of the Town and Country Planning (General Permitted Development) (England) Order 2015

2. In Part 4 (temporary buildings and uses) of Schedule 2 (permitted development rights) to the Town and Country Planning (General Permitted Development) (England) Order 2015(b), after Class BA (additional temporary use of land during the relevant period) insert—

“Class BB – moveable structures for specified uses

Permitted development

BB. *Until the end of 1st January 2022, the provision of any moveable structure within the curtilage, and for the purposes, of—*

(a) a building used for a purpose within—

(i) article 3(6)(p) or (q) (drinking establishments etc.) of the Use Classes Order; or

(a) 1990 c. 8. Amendments have been made to section 59 which are not relevant to this Order. Section 60 was amended by section 4(1) of the Growth and Infrastructure Act 2013 (c. 27) and section 152 of the Housing and Planning Act 2016 (c. 22).

(b) S.I. 2015/596, which has been amended by S.I. 2016/332, 2016/765, 2016/772, 2016/1040, 2016/1154, 2017/391, 2017/571, 2017/619, 2017/1011, 2017/1012, 2018/119, 2018/343, 2018/695, 2019/907, 2020/330, 2020/412, 2020/632, 2020/755, 2020/756, 2020/1243, 2020/1459 and 2021/428.

- (ii) Class E(b) (sale of food and drink etc.) of Schedule 2 to that Order(a);
or
(b) a historic visitor attraction.*

Development not permitted

BB.1. Development is not permitted by Class BB—

- (a) within the curtilage of a scheduled monument; or
- (b) if the use of the moveable structure is for the display of an advertisement.

Interpretation of Class BB

BB.2. For the purposes of Class BB, “historic visitor attraction” means a listed building accessible by members of the public (whether or not for an entry fee) for the purposes of promoting their enjoyment, and advancing their knowledge, of the building.”

Christopher Pincher
Minister of State

14th April 2021

Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the GPDO”). The GPDO provides, for the purposes of section 59 of the Town and Country Planning Act 1990 (c. 8), for the granting of permission for certain classes of development without the requirement for a planning application to be made under Part 3 of that Act. The classes of permission, together with their accompanying conditions, limitations and restrictions, are set out in Schedule 2 to the GPDO.

Article 2 inserts a new right, which expires on 1st January 2022 and is subject to other specified limitations and restrictions, to provide moveable structures within the curtilage, and for the purposes, of—

- (a) a building used as a public house, wine bar, drinking establishment or drinking establishment with expanded food provision,
- (b) a building used for the sale of food and drink to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises, or
- (c) a listed building operated as a historic visitor attraction.

An Explanatory Memorandum is published alongside this instrument at www.legislation.gov.uk.

An impact assessment has not been produced for this instrument.

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(a) Article 3(6)(p) and (q) and Schedule 2 were inserted by S.I. 2020/757.

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