
WELSH STATUTORY INSTRUMENTS

2002 No. 1875 (W.184)

TOWN AND COUNTRY PLANNING, WALES

The Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002

Made - - - - 18th July 2002

Coming into force - - 12th August 2002

The National Assembly for Wales (“the National Assembly”), in exercise of the powers conferred upon the Secretary of State by sections 55(2)(f) and 333(7) of the Town and Country Planning Act 1990(1), and now exercisable by the National Assembly (2), hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2002 and comes into force on 12th August 2002.

(2) This Order applies to Wales.

Amendment to the Town and Country Planning (Use Classes) Order 1987

2.—(1) The Town and Country Planning (Use Classes) Order 1987(3) is amended as follows.

(2) In Article 3 (use classes) insert:

“(7) Where a building or other land is situated in Wales, class B8 (storage or distribution) does not include use of that building or land for the storage of, or as a distribution centre for, radioactive material or radioactive waste.

(8) For the purpose of paragraph (7), “radioactive material” and “radioactive waste” have the meanings assigned to those terms in the Radioactive Substances Act 1993(4).”

(1) 1990 c. 8.

(2) The powers of the Secretary of State, insofar as exercisable in relation to Wales, were transferred to the National Assembly for Wales by Article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1987/764. Relevant amending instruments are S.I. 1991/1567, S.I. 1992/610, S.I. 1992/657, S.I. 1994/724, S.I. 1995/297 and S.I. 1999/293.

(4) 1993 c. 12.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5).

18th July 2002

John Marek
The Deputy Presiding Officer of the National
Assembly

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends, in relation to Wales, the Town and Country Planning (Use Classes) Order 1987 (“the Use Classes Order”), which specifies classes for the purposes of section 55(2)(f) of the Town and Country Planning Act 1990. A change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class.

The amendment to the Use Classes Order is to exclude from Class B8 (Storage or distribution) use of a building or other land for the storage of or as a distribution centre for radioactive material or radioactive waste (as defined in the Radioactive Substances Act 1993), if the building or other land is situated in Wales.