



# Neighbourhood Planning Act 2017

## 2017 CHAPTER 20

### PART 1

#### PLANNING

##### *Permitted development rights relating to drinking establishments*

#### **15 Permitted development rights relating to drinking establishments**

- (1) As soon as reasonably practicable after the coming into force of this section, the Secretary of State must make a development order under the Town and Country Planning Act 1990 which—
  - (a) removes any planning permission which is granted by a development order for development consisting of a change in the use of any building or land in England from a use within Class A4 to a use of a kind specified in the order (subject to paragraph (c)),
  - (b) removes any planning permission which is granted by a development order for a building operation consisting of the demolition of a building in England which is used, or was last used, for a purpose within Class A4 or for a purpose including use within that class, and
  - (c) grants planning permission for development consisting of a change in the use of a building in England and any land within its curtilage from a use within Class A4 to a mixed use consisting of a use within that Class and a use within Class A3.
- (2) Subsection (1) does not require the development order to remove planning permission for development which has been carried out before the coming into force of the order.
- (3) Subsection (1) does not prevent—
  - (a) the inclusion of transitional, transitory or saving provision in the development order, or
  - (b) the subsequent exercise of the Secretary of State's powers by development order to grant, remove or otherwise make provision about planning permission

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*Status: Point in time view as at 26/12/2023.*

*Changes to legislation: Neighbourhood Planning Act 2017, Cross Heading: Permitted development rights relating to drinking establishments is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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for the development of buildings or land used, or last used, for a purpose within Class A4 or for a purpose including use within that class.

- (4) A reference in this section to Class A3 or Class A4 is to the class of use of that name listed in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (SI 1987/764).
- (5) Expressions used in this section that are defined in the Town and Country Planning Act 1990 have the same meaning as in that Act.

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**Modifications etc. (not altering text)**

- C1 S. 15: power to amend conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. [132](#), [255\(3\)\(a\)](#) (with s. 247)

**Status:**

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**Changes to legislation:**

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