
STATUTORY INSTRUMENTS

1987 No. 764

The Town and Country Planning (Use Classes) Order 1987

Use Classes

3.—(1) Subject to the provisions of this Order, where a building or other land is used for a purpose of any class specified in the Schedule, the use of that building or that other land for any other purpose of the same class shall not be taken to involve development of the land.

(2) References in paragraph (1) to a building include references to land occupied with the building and used for the same purposes.

(3) A use which is included in and ordinarily incidental to any use in a class specified in the Schedule is not excluded from the use to which it is incidental merely because it is specified in the Schedule as a separate use.

(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 [^{F1}within classes B1 and B2] in the Schedule, 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 [^{F2}within class B2] is not substantially increased as a result.

^{F3}(5)

(6) No class specified in the Schedule includes use —

(a) as a theatre,

(b) as an amusement arcade or centre, or a funfair,

[^{F4}(c) as a launderette,]

(d) for the sale of fuel for motor vehicles,

(e) for the sale or display for sale of motor vehicles,

(f) for a taxi business or business for the hire of motor vehicles,

(g) as a scrapyards, or a yard for the storage or distribution of minerals or the breaking of motor vehicles,

[^{F5}(h) for any work registrable under the Alkali, etc. Works Regulation Act 1906,]

[^{F6}(i) as a hostel,]

[^{F7}(j) as a waste disposal installation for the incineration, chemical treatment (as defined in Annex IIA to Directive 75/442/EEC under heading D9), or landfill of waste to which Directive 91/689/EEC applies.]

[^{F8}(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.]

Status: Point in time view as at 12/08/2002. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Use Classes) Order 1987, Section 3. (See end of Document for details)

Textual Amendments

- F1** Words in [art. 3\(4\)](#) substituted (9.3.1995) by [The Town and Country Planning \(Use Classes\) \(Amendment\) Order 1995 \(S.I. 1995/297\)](#), arts. 1(1), **2(1)(a)**
- F2** Words in [art. 3\(4\)](#) substituted (9.3.1995) by [The Town and Country Planning \(Use Classes\) \(Amendment\) Order 1995 \(S.I. 1995/297\)](#), arts. 1(1), **2(1)(b)**
- F3** [Art. 3\(5\)](#) omitted (1.6.1992) by virtue of [The Town and Country Planning \(Use Classes\) \(Amendment\) \(No. 2\) Order 1992 \(S.I. 1992/657\)](#), arts. 1, **2(2)**
- F4** [Art. 3\(6\)\(c\)](#) substituted (31.7.1991) by [The Town and Country Planning \(Use Classes\) \(Amendment\) Order 1991 \(S.I. 1991/1567\)](#), arts. 1, **2(1)**
- F5** [Art. 3\(6\)\(h\)](#) inserted (31.3.1992) by [The Town and Country Planning \(Use Classes\) \(Amendment\) Order 1992 \(S.I. 1992/610\)](#), arts. 1(1), **2(1)(b)**
- F6** [Art. 3\(6\)\(i\)](#) inserted (4.4.1994) by [The Town and Country Planning \(Use Classes\) \(Amendment\) Order 1994 \(S.I. 1994/724\)](#), arts. 1(1), **2(1)**
- F7** [Art. 3\(6\)\(j\)](#) inserted (14.3.1999) by [The Town and Country Planning \(Environmental Impact Assessment\) \(England and Wales\) Regulations 1999 \(S.I. 1999/293\)](#), regs. 1(1), **35(2)**
- F8** [Art. 3\(7\)\(8\)](#) inserted (W.) (12.8.2002) by [The Town and Country Planning \(Use Classes\) \(Amendment\) \(Wales\) Order 2002 \(S.I. 2002/1875\)](#), arts. 1(1), **2(2)**

Commencement Information

- I1** [Art. 3](#) in force at 1.6.1987, see [art. 1](#)

Status:

Point in time view as at 12/08/2002. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Use Classes) Order 1987, Section 3.