
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”) (S.I. 2015/596).

Regulation 3 amends article 3 of the Order. It limits permitted development rights in relation to dwellinghouses to developments which comply with the nationally described space standard.

Regulation 4 amends Part 4 of Schedule 2 to the Order. It amends Class BA (additional temporary use of land during the relevant period) of Part 4 of Schedule 2 to the Order, to change the relevant period to between 1st January 2021 and 31st December 2021, an additional period of 28 days for a temporary use of land or an additional 14 days for the holding of a market or motor car and motorcycle racing including trials of speed, and practising for these activities.

Regulation 5 amends Class DA of Part 4 of Schedule 2 to the Order. The amendment provides for a building with a use as a restaurant, cafe, drinking establishment or drinking establishment with expanded food provision to be used for the provision of takeaway food on a temporary basis during a period ending on 23rd March 2022.

Regulation 6 amends Class B of Part 11 of Schedule 2 to the Order. It removes from the category of permitted development the right to demolish a building used as a concert hall, theatre or a venue for live music performance.

Regulation 7 amends Class BA of Part 12 of Schedule 2 to the Order. It extends the permitted development right conferred by that Class to hold a market by or on behalf of a local authority during the relevant period so that it applies until 23rd March 2022

Regulation 8 amends Class A of Part 12A of Schedule 2 to the Order and extends the date for the expiry of the current right for local authorities and health service bodies to carry out development on land owned, occupied or maintained by them for the purposes of addressing emergencies from 31st December 2020 until 31st December 2021.

Regulation 9 amends Class Q of Part 19 of Schedule 2 to the Order to extend the current time limit for removing buildings, plant, machinery and other permitted erections and restoring land to its original condition where development is carried out by or on behalf of the Crown for the purpose of dealing with emergencies from 6 months to 12 months. The requirement to restore the land to its original condition and to terminate the emergency use may now be dispensed with where the future development is authorised by virtue of permitted development rights under Schedule 2 to the Order or by virtue of planning permission under Part 3 of the Town and Country Planning Act 1990.

Regulation 10 introduces a new additional Class QA into Part 19 of Schedule 2 to the Order; this makes provision in connection with development carried out by the Crown relating to a pandemic.

Regulation 11 amends the Town and Country Planning (Compensation) (England) Regulations 2015 (S.I. 2015/598) (“the Compensation Regulations”) by the addition of the demolition of a concert hall, a theatre, or a venue for live music performance under Class B of Part 11 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 into the list of permitted development rights for which compensation on withdrawal of the right is limited in various ways provided in the Compensation Regulations. The effect of this regulation is that compensation is only payable in respect of planning applications made within 12 months beginning on the date that the direction took effect. The Compensation Regulations also allow local planning authorities to avoid compensation liability on withdrawal of the permitted development right by publicising their

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intention to make an article 4 direction at least 1 year and not more than 2 years, ahead of the article 4 direction taking effect.

Regulation 12 makes transitional and saving provisions.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector will be published at www.legislation.gov.uk and copies may be inspected at the Planning Directorate, 2 Marsham Street, London SW1P 4DF.