

## SCHEDULE

### Transitional and saving provision

#### **Transitional and saving provision for development which is no longer permitted**

- 5.—(1) This paragraph applies to development (“protected development”) which—
- (a) was permitted under a provision of Schedule 2 to the GPDO as the provision had effect immediately before 1st August 2021 (“the previous permission”),
  - (b) is not permitted under any provision of that Schedule as it has effect on or after 1st August 2021, and
  - (c) relates to land or a building which, immediately before 1st August 2021, was used for a purpose which made the land or building eligible for the previous permission.
- (2) The GPDO has effect in relation to protected development—
- (a) until the end of 31st July 2022 as if the amendments made by this Order had not been made, and
  - (b) after 31st July 2022 and in relation to—
    - (i) determining any prior approval application made in respect of protected development on or before 31st July 2022;
    - (ii) determining appeal proceedings related to such an application;
    - (iii) completing protected development which began, or in respect of which a prior approval application was made, on or before 31st July 2022,as if the amendments made by this Order had not been made.
- (3) Where the GPDO has effect in accordance with sub-paragraph (2), a reference in the GPDO to a use or use class specified in the Use Classes Order is a reference to that Order as it had effect on 30th August 2020.
- (4) Where protected development—
- (a) consists of a change of use of a building under paragraph I(a) of Class I (industrial and general business conversions) of Part 3 to Schedule 2 to the GPDO as that Class had effect immediately before 1st August 2021, and
  - (b) results in the building being used for a purpose within sub-paragraph (g) (business uses) of Class E (commercial, business and service) of Schedule 2 to the Use Classes Order,
- the building must not, in the absence of further planning permission, be used for any other purpose within Class E.
- (5) Where protected development—
- (a) consists of a change of use of a building under Class S (agricultural buildings to state-funded school or registered nursery) or T (business, hotels etc to state-funded schools or registered nursery) of Part 3 to Schedule 2 to the GPDO as those Classes had effect immediately before 1st August 2021, and
  - (b) results in the building being used for a purpose within sub-paragraph (f) (registered nurseries etc) of Class E of Schedule 2 to the Use Classes Order,
- the building must not, in the absence of further planning permission, be used for any other purpose within Class E (including another purpose within Class E(f)).