STATUTORY INSTRUMENTS

2017 No. 619

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017

Made - - - -	*28th April 2017*
Laid before Parliament	*28th April 2017*
Coming into force - -	*23rd May 2017*

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61 and 333(7) of the Town and Country Planning Act 1990(**1**), makes the following Order:

Citation and commencement

1. This Order may be cited as the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 and comes into force on 23rd May 2017.

Amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015

2. The Town and Country Planning (General Permitted Development) (England) Order 2015(**2**) is amended as follows.

Amendments in relation to changes of use of drinking establishments

3.—(1) Part 3 of Schedule 2 is amended as follows—

(a) in Class A—

(i) in the heading insert "or" before "takeaways" and omit "or pubs";

(ii) in paragraph A omit ", A4 (drinking establishments)";

(iii) omit paragraphs A.1 to A.3;

(b) after Class A, insert—

(**1**) 1990 c.8. Amendments have been made to section 59 which are not relevant to this Order. Section 60 was amended by section 4(1) of the Growth and Infrastructure Act 2013 (c.27) and section 152 of the Housing and Planning Act 2016 (c.22).

(**2**) S.I. 2015/596 has been amended by S.I. 2016/332, S.I. 2016/1040 and S.I. 2017/391.

"Class AA-drinking establishments with expanded food provision

Permitted Development

AA. ***Development consisting of a change of use of a building and any land within its curtilage—***

(a) ***from a use falling within Class A4 of the Schedule to the Use Classes Order to a use falling within Class A4 (drinking establishments) with a use falling within Class A3 (restaurants and cafes) ("drinking establishments with expanded food provision"); and***

(b) ***from a use as a drinking establishment with expanded food provision to a use falling within Class A4 (drinking establishments)."***

(c) in Class B—

(i) in the heading omit "or pubs";

(ii) in paragraph B omit "Class A4 (drinking establishments) or";

(iii) omit paragraphs B.1 to B.3.

(2) Part 4 of Schedule 2 is amended as follows—

(a) in Class C—

(i) for paragraph C.1(e) substitute—

"(e) the building is used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order, including a purpose as described in Class AA (drinking establishments with expanded food provision) of Part 3 of Schedule 2 to this Order.";

(ii) omit paragraph C.2(f); and

(iii) in paragraph C.3 omit the definitions of "community asset", "list of assets of community value", "nomination", "specified building" and "specified period";

(b) in Class D—

(i) in the heading omit ", pubs";

(ii) in paragraph D(a)(i) omit "Class A4 (drinking establishments),";

(iii) omit paragraph D.1(f);

(iv) omit paragraph D.2(f); and

(v) in paragraph D.3 omit ""community asset", "specified building" and "specified period" have the meaning given in paragraph C.3; and".

Amendments in relation to demolition of buildings

4. Class B of Part 11 of Schedule 2 is amended as follows—

(a) for paragraph B.1(c) substitute—

"(c) the building is used, or was last used, for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order, including a purpose as described in Class AA (drinking establishments with expanded food provision) of Part 3 of Schedule 2 to this Order.";

(b) for paragraph B.2(b)(i) substitute—

"(i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the