STATUTORY INSTRUMENTS

2015 No. 597

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015

Made - - - -	*18th March 2015*
Laid before Parliament	*24th March 2015*
Coming into force - -	*15th April 2015*

The Secretary of State, in exercise of the powers conferred by sections 55(2)(f) and 333(7) of the Town and Country Planning Act 1990(**1**), makes the following Order:

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 and comes into force on 15th April 2015.

(2) In this Order—

"the commencement date" means 15th April 2015; and

"the Use Classes Order" means the Town and Country Planning (Use Classes) Order 1987(**2**).

(3) This Order applies in England only.

Amendments to the Use Classes Order

2.—(1) The Use Classes Order is amended in accordance with the following paragraphs.

(2) In article 3(6) (exclusion from use classes), at the end, for the full stop substitute a comma and insert—

"(n) as a betting office,

(o) as a pay day loan shop."

(3) After article 3(6) (exclusion from use classes), insert—

"(6A) For the purpose of paragraph (6)—

(**1**) 1990 c.8, to which there are amendments not relevant to this Order.
(**2**) 1987/764; relevant amending instruments are S.I 1991/1567, S.I 1992/610, SI 1992/657, S.I 1994/724, S.I. 1995/297, S.I. 1999/293, S.I. 2005/84, S.I. 2006/220, S.I. 2010/675 and S.I. 2011/988.

"high-cost short-term credit" has the meaning given in the edition of the Financial Conduct Authority's Handbook which came into effect on 1st April 2014 (following an amendment by the Authority in the Consumer Credit (Consequential and Supplementary Amendments) Instrument 2014(**3**)); and

"pay day loan shop" means premises—

(a) from which high-cost short-term credit is provided principally to visiting members of the public and includes premises from which such credit is provided in addition to other financial or professional services, and

(b) which, but for provision made in this article, would fall within Class A2 (financial and professional services) of the Schedule to this Order."

(4) In Part A (Use Classes) of the Schedule, in Class A2(c) omit "(including use as a betting office)".

Transitional provisions for premises in the process of conversion to use as a betting office or a pay day loan shop

3.—(1) The amendments made to the Use Classes Order by this Order do not apply to development specified in paragraph (2) and accordingly the Use Classes Order, in the form in which it existed immediately before the coming into force of this Order, continues to apply in relation to that development.

(2) Development is specified for the purposes of paragraph (1) where it consists of a change of use of a building to use as a betting office or a pay day loan shop (which has the meaning in article 3(6A) of the Use Classes Order(**4**))—

(a) from a use falling within Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments) or Class A5 (hot food takeaways) of the Schedule to the Use Classes Order provided that before the commencement date a betting premises licence under Part 8 of the Gambling Act 2005(**5**) has been issued in relation to the building;

(b) from a use as an agricultural building provided that the change of use is carried out in accordance with the requirements of Class R of Part 3 of Schedule 2 to the Permitted Development Order and—

(i) the developer submitted the information required under paragraph R.3(1)(a) of Part 3 of that Schedule before the commencement date; or

(ii) the prior approval date fell on a day before the commencement date;

(c) from a use falling within one of the uses mentioned in Class D(a) of Part 4 of Schedule 2 to the Permitted Development Order provided that—

(i) the change of use is carried out in accordance with the requirements of Class D; and

(ii) before the commencement date, the developer notifies (or further notifies) the local planning authority under paragraph D.2(a) of Part 4 of that Schedule of the change of use.

(3) For the purposes of paragraph (2)—

"agricultural building" has the same meaning as in Part 3 of Schedule 2 to the Permitted Development Order;

(**3**) FCA 2014/12, which can be found at http://media.fshandbook.info/Legislation/2014/FCA_2014_12.pdf A copy of the Financial Conduct Authority's Handbook may be inspected at the Financial Conduct Authority, 25 The North Colonnade, London, E14 5HS or viewed online at http://www.fshandbook.info/FS/html/FCA

(**4**) 1987/764; article 3(6A) is inserted by this Order.

(**5**) 2005 c. 19.