STATUTORY RULES OF NORTHERN IRELAND

1996 No. 232

PLANNING

Planning (General Development) (Amendment) Order (Northern Ireland) 1996

Made - - - -	*12th June 1996*
Coming into operation	*19th July 1996*

The Department of the Environment, in exercise of the powers conferred on it by Article 13 of the Planning (Northern Ireland) Order 1991(**1**) and all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Planning (General Development) (Amendment) Order (Northern Ireland) 1996 and shall come into operation on 19th July 1996.

Amendment

2. After Class D of Part 3 of Schedule 1 of the Planning (General Development) Order (Northern Ireland) 1993(**2**) (changes of use) add the following Classes—

"**Class E Permitted development**	**E. Development consisting of a change of the use of a building—** (a) **to a mixed use for any purpose within Class 1 (shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class 1 of that Schedule;** (b) **to a mixed use for any purpose within Class 2 (financial, professional and other services) of the**

(**1**) S.I. 1991/1220 (N.I. 11); *see* Article 2(2) for the definition of "Department"
(**2**) S.R. 1993 No. 278 to which there are amendments not relevant to this Order

Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class 2 of that Schedule;

(c) **where that building has a display window at ground floor level, to a mixed use for any purpose within Class 1 (shops) of the Schedule to the Use Classes Order and as a single flat, from a use for any purpose within Class 2 (financial, professional and other services) of that Schedule.**

Conditions

E.1. Development is permitted by Class E subject to the following conditions—

(a) some or all of the parts of the building used for any purposes within Class 1 or Class 2, as the case may be, of the Schedule to the Use Classes Order shall be situated on a floor below the part of the building used as a single flat;

(b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor shall not be used in whole or in part as the single flat;

(c) the single flat shall not be used otherwise than as a dwelling (whether or not as a sole or main residence)—

(i) by a single person or by people living together as a family, or

(ii) by not more than six residents living together as a single household (including a household where care is provided for residents).

Interpretation of Class E

E.2. For the purposes of Class E the expression "care" means personal care for people in need of such care by reason