

2024 No. 141

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024

Made - - - - at 9.30 a.m. on 13th February 2024

Laid before Parliament at 2.00 p.m. on 13th February 2024

Coming into force 5th March 2024

The Secretary of State makes this Order in exercise of the powers conferred by sections 59, 60 and 333(7) of the Town and Country Planning Act 1990(a).

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024 and comes into force on 5th March 2024.

(2) This Order extends to England and Wales.

(3) In this Order, “the GPDO” means the Town and Country Planning (General Permitted Development) (England) Order 2015(b).

Amendments to Schedule 2 (permitted development rights) to the GPDO

2. Schedule 2 to the GPDO is amended in accordance with article 3.

Amendments to Part 3 (changes of use)

3.—(1) Part 3 is amended as follows.

(2) In Class MA (commercial, business and service uses to dwellinghouses), in sub-paragraph (1) of paragraph MA.1—

- (a) omit paragraph (a);
- (b) omit paragraph (c).

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

(a) 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).

(b) S.I. 2015/596, which has been amended by S.I.s 2016/332, 2016/765, 2016/772, 2016/1040, 2016/1154, 2017/391, 2017/571, 2017/619, 2017/1011, 2017/1012, 2018/119, 2018/343, 2018/695, 2019/907, 2020/330, 2020/412, 2020/632, 2020/755, 2020/756, 2020/1243, 2020/1459, 2021/428, 2021/467, 2021/814, 2021/1464, 2022/278, 2023/747 and 2023/1279.

Lee Rowley
Minister of State

At 9.30 a.m. on 13th February 2024 Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the GPDO”). The GPDO provides for the granting of permission for certain classes of development without the requirement for a planning application to be made under Part 3 of the Town and Country Planning Act 1990.

Class MA of Part 3 (changes of use) of Schedule 2 to the GPDO permits the change of use of commercial, business and service uses to use as dwellinghouses. Article 3 of this Order amends Class MA to remove the requirement that a building must have been vacant for a continuous period of at least 3 months immediately prior to the date of an application for prior approval. Additionally, Class MA is amended to remove the floorspace upper limit for buildings changing use under the right.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is being produced by the Department for Levelling Up, Housing and Communities and will be published at www.legislation.gov.uk. Copies may be inspected at the Leasehold, Land and Planning Systems Directorate, the Department for Levelling Up, Housing and Communities, 2 Marsham Street, London, SW1P 4DF.

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