**Town and Country Planning (General Permitted Development etc) (England) (Amendment) ( No 2) Order 2021 (2021/814)**

The Town and Country Planning (General Permitted Development etc) (England) (Amendment) (No.2) Order 2021 (the “Order”) takes forward consequential changes to certain permitted development rights following changes to the Town and Country Planning (Use Classes) Order 1987 (the “Use Classes Order”) from 1 September 2020. This note summarises the transitional and saving provisions set out in paragraphs 1 to 5 of the Schedule to the Order as they apply to specific rights.

The note has been prepared by the Ministry of Housing, Communities and Local Government. It is intended for illustrative purposes only to assist the reader in understanding the Order.

| **Original Class of PDR[[1]](#footnote-1)** | **Development previously permitted[[2]](#footnote-2)** | **New Class of PDR[[3]](#footnote-3)** | | **Development now permitted[[4]](#footnote-4)** | **Description of change** | | **Schedule para[[5]](#footnote-5)** | |
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| **PART 3 (changes of use)** | | | | | | | | |
| **Class A** | Change of use from:  Class A3 (restaurants and cafes)  to:  Class A1 (shops);  Class A2 (financial / professional) | None | | N/A | Restaurants are now in Class E (commercial, business and service) of Sch. 2, UCO, together with use as a shop or for financial / professional services.  From 1 August 2021, no longer needs permission. | | N/A | |
| Change of use from:  Class A5 (hot food takeaways)  to:  Class A1 (shops);  Class A2 (financial / professional) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This element of the previous PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| **Class B** | Change of use from:  Class A5 (hot food takeaways)  to:  Class A3 (restaurants and cafes) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| **Class C** | Change of use from:  Class A1 (shops);  Class A2 (financial / professional)  to:  Class A3 (restaurants and cafes) | None | | N/A | Use as a shop and for financial / professional services are now in Class E together with restaurants.  No longer needs permission or prior approval. This element has been revoked. | | 2 | |
| Change of use from:  Betting office;  Pay day loan shop;  Casino  to:  Class A3 (restaurants and cafes) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This element of the previous PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| No longer needs prior approval. | | 3 | |
| Change of use with building operations reasonably necessary to use the building for a use within Class A3 (restaurant and cafés). | None | | N/A | This element of the right is being revoked. (Applications for prior approval for the change of use to a restaurant, **with building operations**, may be submitted until 31 July 2022. | | 5 | |
| **Class D** | Change of use from:  Class A1 (shops)  to:  Class A2 (financial / professional) | None | | N/A | Shops are now in Class E together with use as a shop or for financial / professional services.  No longer needs permission. Revoked | | N/A | |
| **Class E** | Change of use from:  Class A2 (financial / professional)  to:  Class A1 (shops) | None | | N/A | Uses for financial / professional services are now in Class E together with use as a shop.  No longer needs permission. | | N/A | |
| Change of use from:  Betting office;  Pay day loan shop  to:  Class A1 (shops) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This element of the previous PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| **Class F** | Change of use from:  Betting office;  Pay day loan shop  to:  A2 (financial / professional) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| **Class G** | Change of use:  1. from: Class A1 (shops) to: A1 + flats    2. from: Class A2 (financial / professional) / betting office / pay day loan shop to: A2 + flats  3. from: where there is a display window A2, betting office / pay day loan shop to: A1 + flats  4. from: betting office / pay day loan shop to: betting office / payday loan shop + flats | Class G | | Change of use:  1. from: Class E (commercial, business and service) to: Class E + flats  2. from: art 3(6)(n) (betting office) / 3(6)(o) (payday loan shop) to: Class E + flats  3. from: art 3(6)(n) / 3(6)(o) to: art 3(6)(n) / 3(6)(o) + flats | This element of the previous PDR has been subsumed into amended Class G.  There is a new condition from 1 August 2021 for developers to apply to the local planning authority as to whether prior approval is required. | | 4 | |
| Change of use:  1. from: Class A1 to: A2 + flats    2, from: Class A2 to: A1 + flats | None | | N/A | Uses for financial / professional services are now in Class E together with use as a shop.  No longer needs permission. | | N/A | |
|  |  |  | |  | Part 1 permitted development rights for development within the curtilage of a dwellinghouse are disapplied for Class G from 1 August 2021. | | 5 | |
| **`Class H** | Change of use:  1. from: Class A1 (shops) + flats to: A1    2. from: Class A2 (financial / professional) / betting office / pay day loan shop + flats to: A2  3. from: where there is a display window A2, betting office / pay day loan shop + flats to: A1  4. from: betting office / pay day loan shop + flats to: betting office / payday loan shop | Class H | | Change of use:  1. from: Class E (commercial, business and service) + flats to: Class E  2. from: art 3(6)(n) (betting office) / 3(6)(o) (payday loan shop) + flats to: Class E  3. from: art 3(6)(n) / 3(6)(o) + flats to: art 3(6)(n) / 3(6)(o) | This element of the previous PDR has been subsumed into amended Class H.  No conditions have been removed or added. | | N/A | |
| Change of use:  1. from: Class A1 + flats to: A2    2. from: Class A2 + flats to: A1 | None | | N/A | Uses for financial / professional services are now in Class E together with use as a shop.  No longer needs permission. | | N/A | |
| **Class I** | Change of use  from: Class B2 (general industrial) / Class B8 (storage or distribution) to:  B1 (business)  from: B1(business) to: B8 (storage or distribution) | None | | N/A | This element of the previous PDR is being revoked. | | 5 | |
| Change of use from: B2 (general industrial) to: B8 (storage or distribution) | Class I | | Change of use from: B2 to: B8 | This element of the previous PDR is being retained with no changes. | | N/A | |
| **Class J** | Change of use from:  Class A1 (shops);  Class A2 (financial / professional)  to:  use as a gymnasium or for indoor sport or recreations, other than use as a swimming bath or skating rink (“ex-Class D2 (assembly and leisure) uses now within Class E (commercial, business and service)”) | None | | N/A | Ex-Class D2 uses now within Class E are within the same use class as shops and financial / professional.  No longer needs permission or prior approval. | | 2 | |
| 1. Change of use  from:  Class A1 (shops);  Class A2 (financial / professional);  Betting office;  Pay day loan shop  to: cinema, concert hall, bingo hall, dance hall, swimming bath skating rink or area for outdoor sports or recreations (“ex-Class D2 uses not within Class E (commercial, business and service)”)  2. from:  Betting office;  Pay day loan shop  to: ex-Class D2 uses now within Class E (commercial, business and service) | None | | N/A | This element of the previous PDR is being revoked. | | 5 | |
| **Class JA** | Change of use from:  Class A1 (shops);  Class A2 (financial / professional)  to: Class B1(a) (offices) | None | | N/A | Use as a shop and for financial / professional services are now within the same use class offices.  No longer needs permission or prior approval. | | 2 | |
| Change of use from:  Class A4 (hot food takeaway);  Betting office;  Pay day loan shop  to: Class B1(a) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway)  to:  Class E (commercial, business and service) | This element of the previous PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| No longer needs prior approval. | | 3 | |
| Change of use from: launderette  to: Class B1(a) (offices) | None | | Revoked | This element of the previous PDR is being revoked. | | 5 | |
| **Class K** | Change of use from: casino  to: ex-Class D2 (assembly and leisure) uses now within Class E (commercial, business and service) | Class A | | Change of use from:  Art 3(6)(m) (casino);  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway);0  to:  Class E (commercial, business and service) | This element of the previous PDR has been subsumed into amended Class A.  There is a new condition to provide written notification of a change of use. | | 4 | |
| Change of use from: casino  to: ex-Class D2 uses not within Class E | None | | Revoked | This element of the previous PDR is being revoked. | | 5 | |
| **Class M** | Change of use from:  Class A1 (shops);  Class A2 (financial / professional)  to: Class C3 (dwellinghouses) | | Class MA | Change of use from: Class E (commercial, business and service)  to: Class C3 (dwellinghouses) | Use as shops and for financial / professional services now falls within Class E. This element of the previous PDR is therefore effectively retained through Class MA.  New prior approval condition as to fire safety. | 4 | |
| Prior approval no longer required in respect of the impact on the sustainability of key shopping area. | 3 | |
| 1. Change of use from:  Class A5 (hot food takeaway);  Betting office;  Pay day loan shop;  Launderette;  Mixed use as betting office / pay day loan shop / launderette and Class C3  to: Class C3 (dwellinghouses)  2. Building operations reasonably necessary to effect change the above changes of use. | | Class M | Change of use from:  Hot food takeaway;  Betting office;  Pay day loan shop;  Launderette;  Mixed use as betting office / pay day loan shop / launderette and Class C3  to: Class C3 (dwellinghouses)  Building operations reasonably necessary to effect change the above change of use. | This element of the previous PDR is retained with no material changes to conditions. | N/A | |
| 1. Change of use from:  Mixed use Class A1 + Class C3;  Mixed use Class A2 + Class C3  to: Class C3 (dwellinghouses)  2. Building operations necessary to effect change of use from:  A1, A2, mixed A1 + C3, mixed A2 + C3  to: C3 (dwellinghouses) | | None | Revoked | This element of the previous PDR is being revoked. | 5 | |
| **Class R** | Change of use from: agricultural building  to: a flexible use falling within  Class A1 (shops);  Class A2 (financial / professional);  Class A3 (restaurants);  Class B1 (business);  Class B8 (storage or distribution);  Class C1 (hotels);  ex-Class D2 (assembly and leisure) uses now within Class E (commercial, business and service) | | Class R | Change of use from: agricultural building  to: a flexible use falling within  Class B8;  Class C1;  Class E (commercial, business and service) | This element of the previous PDR is being retained with no material changes to conditions. | NA | |
| Change of use from: agricultural building  to: a flexible use falling within ex-Class D2 not within Class E (commercial, business and service) | | None | N/A | This element of the previous PDR is being revoked. | 5 | |
| **Class S** | Change of use from: agricultural building  to: state-funded school | | Class S | Change of use from: agricultural building  to: Class F.1(a) (state-funded school) | This element of the previous PDR is being retained with no material changes to conditions. | N/A | |
| Change of use from: agricultural building  to: registered nursery | | None | N/A | This element of the previous PDR is being revoked. | 5 | |
| **Class T** | Change of use from:  Class B1 (business);  Class C1 (hotels);  Class C2 (residential institutions);  Class C2A (secure resi. institutions);  ex-Class D2 (assembly and leisure) uses now within Class E (commercial, business and service)  to: state-funded school | | Class T | Change of use from:  Class C1 (hotels);  Class C2 (residential institutions);  Class C2A (secure resi. institutions);  Class E (commercial, business and service)  to: Class F.1(a) (state-funded school) | This element of the right is being retained with no material changes to conditions. | N/A | |
| 1. Change of use from: ex-Class D2 uses not within Class E  to: state-funded school  2. Change of use from:  Classes B1, C1, C2, C2A, D2  to: registered nursery | | None | N/A | This element of the previous PDR is being revoked. | 5 | |
| **PART 4 (temporary uses)** | | | | | | | |
| **Class C** | Use of: a building / land  as: a state-funded school for 2 academic years | | Class C | Use of: a building / land, other than that used for a purpose falling within Class F.2 (local community)  as: a state-funded school for 2 academic years | The element of the previous PDR relating to buildings within Class F.2 is being revoked. | 5 | |
| The remainder is being retained with no material changes in conditions. | N/A | |
| **Class CA** | Use of vacant commercial land last used for a purpose within:  Class B1 (business);  Class C1 (hotels);  Class C2 (residential institutions);  Class C2A (secure resi. institutions);  ex-Class D2 (assembly and leisure) now within Class E (commercial, business and service)  as: a state-funded school for 3 academic years | | Class CA | Use of vacant commercial land last used for a purpose within:  Class C1 (hotels);  Class C2 (residential institutions);  Class C2A (secure resi. institutions);  Class E  as: a state-funded school for 3 academic years | This element of the previous PDR is being retained with no material changes in conditions. | N/A | |
| Use of vacant commercial land last used for a purpose within:  ex-Class D2 (assembly and leisure) not within Class E (commercial, business and service)  as: a state-funded school for 3 academic years | | None | N/A | This element of the previous PDR is being revoked. | 5 | |
| **Class D** | Change of use from:  Class A1 (shops);  Class A2 (financial / professional);  Class A3 (restaurants);  Class A5 (hot food takeaway);  Class B1 (business);  ex-Class D2 (assembly and leisure) now within Class E (commercial, business and service) ;  Betting office;  Pay day loan shop  to a flexible use within:  Classes A1, A2, A3, B1;  Class D1(d) (non-residential institutions) (display of art);  Class D1(e) (museum);  Class D1(f) (public library);  Class D1 (g) (public hall) | | Class D | Change of use from:  Art 3(6)(n) (betting office);  Art 3(6)(o) (pay day loan shop);  Art 3(6)(r) (hot food takeaway);  Class E (commercial, business and service)  to a flexible use within:  Class E (commercial, business and service);  Class F.1(b) (display of art);  Class F.1(c) (museum);  Class F.1(d) (public library);  Class F.1(e) (public hall) | This element of the previous PDR is being retained with no material changes in conditions. | N/A | |
| 1. Change of use from:  Classes A1, A2, A3, A5, B1, D1, D2; betting office / pay day loan shop  to a flexible use within:  Class D1(a) (medical / health)  2. Change of use from:  Class D1;  ex-Class D2 uses not within Class E  to a flexible use within:  Classes A1, A2, A3, B1, D1(d) to (g) | | None | N/A | This element of the PDR is being revoked. | 5 | |
| **Class DA** | Change of use from:  Class A3 (restaurants);  Class A4 (drinking establishments);  Mixed A3 + A4;  Class AA (drinking est. + expanded food provision)  to:  provision of takeaway food | | Class DA | Change of use from:  Art 3(6)(p) (drinking establishments);  Art 3(6)(q) (drinking est. + expanded food provision);  Class E(b) (restaurants etc.);  Mixed art 3(6)(p) + Class E(b)  to:  provision of takeaway food | This PDR is being entirely retained with no material changes to conditions. | N/A | |
| **PART 7 (non-domestic extensions, alterations, etc** | | | | | | | |
| **Class A** | Extension or alteration of:  Shop (A1) (but not extending beyond an existing shop front);  Financial / professional establishment (A2) (including extensions beyond the front of such an establishment) | | Class A | Extension or alteration of:  Class E (commercial, business and service) premises (but not extending beyond the front of any existing building) | The previous PDR is mostly retained (and consolidates most of old Class F of Part 7 – see below) with no material changes to conditions. | N/A | |
| The previous PDR is revoked to the extent it allowed extensions beyond the front of a financial / professional establishment. | 5 | |
| **Class E** | Provision / replacement of hard surface within the curtilage of:  Shop; Catering, financial or professional establishment (A1 to A5) | | Class E | Provision / replacement of hard surface within the curtilage of a building used for:  Art 3(6)(p) (drinking establishments);  Art 3(6)(q) (drinking establishment + expanded food provision);  Art 3(6)(r) (hot food takeaway);  Class E (commercial, business and service) | The previous PDR is retained (and consolidates old Class G – see below) with no material changes to conditions. | N/A | |
| **Class F** | Extension or alteration of office (B1 (a)) buildings including:  extensions up to 5m, if within 10m of boundary;  extensions up to height of the building extended, in other cases;  extensions beyond the front of existing buildings | | Class A | Extension or alteration of Class E (commercial, business and service) premises:  including extensions up to 4m (irrespective of location relative to boundary);  not including extensions beyond the front of existing buildings | The previous PDR is mostly retained via consolidation with Class A (see above). | N/A | |
| The previous PDR is revoked to the extent it allowed extensions beyond the front of office buildings and of height greater than 4m. | 5 | |
| **Class G** | Provision / replacement of hard surface within the curtilage of:  Office buildings (B1 (a)) | | Class E | Provision / replacement of hard surface within the curtilage of a building used for:  Art 3(6)(p) (drinking establishments);  Art 3(6)(q) (drinking establishment + expanded food provision);  Art 3(6)(r) (hot food takeaway);  Class E (commercial, business and service) | The previous PDR is retained via consolidation with Class E (see above). | N/A | |
| **PART 20 (construction of new dwellinghouses)** | | | | | | | |
| **Class A** | Construct up to 2 additional storeys of dwellinghouses on detached blocks of flats | | Class A | No changes to permission.  Right updated to refer to Uses Classes Order 1987 as it applied on 5 March 2018. | Separate to the consequential changes, the SI introduces for applications on or after 1 August 2021, a new fire safety condition attached to developments which result in a building which contains 2+ dwellinghouses and which meets a height threshold. | 4 | |
| **Class AA** | Construct up to 2 additional storeys of dwellinghouses on detached buildings in commercial or mixed use | | Class AA | No changes to permission.  Right updated to refer to Uses Classes Order 1987 as it applied on 5 March 2018. | Separate to the consequential changes, the SI introduces for applications on or after 1 August 2021, a new fire safety condition attached to developments which result in a building which contains 2+ dwellinghouses and which meets a height threshold. | 4 | |

1. References are to classes of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (the “GPDO”) as it had effect immediately before 1st August 2021. [↑](#footnote-ref-1)
2. References are to classes specified in the Use Classes Order as it had effect immediately before 1st September 2020. [↑](#footnote-ref-2)
3. References are to classes of Schedule 2 to the GPDO as it has effect immediately on 1st August 2021. [↑](#footnote-ref-3)
4. References are to class specified in the Use Classes Order as it had effect on 1st September 2020. [↑](#footnote-ref-4)
5. References are to paragraphs of the Schedule (transitional and saving provision) of the Order. [↑](#footnote-ref-5)