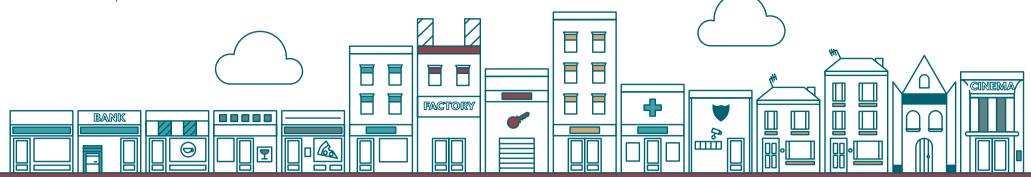
USE CLASS SCHEDULE

ENGLAND



Guide to planning use classes in England

(Law as of 1st September 2020)



Use Class

Use

- General industrial use (which cannot be carried out in a residential area due to impact on amenity)
- B8 Storage and Distribution Wholesale warehouses, distribution centres and repositories.

- for display or sale of goods other than hot food **; for sale of food and drink for consumption mainly on the premises;

- (iii) any industrial process; which can be carried out in any residential area without detriment to the amenity of that area.

Business and Commercial

Learning and Community

F1 Learning and Non-residential Institutions

Any use not including residential use:

- for the provision of education;
- for the display of works of art (otherwise than for sale or hire); (c)
- as a public library or public reading room;
- as a public hall or exhibition hall;
- for, or in connection with, public worship or religious instruction;
- F2 Local Community
- a shop mostly selling essential goods, including food, to the public where;
 - (i) floor area not more than 280sqm;
- a hall or meeting place for the principal use of the local community;
- an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms;
- an indoor or outdoor swimming pool or skating rink.

Sui Generis****
(Uses which do not fall within the

- for the sale or display for sale of motor vehicles; for a taxi business or business for the hire of motor vehicles;
- as a scrapyard, or a yard for the storage or distribution of minerals or the breaking of motor vehicles; for any work registrable under the Alkali, etc. Works Regulation Act 1906;

- (j) as a retail warehouse club being a retail club where goods are sold, or displayed for sale, only to persons who are members of that club;

- (m) as a pay day loan shop;
 (n) as a public house, wine bar, or drinking establishment including with expanded food provision;
- as a hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises:
- (p) as a venue for live music performance;
 (q) a theatre, cinema, concert hall, bingo hall or dance hall;
 (r) agricultural buildings.

* Changes of use within the same class (e.g. between shops and nurseries - both Class E) are not development and will not require planning permission. Please be aware that changes of use within a use class can still be controlled by planning conditions. Current planning applications will continue on the basis they were submitted (unless withdrawn). Any use of buildings or land after 1st September 2020 being used for previous Class A1, A2, A3 or B1 uses are now to be treated as being used for the corresponding purpose in Class E. However use classes prior to 1st September 2020 will remain relevant for certain change of use permitted $development\ rights, until\ 31st\ July\ 2021.\ The\ amended\ PD\ rights\ will\ be\ included\ in\ the\ next\ version\ of\ this\ document\ .$

**The old A1 use class previously included other less obvious categories of use which might not immediately spring to mind as a 'shop' – post office, sale of tickets, travel agency, sale of sandwiches and cold food, hairdressing, direction of funerals, hiring out domestic or personal goods, reception of goods to be washed, cleaned or repaired. It is not apparent whether these uses come under the new Use Class E or not, some could come under the 'professional services' heading and an even wider range of uses such as nail bars, tattoo parlours etc. could also therefore be included (previously Sui Generis). We will need to see how these uses are treated going forward.

****Gymnasiums are not expressly included but are likely to fall within this category as they are not expressly Sui Generis in the UCO.

***** Whilst the most commonly found uses are contained within the 1987 Use Classes Order (as amended), there are many uses that are not specifically categorised by the four main use classes. These are classified as Sui Generis. The table seeks to illustrate some of the Sui Generis uses, but they are not intended to be exhaustive. Sui Generis uses are their own specific use and planning permission is normally required for any change of use. For uses formerly within the same use class but now Sui Generis (e.g. cinema and bingo hall), from 1st September 2020 a change of use between these uses now constitutes development requiring planning permission. For any such changes of use before 1st September 2020, it would be advisable to have documentary evidence of the change having taken place prior to the changes coming into force.

DISCLAIMER: This is a general guide only, and is not intended to be comprehensive or a substitute for taking detailed professional advice. No liability is accepted for the information it contains or for any errors or omissions.



Rosalind Andrews Partner **M:** 07872 871 091 E: randrews@hcrlaw.com



Elizabeth Shield Associate M: 07436 143 068 E: eshield@hcrlaw.com

