

## SCHEDULE 2

### PART 8

#### INDUSTRIAL AND WAREHOUSE DEVELOPMENT

##### *Class A*

#### **A Permitted development**

##### **A. The extension or alteration of an industrial building or a warehouse.**

#### **A.1 Development not permitted**

**A.1** Development is not permitted by Class A if—

- (a) the building as extended or altered is to be used for purposes other than those of the undertaking concerned;
- (b) the building is to be used for a purpose other than—
  - (i) in the case of an industrial building, the carrying out of an industrial process or the provision of employee facilities;
  - (ii) in the case of a warehouse, storage or distribution or the provision of employee facilities;
- (c) the height of the building as extended or altered would exceed the height of the original building;
- (d) the cubic content of the original building would be exceeded by more than—
  - (i) 10%, in respect of development on any article 1(5) land, or
  - (ii) 25%, in any other case;
- (e) the floor space of the original building would be exceeded by more than—
  - (i) 500 square metres in respect of development on any article 1(5) land, or
  - (ii) 1,000 square metres in any other case;
- (f) the external appearance of the premises of the undertaking concerned would be materially affected;
- (g) any part of the development would be carried out within 5 metres of any boundary of the curtilage of the premises; or
- (h) the development would lead to a reduction in the space available for the parking or turning of vehicles.

#### **A.2 Conditions**

**A.2** Development is permitted by Class A subject to the conditions that any building extended or altered—

- (a) shall only be used—
  - (i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking or the provision of employee facilities;
  - (ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities;

*Status: This is the original version (as it was originally made).*

- (b) shall not be used to provide employee facilities between 7.00 p.m. and 6.30 a.m. for employees other than those present at the premises of the undertaking for the purpose of their employment;
- (c) shall not be used to provide employee facilities if a notifiable quantity of a hazardous substance is present at the premises of the undertaking.

### **A.3 Interpretation of Class A**

**A.3** For the purposes of Class A—

- (a) the erection of any additional building within the curtilage of another building (whether by virtue of Class A or otherwise) and used in connection with it is to be treated as the extension of that building, and the additional building is not to be treated as an original building;
- (b) where two or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement;
- (c) “employee facilities” means social, care or recreational facilities provided for employees of the undertaking, including creche facilities provided for the children of such employees.

## ***Class B***

### **B Permitted development**

**B. Development carried out on industrial land for the purposes of an industrial process consisting of—**

- (a) **the installation of additional or replacement plant or machinery,**
- (b) **the provision, rearrangement or replacement of a sewer, main, pipe, cable or other apparatus, or**
- (c) **the provision, rearrangement or replacement of a private way, private railway, siding or conveyor.**

### **B.1 Development not permitted**

**B.1** Development described in Class B(a) is not permitted if—

- (a) it would materially affect the external appearance of the premises of the undertaking concerned, or
- (b) any plant or machinery would exceed a height of 15 metres above ground level or the height of anything replaced, whichever is the greater.

### **B.2 Interpretation of Class B**

**B.2** In Class B, “industrial land” means land used for the carrying out of an industrial process, including land used for the purposes of an industrial undertaking as a dock, harbour or quay, but does not include land in or adjacent to and occupied together with a mine.

### *Class C*

#### **C Permitted development**

**C. The provision of a hard surface within the curtilage of an industrial building or warehouse to be used for the purpose of the undertaking concerned.**

### *Class D*

#### **D Permitted development**

**D. The deposit of waste material resulting from an industrial process on any land comprised in a site which was used for that purpose on 1st July 1948 whether or not the superficial area or the height of the deposit is extended as a result.**

#### **D.1 Development not permitted**

**D.1** Development is not permitted by Class D if—

- (a) the waste material is or includes material resulting from the winning and working of minerals, or
- (b) the use on 1st July 1948 was for the deposit of material resulting from the winning and working of minerals.

#### **E Interpretation of Part 8**

**E.** For the purposes of Part 8, in Classes A and C—

“industrial building” means a building used for the carrying out of an industrial process and includes a building used for the carrying out of such a process on land used as a dock, harbour or quay for the purposes of an industrial undertaking but does not include a building on land in or adjacent to and occupied together with a mine; and

“warehouse” means a building used for any purpose within Class B8 (storage or distribution) of the Schedule to the Use Classes Order but does not include a building on land in or adjacent to and occupied together with a mine.