



# Planning and Compulsory Purchase Act 2004

## 2004 CHAPTER 5

### PART 4

#### DEVELOPMENT CONTROL

##### *Miscellaneous*

#### **49 Development to include certain internal operations**

(1) In the principal Act in section 55 (meaning of development) after subsection (2) there are inserted the following subsections—

“(2A) The Secretary of State may in a development order specify any circumstances or description of circumstances in which subsection (2) does not apply to operations mentioned in paragraph (a) of that subsection which have the effect of increasing the gross floor space of the building by such amount or percentage amount as is so specified.

(2B) The development order may make different provision for different purposes.”

(2) This subsection applies if—

- (a) section 55(2) of the principal Act is disapplied in respect of any operations by virtue of a development order under section 55(2A) of that Act,
- (b) at the date the development order comes into force a certificate under section 192 of the principal Act (certificate of lawfulness of proposed use or development) is in force in respect of the operations, and
- (c) before that date no such operations have been begun.

(3) If subsection (2) applies the certificate under section 192 of the principal Act is of no effect.

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*Status: This is the original version (as it was originally enacted).*

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- (4) A development order made for the purposes of section 55(2A) of the principal Act does not affect any operations begun before it is made.