
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Use Classes) Order 1987 (the Use Classes Order) ([S.I.1987/764](#)) for England only.

The Use Classes Order specifies classes of use of buildings or other land for the purposes of section 55(2)(f) of the Town and Country Planning Act 1990. Section 55(2)(f) provides that a change of use is not to be taken as development where the former use and the new use are both within the same class as specified in an order. Changes of use which are not to be taken as development do not require planning permission.

Article 2(2) restates Use Class C2A (secure residential institutions) to clarify that this Class is not confined to Crown land.

Article 2(3) amends Use Class C3 (dwellinghouses) to remove from its scope certain small scale houses in multiple occupation.

Article 2(4) introduces a new Use Class (houses in multiple occupation) which, subject to an exception, covers use of a dwellinghouse as a house in multiple occupation as defined in section 254 of the Housing Act 2004. In broad terms, this use occurs where tenanted living accommodation is occupied by persons as their only or main residence, who are not related, and who share one or more basic amenities.

An impact assessment has been prepared in relation to this Order. It has been placed in the library of each House of Parliament and copies may be obtained from the Planning Directorate, the Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU (<http://www.communities.gov.uk/publications/planningandbuilding/hmoimpactassessment>).