

**2006 No. 221**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2006**

<i>Made</i>	- - - -	<i>23rd January 2006</i>
<i>Laid before Parliament</i>		<i>7th February 2006</i>
<i>Coming into force</i>	- -	<i>6th April 2006</i>

The First Secretary of State, in exercise of the powers conferred by sections 59, 60, and 333(7) of the Town and Country Planning Act 1990(a), makes the following Order—

**Citation, commencement and application.**

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2006 and shall come into force on 6th April 2006.

(2) This Order applies in relation to England only.

**Amendment of Order**

2.—(1) The Town and Country Planning (General Permitted Development) Order 1995(b) shall be amended in accordance with paragraph (2) of this article.

(2) In Part 3 of Schedule 2 to that Order, after Class G add—

**“Class H**

**Permitted Development**

H. Development consisting of a change of use of a building from use as a casino to a use falling within Class D2 (Assembly and leisure) of the Schedule to the Use Classes Order.”.

Signed by authority of the First Secretary of State

23rd January 2006

*Yvette Cooper*  
Minister of State  
Office of the Deputy Prime Minister

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(a) 1990 c.8, to which there are amendments not relevant to this Order. The functions of the Secretary of State under sections 59, 60 and 333(7) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672: see the entry in Schedule 1 for the Town and Country Planning Act 1990 (c.8) as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 ( S.I. 2000/253).

(b) SI 1995/418; relevant amending instruments are S.I.1999/293 and S.I.2005/85.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995. Part 3 confers permitted development rights in respect of certain changes of use. Where such rights apply, no specific application for planning permission is needed.

Article 2 of this Order amends Part 3 by giving casinos permitted development rights to change to use for assembly and leisure (Class D2) of the Use Classes Order without the need for planning permission. The Use Classes Order is amended by a contemporaneous Order (S.I. 2006/220) the effect of which is to remove use as a casino from D2 and to reclassify such use as being outside of any of the specified use classes, and therefore, in a class of its own. The regulatory impact assessment relating to this Order is available on the internet at [www.odpm.gov.uk](http://www.odpm.gov.uk). Alternatively copies can be obtained by post from the Office of the Deputy Prime Minister, Bressenden Place, London, SW1E 5DU.

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