

**2013 No. 2435**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Town and Country Planning (General Permitted  
Development) (Amendment) (England) (No. 4) Order 2013**

<i>Made</i>	- - - -	<i>24th September 2013</i>
<i>Laid before Parliament</i>		<i>30th September 2013</i>
<i>Coming into force</i>	- -	<i>1st October 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61 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) (No. 4) Order 2013 and comes into force on 1st October 2013.

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

**Amendment in relation to demolition of buildings in conservation areas**

2.—(1) Part 31 (demolition of buildings) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995(b) is amended as follows.

(2) In Class B, at the end insert—

**“Development not permitted**

**B.1** Development is not permitted by Class B where the demolition is “relevant demolition” for the purposes of section 196D of the Act(c) (demolition of an unlisted etc building in a conservation area).”.

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(a) 1990 c.8. Section 60 was amended by section 4 of the Growth and Infrastructure Act 2013 (c. 27). There are also other amendments to the 1990 Act which are not relevant to this Order. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order (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). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

(b) S.I. 1995/418; Class A of Part 31 of Schedule 2 was amended by S.I. 2013/2147. There are other amendments which are not relevant to this Order.

(c) Section 196D was inserted into the Town and Country Planning Act 1990 (c. 8) by paragraph 6 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24).

Signed by authority of the Secretary of State for Communities and Local Government

*Nick Boles*

Parliamentary Under Secretary of State

Department for Communities and Local Government

24th September 2013

### **EXPLANATORY NOTE**

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

This Order amends, in relation to England, Class B of Part 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (“the Principal Order”). (Class A of Part 31 of Schedule 2 to the Principal Order was amended by S.I. 2013/2147).

Regulation 2(2) provides that demolition of the whole or any part of any gate, fence, wall or other means of enclosure, where such demolition is “relevant demolition” for the purposes of section 196D of the Town and Country Planning Act 1990, is not permitted development for the purposes of the Principal Order – such demolition will require planning permission.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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