



Dartmoor Local Plan (2018 - 2036) Examination

Implications for the emerging Dartmoor Local Plan following amendments to the Use Class Order (ED10)

1. Introduction

1.1. The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 was made on 20 July, and took effect on 1 September 2020. These Regulations make changes to the 1987 Use Classes Order. These amendments seek to support high street revival by allowing greater flexibility for changes of use between non-residential uses, without the requirement of planning permission.

1.2. Three new Use Classes are proposed:

- a) Class E (Commercial, business and service) – including retail, restaurant, office, financial/professional services, indoor sports, medical and nursery uses along with “any other services which it is appropriate to provide in a commercial, business or service locality”;
- b) Class F.1 (Learning and non-residential institutions) – including non-residential educational uses, and use as a museum, art gallery, library, public hall, religious institution or law court; and
- c) Class F.2 (Local community) – including use as a shop of no more than 280 sqm mostly selling essential goods, including food and at least 1km from another similar shop, and use as a community hall, area for outdoor sport, swimming pool or skating rink.

1.3. As the new Regulations came into effect, Use Classes A and D of the previous Use Classes Order have been deleted. Classes A1, A2, A3, B1, and parts of D1 and D2 have been incorporated into the new Use Class E. It is an established principle that changes of use within a Use Class does not meet the definition of development and is therefore not controllable through the planning system (s55 Town and Country Planning Act 1990), and so changes of use within the new broad Class E will not comprise development.

1.4. The remaining Use Classes within Classes A and D (including Class A4 pub/drinking establishment, Class A5 hot food takeaway, Class D2 live music venue, Class D2a cinema, Class D2c bingo hall) are altered as shown in Table 1.

<i>Use</i>	<i>Use Class up to 31 August 2020</i>	<i>Use Class from 1 September 2020</i>
<i>Shop ≤ 280 sqm mostly selling essential goods, including food</i>	<i>A1</i>	<i>F.2</i>

<i>and at least 1km from another similar shop*</i>		
<i>Shop*</i>	<i>A1</i>	<i>E</i>
<i>Financial and professional services (not medical)*</i>	<i>A2</i>	<i>E</i>
<i>Café or restaurant*</i>	<i>A3</i>	<i>E</i>
<i>Pub or drinking establishment*</i>	<i>A4</i>	<i>Sui generis</i>
<i>Takeaway*</i>	<i>A5</i>	<i>Sui generis</i>
<i>Office other than a use within Class A2*</i>	<i>B1a</i>	<i>E</i>
<i>Research and development of products or processes</i>	<i>B1b</i>	<i>E</i>
<i>For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)</i>	<i>B1c</i>	<i>E</i>
<i>Industrial</i>	<i>B2</i>	<i>B2*</i>
<i>Storage or distribution</i>	<i>B8</i>	<i>B8</i>
<i>Hotels, boarding and guest houses</i>	<i>C1</i>	<i>C1</i>
<i>Residential institutions</i>	<i>C2</i>	<i>C2</i>
<i>Secure residential institutions</i>	<i>C2a</i>	<i>C2a</i>
<i>Dwelling houses</i>	<i>C3</i>	<i>C3</i>
<i>Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'</i>	<i>C4</i>	<i>C4</i>
<i>Clinics, health centres, creches, day nurseries, day centre*</i>	<i>D1</i>	<i>E</i>
<i>Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts</i>	<i>D1</i>	<i>F.1</i>
<i>Cinemas, concert halls, bingo halls and dance halls*</i>	<i>D2</i>	<i>Sui generis</i>

<i>Gymnasiums, indoor recreations not involving motorised vehicles or firearms*</i>	<i>D2</i>	<i>E</i>
<i>Hall or meeting place for the principal use of the local community</i>	<i>D2</i>	<i>F.2</i>
<i>Indoor or outdoor swimming baths, skating rinks and outdoor sports or recreations not involving motorised vehicles or firearms*</i>	<i>D2</i>	<i>F.2</i>

* *Main Town Centre Use (NPPF, 2019)*

Table 1. Comparison between previous and new Use Class Orders

2. Implications for the emerging Dartmoor Local Plan (2018-2036)

2.1. The emerging Local Plan uses Use Classes as a tool within a number of policies to manage appropriate change between different uses. The *new* Use Class Order removes or alters Use Classes which are referenced within policies, and therefore renders elements within these policies ineffective or out of date. The impact of these on the emerging Dartmoor Local Plan is assessed below by section. It includes recommendations as to how the emerging policies may be altered, in order that this can be considered through the Local Plan examination process.

Section 2.6 Conservation of historic non-residential buildings in the open countryside

2.2. Policy 2.7 (2) seeks to ensure that conversions of historic non-residential buildings in the open countryside are for the optimum viable use consistent with conservation of the buildings. The policy prioritises low impact uses (those which can be achieved with only minor alterations to the interior and exterior) over high impact uses (those requiring very significant alterations). The policy is designed to operate around assessing the design of proposals, rather than assuming that any particular use has a particular impact.

2.3. The changes to the Use Class Order will not directly affect how the policy operates. Officers will still assess applications based on the design proposals before them. However, the Authority will have less control over future changes of use which could erode the conservation objectives of this policy. Changes to listed buildings will still be controllable through the listed building consent regime.

2.4. For example, before the Use Class changes were introduced if an open plan office conversion was permitted and later a harmful shop conversion was sought the planning system would have required an application for change of use and could control the proposed use and its design through the planning process. The new Use Class Order now allows change of use from an office to a shop to occur without planning consent within Class E. For non-listed buildings planning permission would only be required for alterations relating to the *external* appearance of the building and it could lead to a more harmful impact upon a historic building, which cannot now be controlled by the planning system.

2.5. Notwithstanding this the policy is still considered effective, controlling impact on heritage at the first stage of conversion and other stages where the planning system has influence.

Section 4.1 Community Services and Facilities and Section 4.2 Public Open Space and Sports Facilities

- 2.6. The Use Class Order changes will have limited effect on community services and open space facilities. These uses would have previously fallen under Class D1 and D2 and are now grouped under Class F1 and F2. These uses are grouped in much the same way as they are in the old Use Class Order and therefore the Local Plan will be able to continue to protect them without amendment.
- 2.7. There is one exception; Class F2 includes community halls and “shops mostly selling essential goods, including food, to visiting members of the public in circumstances where the shop’s premises cover an area not more than 280 metres square, and there is no other such facility within 1000 metre radius of the shop’s location”. This introduces flexibility to change between these uses without the need for planning consent. Therefore it would be possible for a community hall, otherwise protected from loss under Policy 4.1, to be lost entirely to a shop use meeting the above criteria. The use would need to be smaller than 280m², such as a small supermarket, and there would need to be no other similar facility in a 1km radius. There are quite significant problems with this:
- a) There is no definition of ‘essential goods’. This leaves it open to interpretation and challenge. If this were taken to mean ‘essential goods’ as defined in the recent COVID lockdown Government guidance this could include: food retailers, supermarkets, garden centres, off licenses, pharmacies, newsagents, hardware stores, building merchants, pet shops and agricultural supply shops.
 - b) Given this potential flexibility the criteria that ‘there is no other such facility within 1000 metre radius’ also becomes unclear. Does this refer to a facility of the same Use Class, or the same type of shop? The latter would clearly allow very significant flexibility which brings into question the intent behind the criteria.
 - c) Use Classes are a tool for the lawful planning use of a building or land. Use classes have not previously been used as a quasi-policy tool in such a way as now intended through Class F2, and it is unclear whether ‘facility’ means premises permitted for or capable of that use, or an actual *active* use. Effectively it is unclear whether the alternative facility would need to be a shop, or merely a building with the permitted use as a shop.
- 2.8. The diversification of community services and facilities is supported in Strategic Policy 4.1 (2), however this is subject to criteria including that the change conserves and is subservient to the existing community facility. As change of use within a Use Class is not development, it is not controllable through the planning system so in the above circumstance the policy and its criteria could not be used to control the change of use. These circumstances would unfortunately directly undermine the intent of this Local Plan policy.

Table 4.3 Maximum on-site non-residential parking standards

- 2.9. Table 4.3 in the Local Plan provides maximum parking standards for Class B1, A1 and A2, and A3 and A4 Uses. This Table, together with Policy 4.4 ensures that appropriate parking standards can be required of developments at application stage for new premises. As a result of the new Use Class Order, it will not now be possible to control changes of use between Class A1-A3 or B1 uses as these will form part of the same new Use Class E.

2.10. Notwithstanding the above there should be sufficient information for new developments at application stage to determine the use within Class E and ensure an appropriate level of parking is being provided. While Table 4.3 will have less relevance for changes of use within Class E it is still considered to be of use for new developments and should be retained. The table will also continue to establish where a Transport Assessment is necessary.

<i>Location</i>	<i>Proposed wording</i>
Table 4.3, Row 1	Use (Class)
Table 4.3, Row 2	A1 and A2 <u>Shops and financial and professional services (Class E)</u>
Table 4.3, Row 3	A3 and A4 <u>Café, restaurant, pub or drinking establishment (Class E)</u>
Table 4.3, Row 4	C1 <u>Hotel (Class C1)</u>
Table 4.3, Row 5	B1 <u>Office and light industrial (Class E)</u>
Table 4.3, Row 5	B1a <u>Office: 1 lorry space/1000m²</u> B1b/c <u>Light industrial: 1 lorry space</u>
Table 4.3, Row 6	B2 <u>Industrial (Class B2)</u>
Table 4.3, Row 7	B8 <u>Storage and Distribution (Class B8)</u>

Table 2: Proposed amendments to Local Plan Table 4.3

Section 5.2 – Non-residential Business and Tourism Development

2.11. This section details development related to non-residential business and tourism development, defined as Class B uses. Paragraph 5.2.2 states, “Office, light industrial and home-based enterprise development are generally the most appropriate Class B uses in the National Park. New general industrial (Class B2) and warehousing (Class B8) uses are more likely to impact on the National Park’s Special Qualities.” Office, light industrial home-based enterprise development are considered Class B1 uses under the old Use Class Order and will now be included within the new Class E.

2.12. Strategic Policy 5.1 (2) allows for non-residential business and tourism development within and adjoining Local Centres and Rural Settlements. In Villages and Hamlets opportunities are more limited.

2.13. The changes to the Use Class Order will not change the policy’s general approach, it will still be possible to differentiate non-residential business uses from other uses and enable this policy to generally operate in the way it was intended. However, it could affect the town centre first approach and this is discussed in the next section. Changes will be needed to section 5.2 to reflect the new Class E, but no changes to the functional operation of this policy will be required.

Para / Policy	Proposed wording
Para 5.2.1	The Local Plan encourages appropriate business and employment development. This policy sets out the locations where non-residential

	business (Class <u>E and B</u> uses), tourism and other employment development will be acceptable.
Para 5.2.2	Office, light industrial and home-based enterprise development are generally the most appropriate <u>Class B business</u> uses in the National Park. New general industrial (Class B2) and warehousing (Class B8) uses are more likely to impact on the National Park's Special Qualities.
Para 5.2.6	A town centre first approach is taken for proposals involving main town centre uses over 150m ² , see Strategic Policy 5.2. Offices (Class <u>EB1a</u>) and tourism uses are main town centre uses and best located within the town centres of Local Centres and Rural Settlements.

Table 3. Proposed modifications to Section 5.2

Section 5.3 Town Centre Development

2.14. Section 5.3 seeks to ensure that shops and other main town centre uses are directed towards Dartmoor's town centres, thereby supporting their vitality and sustainability, rather than drawing away from it. Strategic Policy 5.2 (2) requires development involving main town centre uses over 150m² and not in a town centre to follow a sequential test. This is consistent with national policy as expressed in Chapter 7 of the NPPF.

2.15. The policy relies heavily on the definition of main town centre uses which will be partly eroded by the Use Class Order changes. The definition of main town centre uses is provided in the NPPF and reflected in the Dartmoor Local Plan Glossary as follows:

“Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

2.16. Changes to the Use Class Order bring shops, restaurants, and offices together into the new Class E, also with light industrial previously Class B1c. This has the effect of potentially weakening the town centre first approach in the following scenario:

- a) Where existing non-main town centre uses (such as research and development and light industrial) over 150m² in size exist away from town centres they will not need planning to change use to main town centre uses which would otherwise be required to undergo a sequential test.

2.17. The Town Centre first approach in Policy 5.2 is consistent with national policy and sound, however the Use Class Order changes have now partly undermined this and will allow for unregulated out of town retail development. It is hoped that this issue will be addressed with a future NPPF or Use Class Order revision, but until then it is now not possible for the Dartmoor Local Plan to resolve it. Nevertheless the aim of protecting the diversity and vitality of town centres remains robust and should be continued to be managed where the planning system is able to influence.

2.18. Where new Class E uses are acceptable outside town centres (e.g. non-main town centre uses such as light industrial) and a change of use to a main town centre use would undermine the town centre first approach a controlling condition can be used to restrict the use to that applied for and effectively prevent any change of use occurring without planning consent. This approach allows control, but it is far from ideal as it

relies on careful condition wording and brings a level of restriction to applicants which is not in the spirit of the Use Class Order changes.

Para / Policy	Proposed wording
Para 5.3.7	Loss of shops (Class A1-4) <u>main town centre uses from Town Centres</u> will be considered in accordance with Strategic Policy 5.3, loss of other employment uses will be considered in accordance with Strategic Policy 5.1.

Section 5.3 Shopping and other active uses

2.19. This section is likely impacted the most by the Use Class Order changes. Strategic Policy 5.3 (2) seeks to introduce more flexibility to Dartmoor's shopping areas by allowing changes of use between Class A1-4 uses in these areas. Changes away from these uses are resisted unless marketing evidence demonstrates there is poor demand. After 6 month's marketing with no demand change of use to a range of alternative active uses is permitted, such as Class A, B1a, C1 and D uses. A residential change of use would only be permitted after a further 6 month's marketing evidence.

2.20. Class E brings together many of the uses currently only permitted under this policy after 6 months marketing evidence into one Use Class. Class E incorporates Class A1-3, B1a, and parts of D1. It does not include Class A4, C1 or other parts of D1.

2.21. Class E means that change of use between shops, light industrial uses, fitness uses, restaurants, cafes and others will not be development and therefore will not require planning permission. This means that it will not be possible to protect Class A1-4 uses in the way this policy intends.

2.22. The Government changes also introduce a Class F use for community uses. Class F2 includes:

- a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where:
 - o the shop's premises cover an area not more than 280 metres square, and
 - o there is no other such facility within 1,000 metre radius of the shop's location
- b) a hall or meeting place for the principal use of the local community,
- c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms

2.23. The presence of F2 introduces a new route for Local Plan policy to grant permission for or protect the last small convenience shop in small villages, which is a common policy aim in countryside locations throughout England. However, this change in the Use Class Order is problematic for several reasons:

- a) a new shop with F2 planning permission would not meet the criteria for F2 if another similar shop opens within 1km radius, it's not clear what then happens. For example, does the F2 use revert to Class E, or does the F2 use remain and does the new shop get a Class E use only?
- b) A shop with planning permission for Class E which becomes the last shop within a 1km radius would meet the F2 criteria, but it is unclear whether it remains Class E, consistent with its permission, or becomes Class F2. Clearly if it were

Class E, as permitted, it would be able to change its use away from a shop without the need for planning permission and potentially undermine the intent of Class F2 or any policy seeking to protect it.

- c) It is unclear whether 'facility' means premises permitted for or capable of that use, or an actual *active* use. Effectively it is unclear whether the alternative facility would need to be a shop, or merely a building with the permitted use as a shop.

2.24. This creates problems redrafting the Local Plan and it is not immediately obvious how to resolve them. It is now not possible to have a policy specifically protecting shops and the strategy for protecting shops and active uses in Dartmoor's Town Centres needs to be reconsidered. Indeed it is likely that the "main shopping areas" defined in settlement profiles will be of little relevance in the future and should be withdrawn as a spatial policy tool.

2.25. It is felt that a policy which continues to protect active uses in Dartmoor's centres should be pursued. This would continue to ensure that some level of service provision is available in centres for the benefit of communities, rather than these being lost to alternative uses. It is felt that this is consistent with the consultation exercises conducted throughout the Local Plan process. Although it is regrettable that it is not now possible to protect the type of service provision beyond Class E, as in many cases this was a popular community aspiration.

2.26. A broader policy would need to consider whether to focus on Class E, or focus on an alternative selection of uses, such as 'main town centre uses'. The latter includes uses such as cinemas, pubs, nightclubs and bars which do not form part of Class E. Considering the broad range of uses allowed in Class E there is no fundamental reason why further flexibility for all Main Town Centre Uses should not be allowed. For example, there could be no in principle reason for permitting a health centre, creche, or light industrial use (Class E) over other main town centre uses such as pubs and bars, provided the amenity of neighbouring uses was taken into account. Therefore a policy which built on the Town Centre first approach of Policy 5.2 and sought to ensure active uses in Dartmoor's Town Centres would seem a logical and positive step in response to the Use Class Order changes.

2.27. In addition to the above, the policy would also need to retain protection of the last shop or public house, and it can continue to do this through the new Class F1.

2.28. The proposed changes to Policy 5.3 are set out in the below table.

Para / Policy	Proposed wording
Subtitle	Shopping and other active uses <u>Active uses in Town Centres</u>
5.3.8	Dartmoor's main shopping areas are located in the Local Centres. These areas are generally successful, but some suffer from high turnover and there is a trend towards declining margins and provision of visitor-orientated services rather than those for residents. In main shopping areas this policy protects shops, financial and professional services, food, drink and drinking establishments (Class A1-4) and allows for change of use between them, except where the proposal involves loss of the last general store, shop or pub. This approach ensures active uses are retained, but allows flexibility for the high street to respond to changing consumer preferences. <u>The 2020 COVID pandemic and increasing popularity of internet shopping has put significant strain on the high street. In September 2020 the</u>

	<p><u>Government responded to this and long-standing calls for greater flexibility by changing the Use Class Order and combining many previously distinct town centre uses into one use class (Class E). This change means that changes between retail, restaurant, office, light industrial, clinic, health centre, indoor recreation and other uses do not generally require planning permission, unless conditions on a planning consent control approved uses. This change significantly effects how local planning policies operate to protect and enhance town centres, for example it is not now possible to protect retail as a distinct use from other town centre uses. It is hoped these changes will support the high street make the changes it needs to be successful.</u></p>
5.3.9	<p>In the Rural Settlements and Villages and Hamlets services are more limited, many only have one shop and pub. For this reason policy is focussed on avoiding the loss of the last general store, shop or pub and changes of use will only be permitted where at least 6 months continuous marketing evidence demonstrates there is no demand. After which other Class A, B1a, C1 or D uses should be considered, this recognises the contribution they can make to increasing footfall and improving the vibrancy of a centre. Residential conversions will only be permitted after a further 6 months marketing evidence demonstrates no demand for any Class A, B1a, C1 or D uses.</p> <p><u>The planning system still has a role to play in ensuring Dartmoor's Town Centres remain vibrant and active uses are not lost in favour of higher value residential uses. This policy therefore protects main town centre uses in Dartmoor's Town Centres, allowing change of use only where a thorough marketing exercise demonstrates no demand.</u></p>
5.3.10	<p>To make premises easier to let, permissions for new Class A uses will have conditions attached which allow them to be used for a variety of other acceptable main town centre uses.</p> <p><u>This policy also seeks to protect the last shop, general store or pub in any of Dartmoor's classified settlements. Helping ensure these important public services remain available for communities.</u></p>
Strategic Policy 5.3 (2)	<p>Strategic Policy 5.3 (2) Shops and other active uses <u>Protecting Active Uses in Dartmoor's Settlements</u></p> <p>1. Within the main shopping areas of Local Town Centres permission will be granted for changes of use within Class A1-4 main town centre uses provided they do not adversely affect neighbouring uses, particularly their amenity.</p> <p>2. Permission will not be granted:</p> <p>a) within the main shopping areas of Local Town Centres, for a proposal that converts Class A1-4 main town centre uses to other uses; or</p> <p>b) within a classified settlement, for a proposal that involves the loss of the last general store, shop or public house;</p> <p>unless evidence submitted demonstrates the property has been offered for sale, rent and/or lease on the open market for the existing use or, in the case of main shopping areas in Local Town Centres, Class A1-4 main town centre uses for a continuous period of at least 612 months, at a realistic price.</p> <p>3. Where the case for a change of use is accepted under Part 2 of this policy other Class A, B1a, C1 and D uses should be considered first. A conversion for residential or other uses will only be permitted where evidence submitted demonstrates the property has been offered for sale, rent and/or lease on the open market for Class A, B1a, C1 or D uses at a</p>

	price which reflects those uses, for a further continuous period of at least 6 months.
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Proposal 7.8 (2) Land at Crannaford, Chagford

Para / Policy	Proposed wording
Proposal 7.8 (2)	An area of land at the Crannafords employment area, Chagford, is allocated for business and employment uses (<u>non-main town centre uses</u>) (mixed B class uses).

Proposal 7.21 (2) Land at Axminster Carpets

Para / Policy	Proposed wording
Proposal 7.21 (2)	An area of land at the former Axminster Carpets works is identified for mixed use redevelopment to meet identified local needs. Development of this area may include: a) A mix of around 40 homes, including an element of affordable housing and local needs custom and self build housing b) Commercial uses comprising principally business and industrial uses (B1, non-main town centre Class E, B2 and B8), <u>financial and professional services (A2)</u> , and assembly and leisure uses (non-main town centre Class E and F2) c) A mix of residential care (<u>Class C2</u>) and appropriate uses, including an element of affordable housing

Appendix E: Land Use Class Order

The Use Class Order will require replacing with the following:

Para / Policy	Proposed wording
Appendix E: Land Use Class Order	<p>The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. These use classes are referred to in the policies of this plan and are provided here for reference purposes. The Order is periodically amended.</p> <p>Class A</p> <p>A1 Shops – Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.</p> <p>A2 Financial and professional services – Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops – these are now classed as “sui generis” uses (see below).</p> <p>A3 Restaurants and cafés – For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.</p>

~~**A4 Drinking establishments** – Public houses, wine bars or other drinking establishments (but not night clubs) including drinking establishments with expanded food provision.~~

~~**A5 Hot food takeaways** – For the sale of hot food for consumption off the premises~~

Class B

~~**B1 Business** – Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.~~

B2 General industrial - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage or distribution - This class includes open air storage.

Class C

C1 Hotels - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

C2 Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

C2A Secure Residential Institution - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b) up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 houses in multiple occupation definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

Class D

D1 Non-residential institutions – Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.

D2 Assembly and leisure – Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreation (except for motor sports, or where firearms are used).

Class E

E(a) Display or retail sale of goods, other than hot food takeaway

E(b) Sale of food and drink for consumption (mostly) on the premises

E(c) Provision of:

- **E(c)(i)** Financial services,
- **E(c)(ii)** Professional services (other than health or medical services), or
- **E(c)(iii)** Other appropriate services in a commercial, business or service locality

E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)

E(f) Creche, day nursery or day centre (not including a residential use)

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- **E(g)(i)** Offices to carry out any operational or administrative functions,
- **E(g)(ii)** Research and development of products or processes
- **E(g)(iii)** Industrial processes

Class F

F1 Learning and non-residential institutions – Use (not including residential use) defined in 7 parts:

- **F1(a)** Provision of education
- **F1(b)** Display of works of art (otherwise than for sale or hire)
- **F1(c)** Museums
- **F1(d)** Public libraries or public reading rooms
- **F1(e)** Public halls or exhibition halls
- **F1(f)** Public worship or religious instruction (or in connection with such use)
- **F1(g)** Law courts

F2 Local community – Use as defined in 4 parts:

	<ul style="list-style-type: none"> • <u>F2(a)</u> Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres • <u>F2(b)</u> Halls or meeting places for the principal use of the local community • <u>F2(c)</u> Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms) • <u>F2(d)</u> Indoor or outdoor swimming pools or skating rinks <p>Sui Generis</p> <p>Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: betting offices/shops, pay day loan shops, theatres, larger houses in multiple occupation, hostels providing no significant element of care, scrap yards, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, launderettes, taxi businesses, and casinos, hot food takeaways, public houses, wine bars, drinking establishments, venues for live music performance, cinemas, concert halls, bingo halls and dance halls.</p>
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