



LIVE PARK

PLANNING FOR THE FUTURE OF OUR NATIONAL PARK

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& THE TROSSACHS
NATIONAL PARK

Safeguarding important local facilities and businesses



Planning Guidance

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1. Purpose and Introduction

Our Local Development Plan safeguarding policies aim to protect the local economy and the vibrancy of the Park's communities and town and village centres.

This guidance is one of a series of Planning Guidance on how the Local Development Plan Safeguarding policies for tourism, economic development, community facilities and retail uses operate. It aims to:

- Provide an overview of the strategy for the National Park and provide a detailed justification to why the safeguarding policies exist.
- Provide more detailed guidance on when a change of use permission is required and what policies apply to the different uses.
- Give greater guidance on the supporting information required such as marketing information, business plans and other information that would be a material consideration.

Who is the guidance for?

The guidance is aimed at anyone considering change of use of tourism facilities/accommodation to a non-tourism use, and also shops, community facilities and economic development uses that are changing to other uses. We encourage you to contact us at an early stage to discuss your proposal using our pre-application advice service. This will help determine what other planning factors apply.

Status of the Guidance

This Planning Guidance is non-statutory however once approved will be a material consideration in determining planning applications. The guidance, following consultation, will be approved by our Planning and Access Committee. This guidance should be read in conjunction with the Local Development Plan which includes all policies.

National Planning Framework

This guidance shows commitment to delivering the themes of NPF4 including liveable places to ensure homes are close to local facilities and services by applying the concept of 20 minute neighbourhoods. It also aligns with NPF4 ambitions to reuse and repurpose vacant and derelict land and allowing flexibility to do this. This guidance provides clarity around change of use applications to ensure we safeguard important local facilities but also allow flexibility where required to make better use of our spaces for physical activity, relaxation and play.

2. Why safeguard retail, tourism, economic development, community uses?

The strategy in the Local Development Plan is to support in-migration and try to stem out-migration particularly in the younger age groups, through policies supporting jobs and improved and new services and facilities. Retail, tourism, community facilities and economic development can all contribute to reversing projected population decline and help to retain and increase working age groups by providing local services and facilities as well as through creating more opportunities for jobs throughout the rural area.

The town and village centres in the National Park are important hubs for the rural area, providing key services and facilities so people do not need to travel further by car. There are many benefits to not using the car, such as improved health from walking and cycling but also reduction in use of fuel and impact on climate change. Therefore, it is important that the Park's towns and villages remain vibrant, attractive places for people to gather and use local retail and community facilities.



We all should be moving towards more localised living, working and shopping to cut out carbon footprints. The COVID-19 pandemic has witnessed more people working from home than ever before, and this shift may become permanent. The Office for National Statistics said 44% of Scottish workers were reported working from home at April 2020 and with improved digital connectivity, particularly in rural areas, this figure could increase. This has benefits in rural areas to reduce travel and allow for more localised living, working and shopping, benefitting the local communities and economies.

We need to future proof towns and villages and make sure there are opportunities to retain spaces for local shopping/services/facilities and café provision to avoid the need for travel by car and improvements in the pavements/traffic pressures to make our villages more walkable with needs catered for within a 20 min walk (either once you've parked your car if you've come from a rural area or from your door).

During consultation, several comments were received on open space and that this is a valuable community asset. Guidance on open space can be found within the Local Development Plan and National Planning Framework, as detailed in Section 4 below.

A statement must be provided with the appropriate evidence if you wish to make an application for a change of use from tourism, economic development, community facilities and retail. Further details on what could be included in your statement is provided in section 4 of this guidance. This section sets out the reasons the policies were developed.

Safeguarding Existing Tourism Sites – Visitor Experience Policy 3

The redevelopment of existing tourism uses for alternative non-tourism uses can result in the loss of important sites that provide employment and provide a particular type of activity/accommodation available for visitors in the National Park i.e. budget accommodation. The policy therefore seeks to retain existing tourism uses stating *“proposals for a change of use from tourism to non-tourism uses will not be supported unless demonstrated that it is not possible to continue with the existing tourism use due to lack of demand and lack of an open market buyer for the business or that there is adequate alternative provision.”*

For clarification, planning permission is generally not required to change a house to a short-term holiday let or second home and therefore short-term letting falls out of the scope of this policy and is not a safeguarded use. This policy applies to hotels and hostels (Class 7) and other sui-generis uses such as visitor centres and campsites. If you are seeking a change of use to housing then the relevant housing policies would apply in terms of considering the new use.

Safeguarding Existing Economic Development Sites – Economic Development Policy 3

The redevelopment of existing economic and employment sites for alternative uses can have a negative impact on the local economy and employment. The policy seeks to safeguard existing economic and employment sites and buildings and support the ongoing provision of economic opportunities in the Park.

The policy states *“development proposals for alternative uses within existing economic development sites will be only be supported if it is demonstrated that despite marketing for at least 12 months for business/industry use there has been no viable interest for other business and industry uses.”*

This policy does not solely apply to change of use from ‘businesses, general industry, storage or distribution (Use Classes 4, 5, and 6)’ or ‘allocated economic development sites’. It includes change from other classes that provide employment such as an office (Class 2) or other sui generis and mixed uses i.e. any existing site that has an employment element that it not tourism, retail or community use (covered by other policies).

Safeguarding Existing Community Facilities – Community Facilities Policy 1

Community facilities contribute to the sustainability and wellbeing of a community ensuring a high quality of life for residents by encouraging social contact and community development and identity. Community infrastructure can provide day-to-day services, employment, recreational opportunities and meeting places. It plays an important role in nurturing a sense of place for those that live, work and visit the communities within the National Park.

Many community facilities and services are under threat due to a combination of changing population dynamics, travel patterns, maintenance, funding and economic issues. The Community Facility Policy (CFP1) states that a *“change of use of a community facility to other uses will generally not be supported unless it can be demonstrated beyond reasonable doubt that it is not viable to continue operating as a community facility by remaining vacant for a minimum of 12 months or demonstrating in a marketing plan that the existing use has been effectively marketed for 12 months for community facilities”*.

The wider impact of losing a facility is also likely to reach beyond the boundary of the immediate settlement. For many small communities, service provision is limited to a few key local services and facilities (if any), and therefore there is heavy reliance on neighbouring communities to provide a full range of services and facilities. Larger settlements within the Park including Balloch, Arrochar & Succoth, and Callander play an important role as service centres, as do more remote villages. There are also larger settlements outwith the Park.

Examples of community facilities

For the purposes of this policy, community facilities can include:

- Village Halls including Scout/Guide Halls.
- Post offices
- Banks
- Petrol Stations
- Public toilets
- Places of Worship
- Libraries
- Childcare facilities
- Health and social care
- Indoor Sports facilities (note: Outdoor Sports Facilities are covered by the Open Space Policy)
- Arts facility
- Shops - limited to essential shops, see retail policy.
- Pubs - where for instance only one exists in the village and it is an important community resource.
- Car Parks – where the car park provides parking for community facilities/shops/village centre or play park. Note: this does not extend to on-street parking.

This list is not exhaustive and in some communities there may be other community facilities and services that are of value. The value to the community facility will also differ between communities, for instance, the change of use of a pub in a town such as Callander, where there is adequate provision of pubs, may not be assessed as having the same impact as the change of use of the only pub in a village, where this provides the a focal point for community interaction.

Safeguarding Existing Retail Facilities

Retail units are under threat due to the change to online shopping and the impact of the COVID-19 pandemic on our shopping habits. However, redevelopment of retail units in core village and town centres to alternative uses can have a negative impact on essential shopping requirements for local communities and the local economy and can result in the loss of local employment opportunities. Their loss can also result in dead frontages and unattractive frontages. The policy seeks to safeguard retail units to support sustainable communities and placemaking priorities within our towns and villages.

The policy states that *“there will be a general presumption against the change of use of existing retail units and their redevelopment will only be accommodated where this would promote the efficient and sustainable use of land in accordance with other policies and:*

- a) It can be demonstrated that it is not possible to continue with the existing use (including marketed for at least 12 months with no reasonable¹ bids offered); or*
- b) The existing retail use is unsuitably located and adversely impacts on the built or natural heritage, local character or neighbouring properties; or*
- c) The existing retail use can be appropriately re-located to another suitable site.”*

Many of our villages have active village centres with a high number of small independent retail units that meet the needs of the local community but also visitors e.g. Killin, Callander, Balloch, Aberfoyle.

In some cases, an applicant may be able to demonstrate that the change of use is a sustainable use of land in accordance with the policy where it retains the vibrancy of the main street, providing for example a community facility, office/professional services or a café. The policies main intent is to avoid residential use or self-catering use in the core of the villages/towns which would result in a loss of the vibrancy and ability for the town/village to act as an important hub to the wider countryside area. It is recognised that the National Planning Framework 4 encourages town centre living but this is not at the expense of the vitality and viability of a shopping area or wider town centre.

In other communities there are often only one or two retail units and it can be the only convenience store in many miles e.g. Gartmore, Lochgoilhead, Strone, Lochearnhead, Tyndrum, Crainlarich. These types of retail units may also be considered important community facilities.

¹ Reasonable in terms of against estimated independent surveyors value.

3. When is change of use application required?

The change in the use of any land or existing building may need planning permission.

It is advisable to contact our Development Management team to confirm whether or not you need to submit a planning application, and if so, your chances of getting permission. You can do this by using our [Pre-application Service](#).

The "Use Classes Order" categorises many common uses into groups. If the existing and proposed use are in the same group, for example, changing from one kind of shop to another, then permission is not required. Other changes of use, from a use in one group to a use in another, can be 'permitted development'. This means that you do not have to apply for planning permission. Also in some occasions there may be a condition on your original planning permission that restricts the use so this should also be checked.

Appendix One provides further details on the changes are permitted and those that would require a planning application. The appendix will also highlight what safeguarding policy applies. Where a safeguarding policy does not apply then any new use would be determined under the relevant policy of the proposed use and considerations could include affect the new use has on the area, car parking provision and such matters.

4. Supporting information requirements

There are various types of information that may be required to support your planning application. This could be statutory requirements such as an Environmental Impact Assessment or other information required by our policies such as a Design or Energy Statement, Business Plan and/or Site Management Plan.

This guidance note provides specific advice on what information should or could be included in a supporting statement in relation to the safeguarding policies. This mainly includes marketing information but also could be evidence of lack of demand or suitable alternative provision. This usually forms the key piece of information for any change of use application where one of the safeguarding policies apply.

If the previous use was residential use and you are wanting to revert back to residential then this is a material consideration.

Marketing Statement - In all cases below where there is a requirement for marketing information then it is recommended you submit a statement from a qualified Estate/Property Agent including confirmation of the marketing process undertaken, marketing periods & publicity, copy of valuation survey, statement on the marketing price, statement on the level of viewings and notes of interest/offers. It would also be useful to include the estate agents conclusions and recommendations. Where it is not beyond reasonable doubt that the owner has not made efforts to market the property efficiently or offer or sell the property at a reasonable price then there may be a case to refuse and require the undertaking of a more stringent process.

In summary the policies require evidence of:

Existing Use	Evidence to be provided
Tourism	<p>Evidence that it is not possible to continue with the existing use for one of the following reasons. There may be more than one reason but to meet the policy then evidence can be provided against just one of the criteria.</p> <ul style="list-style-type: none">- Lack of Demand – evidence of lack of full occupancy if a tourism accommodation, lack of footfall if other visitor facility/ visitor centre. <p>OR</p> <ul style="list-style-type: none">- Lack of Open Market Buyer – evidence of the period of marketing and marketing information i.e. evidence it has been marketed at a reasonable price (see further advice on what is required in the marketing statement on page 8). You can also provide a statement from the estate agent. This policy does not require a specific length of time for the business/tourism facility to be marketed as such but similar to other policy it would be expected to be a reasonable period of time, around 12 months. There may be a failing tourism

	<p>business that could be turned into a successful one by a new owner or tenant and this time period should allow opportunity for potentially interest parties to come forward.</p> <p>OR</p> <ul style="list-style-type: none"> - Adequate Provision within the area – evidence that there is adequate provision of this type of tourism facility or accommodation, this could be for instance, in a town where there is a sufficient supply of guest house accommodation. You should list all the other similar businesses in the local area. <p>Evidence /Other material considerations –</p> <p>A key consideration is whether it can be demonstrated that the existing use is no longer viable and that there is no requirement for alternative tourist facilities in the area.</p> <p>The previous use may also be a material consideration where it was previously used for residential purposes and you are seeking to revert back to this use. You should provide information detailing this history if it is of relevance.</p> <p>Note: if the Park Authority, at a later date, make provision for ‘short term control areas’ where planning permission would be needed to use residential property for tourism uses (as a holiday let), then any new policy relating to this matter within the adopted National Planning Framework (NPF4) would take precedence. Note: that proposals for new short-term letting and other tourism proposals would be determined under Visitor Experience Policy 1, and guidance can be found on this policy within the visitor experience guidance.</p>
Economic Development	<p>To accord with policy, it must be demonstrated that despite marketing for business and industry uses there has been no viable interest for other business and industry uses.</p> <ul style="list-style-type: none"> - Marketing as Business/Economic Use - evidence of the period of marketing at a reasonable price for at least 12 months for business and industry use and marketing information (see further advice on what is required in the marketing statement on page 8). This can be for lease or sale. <p>Evidence / Other material considerations –</p> <p>A key material consideration is why the previous business failed and if the site is causing blight on the community if it lays vacant for 12 months. There have been situations where an office or business has failed and been vacant and a change of use has been supported without the necessarily active marketing taking place. This might have been to ensure that the vacant premises does not cause blight on a community and it is more important to</p>

	<p>revitalise the site for a new use. In these cases it is likely that the type of new uses that would be supported would also offer employment rather than being residential.</p> <p>Also, the previous use is a relevant material consideration. There have been cases where offices were converted back to residential. Please provide evidence of the previous use if relevant to your case.</p> <p>Finally, the location of the business is also a relevant material consideration. This could be where a business is more suited to either a village or countryside location and is being relocated. If this is the case then evidence should be submitted.</p>
Retail	<p>The redevelopment of a retail unit will only be accommodated where this would promote the efficient and sustainable use of land and:</p> <ul style="list-style-type: none"> - Lack of Open Market Buyer – evidence of the period of marketing at a reasonable price for at least 12 months as retail use and marketing information (note: if not wishing to sell, then evidence of marketing for lease as retail use, see further advice on what is required in the marketing statement on page 8). OR - Existing Retail Use is unsuitably located – evidence of retail unit adversely impacting on the built or natural heritage, local character or neighbouring properties. Note that the policy is very specific about adverse impact but other material considerations can be that the retail unit is not within the retail core of the village or that the unit is on an upper floor. OR - Retail Use can be re-located – details of the proposed alternative location for the retail use, it is expected this alternative retail already has planning permission or is a vacant unit at a nearby and improved location. <p>Evidence required / Other Material Considerations –</p> <p>One key material consideration is the previous use and, of particular relevance, is where the proposal is to change back to this previous use. Please provide evidence of the previous use if relevant to your case. An example of a case such as this was where a change of use of an upper floor hairdresser back to previous use as residential was supported. Also the location is a key consideration, for instance if it is an upper floor retail unit then a change of use to residential may not adversely affect the vitality of the shopping area or result in a dead frontage, so this may be supported in such an instance.</p>

	<p>Should the retail unit be unsuitably located for other reasons than listed above, for example it is located considerably outside a village's main retail area, evidence of why you consider the unit not to be within the retail core should be submitted. If the new use is a café, office use/services or community facility, then you may also wish to set out the benefits the new use has to the local economy and community, how it complements other surrounding uses. If there is an employment element to the new use then a breakdown of anticipated job creation would be useful.</p> <p>In addition, the National Planning Framework 4 seeks to encourage town centre living but without having adverse impacts. The key considerations when considering the loss of retail should align with NPF4 – such as considering if the proposal to change to residential retains the attractive and appropriate frontage, does not adversely affect the vitality and viability of the shopping area or wider town centre and does not result in undesirable concentration of uses or dead frontages.</p> <p>For further information on the use class order and when planning permission is required then see Appendix 1.</p>
Community Facilities	<p>The redevelopment of community facilities will only be supported where it is demonstrated that it is not viable to continue operating as a community facility by:</p> <ul style="list-style-type: none"> - Vacant for 12 months – evidence that it has been vacant for at least 12 months. - OR - Lack of buyer – evidence that it has been marketed as a community facility (i.e. the existing/original use which could be various based on list above and alternative community type use (see below for further guidance on alternative suitable community uses) depending on use for at least 12 months. Note, if the owner does not wish to sell then evidence of not being able to lease the property would also suffice. (See further advice on what is required in the marketing statement on page 8). <p>Evidence required / Other Material Considerations –</p> <p>There can be many reasons for a community facility closing, it could be where the community have made the decision themselves in terms of a village hall or facilities have been amalgamated (an example where two churches have been amalgamated), or closed by a business (i.e. a pub, or bank being shut due to personal/organisational circumstance).</p> <p>In the first instance, retaining in community use is encouraged and all avenues must be explored.</p>

	<p>In the case where a community own a facility, such as a village hall, then a community may be able to set out sound reasons why the use/building/location is not suitable and possibly an alternative location can be identified. This can be considered significant material consideration and the criteria above (of 12 months vacant/marketing) may be waived in order for the community to sell on as an alternative use, say to fund the new location of the facility or another project. This may also ensure the site is not left derelict for 12 months when a better use for the space is presented (again the proposed use is relevant in this instance). Also the community may wish to explain why the new use may be better located than the existing use.</p> <p>For cases such as banks or post offices, then it can be marketed as that original use i.e. for a bank this would be Class 2 or Class 1 shops, and for a pub this would be 'sui generis' so must be marketed as a pub in the first instance. There are also some community facilities that might fall under Class 10 – non-residential use or Class 11 – assembly and leisure and again they should be marketed as that Class use.</p> <p>There will however be some flexibility particularly where some Classes are fairly restrictive and the marketing statement could also mention alternative uses to the existing uses but must never be marketed for tourism accommodation, or housing or this would not be considered to have been demonstrated to have been marketed as the 'existing use'.</p> <p>There may be some flexibility to include a mix of uses while retaining an element of community use if this is required to make the community use viable i.e. an ancillary café. See Trossachs Primary School as an example of this – 2020/0306/DET – Change of Use of school to mixed use community facility including a café, shop and exhibition space.</p> <p>For further information on the use class order and when planning permission is required then see Appendix 1.</p>
Open Space	<p>Open space policy 1 and open space policy 2 protects the change of use of outdoor sports facilities, formal and informal open space and has a different emphasis than other policies included in this guidance. Please see the detailed policies within the plan and also the any new policies on blue and green infrastructure, play and sport within the National Planning Framework 4.</p>

Appendix 1 - Use Classes

This table provides a summary of the [Town and Country Planning \(Use Classes\) \(Scotland\) Order 1997](#) and Schedule 1, Part 3 of the [General Permitted Development Order 1992](#) in relation to change of use. The table also includes guidance on the relevant policy within our Local Development Plan 2017-2021 which applies to each of the change of use proposals.

Use Class	Use description	Change Permitted? And Relevant Policy
Class 1 - Shops	<p>In addition to the retail sale of goods, the shops class covers a variety of other similar uses where a service is provided principally to visiting members of the public.</p> <p>Uses in this class include -</p> <ul style="list-style-type: none"> a. for the retail sale of goods other than hot food or motor vehicles (see sui generis); b. as a post office but not postal sorting offices; c. for the sale of tickets; d. as a travel agency; e. for the sale of cold food for consumption off the premises; f. for hairdressing; g. for the direction of funerals; h. for the display of goods for sale; i. for the hiring out of domestic or personal goods or articles; j. as a launderette or dry cleaners; or k. for the reception of goods to be washed, cleaned or repaired; l. where the sale, display or service is principally to visiting members of the public. 	<p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Retail Policy 1</p> <p>If a post office it may also be considered under Community Facilities Policy 1.</p>

Use Class	Use description	Change Permitted? And Relevant Policy
Class 2 - Financial, Professional and other services	<p>Use for the provision of -</p> <ul style="list-style-type: none"> a. financial services; b. professional services; or c. any other services (including use as a betting office); <p>which it is appropriate to provide in a shopping area and where the services are provided principally to visiting members of the public.</p> <p>e.g. offices of accountants, dentists, doctors, solicitors, beauticians, estate agents</p>	<p>Change of use to Class 1 permitted.</p> <p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Economic Development Policy 3</p> <p>If a bank it may also be considered under Community Facilities Policy 1.</p>
Class 3 - Food and Drink	<p>Use for the sale of food or drink for consumption on the premises.</p> <p>e.g. cafes, restaurants, snack bars</p> <p>Note: For Hot Food Takeaway, see Sui Generis as they are considered to be materially different from Class 3. This does not mean that a restaurant whose trade is primarily in-house dining but has a minor hot-food take-away cannot be in Class 3. Where take-away is a minor component of the business and has no affect on amenity then it should be treated as de minimus i.e. not requiring planning permission.</p>	<p>Change to Class 1 and Class 2 permitted.</p> <p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Economic Development Policy 3 and/or</p> <p>Community Facilities Policy 1 may be relevant if it provides a valuable community facility (only café/restaurant in a village) and/or</p> <p>Visitor Experience Policy 3 if the café/restaurant provides for mainly visitors.</p>

Use Class	Use description	Change Permitted? And Relevant Policy
Class 4 - Business	<p>Use-</p> <ul style="list-style-type: none"> a. as an office, other than a use within class 2 (financial, professional and other services); b. for research and development of products or processes; or c. for any industrial process; <p>being a use which can be carried on in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.</p>	<p>Change of use to Class 6 (up to 235sqm of floor space only)</p> <p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Economic Development Policy 3</p>
Class 5 - General Industrial	Use for the carrying on of an industrial process other than one falling within class 4 (business).	<p>Change of use permitted to Class 6 (up to 235sqm of floor space only) or to Class 4.</p> <p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Economic Development Policy 3</p>
Class 6 - Storage or Distribution	Use for storage or as a distribution centre.	<p>Change to Class 4 permitted.</p> <p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Economic Development Policy 3 where there is a level of employment.</p>

Use Class	Use description	Change Permitted? And Relevant Policy
Class 7 - Hotels and Hostels	Use as a hotel, boarding house, guest house, or hostel where no significant element of care is provided, other than premises where alcohol (within the meaning given by section 2 of the Licensing Scotland Act 2005) is sold, pursuant to a premises licence issued under that Act to persons other than residents or to persons other than persons consuming meals on the premises and other than a use within class 9 (houses).	Planning permission required for change of use to any other class. Local Development Plan 2017-2021 - Visitor Experience Policy 3.
Class 8 - Residential Institutions	Use - a. for the provision of residential accommodation and care to people in need of care other than a use within class 9 (houses); b. as a hospital or nursing home; or c. as a residential school, college or training centre.	Planning permission required for change of use to any other class. No safeguarding policies to protect this use.
Class 8A - Secure residential institutions	Use for the 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 military barracks.	Planning permission required for change of use to any other class. No safeguarding policies to protect this use.
Class 9 - Houses	Use - a. as a house, other than a flat, whether or not as a sole or main residence, by- <ul style="list-style-type: none"> a single person or by people living together as a family, or not more than 5 residents living together including a household where care is provided for residents; b. as a bed and breakfast establishment or guesthouse, not in either case being carried out in a flat where at any one time not more than 2 bedrooms are, or in the case of premises having less than 4 bedrooms 1 bedroom is, used for that purpose.	Planning permission required for change of use to any other class. No safeguarding policies to protect this use.

Use Class	Use description	Change Permitted? And Relevant Policy
Class 10 - Non-residential Institutions	<p>Use, not including residential use -</p> <ul style="list-style-type: none"> a. as a creche, day nursery or day centre; b. for the provision of education; c. for the display of works of art (otherwise than for sale or hire); d. as a museum; e. as a public library or public reading room; f. as a public hall or exhibition hall; or g. for, or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body; or h. as a law court. 	<p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Community Facilities Policy 1</p>
Class 11 - Assembly and Leisure	<p>Use as -</p> <ul style="list-style-type: none"> a. a cinema; b. a concert hall; c. a bingo hall or casino; d. a dance hall or discotheque; or e. a swimming bath, skating rink, gymnasium or area for other indoor or outdoor sports or recreation, not involving motorised vehicles or firearms. 	<p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 - Community Facilities Policy 1</p>
Sui Generis	<p>Sui Generis is a term used to mean 'of its own kind' and in planning it is used to refer to uses that do not fall under the use class for the purposes of planning. Example of uses -</p> <ul style="list-style-type: none"> a. an amusement arcade or centre or funfair; or b. a theatre 	<p>Planning permission required for change of use to any other class if the new use is materially different from the existing use..</p> <p>Local Development Plan 2017-2021 - Any of the policies may be relevant depending on the existing use. Some uses may not fall under</p>

Use Class	Use description	Change Permitted? And Relevant Policy
	<ul style="list-style-type: none"> c. Petrol filling stations d. a taxi business e. Archery range f. Public house g. Short-term holiday let h. Residential flat i. House in multiple occupancy j. Scarp yard k. as a waste disposal installation for incineration, chemical treatment (as defined in Annex IIA to Directive 75/442/EEC under heading D9), or landfill of waste to which Directive 91/689/EEC applies. l. Sale of hot food for consumption off the premises e.g. pizza shops, takeaways, kebab shops, fish and chip shops m. Storage and distribution of minerals n. Outdoor education facility 	<p>any policies and would be determined in relation to the overarching policy and vision of the Plan.</p> <p>Note: For short-term letting it is not normally considered a change of use from 'Class 9 House' unless it was considered materially different or within a designated short-term control areas. At present we have no short-term control areas but please check with the planning team for any new designated areas.</p>
Open Space	<p>Use as:</p> <ul style="list-style-type: none"> a. outdoor sports facilities, b. formal and informal open space in public or private ownership 	<p>Planning permission required for change of use to any other class.</p> <p>Local Development Plan 2017-2021 – Open Space Policies 1 and 2.</p>

Note regarding Agricultural and Forestry Buildings

In addition to the class use order, it should also be noted that change of use of agricultural and forestry buildings would have normally required planning permission but on 1st April 2021 the permitted development order was revised to remove the requirement to apply for planning permission, avoiding risk and delay. There is a half-way house for some permitted development, where prior notification must be given to the planning authority. The intention behind the new permitted development order is to support delivery of new homes (including affordable

properties) in rural areas. It allows existing buildings to be converted into up to 5 dwellings (none of which may exceed 150sqm) and up to 500sqm of flexible commercial space. The prior notification is required to design and external appearance, transport, access, noise, contamination, flood risk and provision of natural light. Building must be constructed before 4 November 2019 and exclusions apply to listed buildings.

Interpretation

In this document the following expressions have the meanings assigned to them:

Care means personal care including the provision of appropriate help with physical and social needs or support; and in class 8 (residential institutions) includes medical care and treatment;

Day Centre means non-residential premises which are used for social purposes, recreation, rehabilitation or occupational training and at which care is also provided;

Industrial Process means a process, other than a process carried out in or adjacent to, a mine or quarry, for or incidental to

(a) the making of any article or part of any article including a ship or vessel or a film, video or sound recording;

(b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or

(c) the getting, dressing or treatment of minerals;

in the course of any use other than agriculture.

Site means the whole area of land within a single unit of occupation;

Support means counselling or other help provided as part of a planned programme of care

Sui Generis is a term used to mean 'of its own kind' and in planning it means a use that does not fall under a use class as per the [Town and Country Planning \(Use Classes\) \(Scotland\) Order 1997](#).