

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0544	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed classroom infill extension.		
Site:	Albourne C Of E Primary School, The Street, Albourne, Hassocks, West Sussex, BN6 9DH, ,		
Validation Date	2 Mar 2026	Overall Expiry Date:	25 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Apr 2026
Target Date:	27 Apr 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	22 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0544

**Albourne C Of E Primary School, The Street, Albourne, Hassocks, West Sussex, BN6 9DH,
Proposed classroom infill extension.
Albourne Primary School - Hurst Education Trust Limited**

PARISH COUNCIL OBSERVATIONS

Albourne Parish Council has no objections or comments regarding this application, and is in support of the proposal.

REPRESENTATIONS

None received.

INTRODUCTION

This is an application for a Lawful Development Certificate to establish whether the proposed development, consisting of the construction of an infill extension to an existing modular classroom would constitute permitted development.

RECENT PLANNING HISTORY

DM/19/5110- Erection of a single storey modular building for use as a classroom. Demolition of existing hutted single storey classroom. PERMIT - Permit with Conditions

SITE AND SURROUNDINGS

The application property consists of a single storey main school building and a single storey modular classroom located to the north of the main school building, separated by an area of hardstanding. The main school building is of single storey construction with a mix of pitched and flat roofs, with both clad and brick façades. The modular classroom is of single storey construction with a mono-pitched roof, clad with light blue/grey and white Cedral cladding, with dark grey aluminium fenestration. The property benefits from school grounds to the south and west of the property. The front of the school offers vehicular and pedestrian access routes.

The application site lies within the built-up area boundary of Albourne. Neighbouring properties are located to the east. Highway is located to the north. To the southwest and western sides of the site is open countryside.

APPLICATION DETAILS

Submitted plans show that the extension would infill an area of an existing single storey modular classroom. The extension would measure some 5.5 metres in width and some 3.9 metres in depth. This would have a flat roof, with a maximum height of some 3.6 metres. The extension would be finished in external materials to match the existing.

LEGAL FRAMEWORK

This is an application for a Lawful Development Certificate to establish whether the proposed development, consisting of the construction of an infill extension to an existing modular classroom would constitute permitted development. This will be a legal decision where the planning merits of the proposal cannot be taken into account.

The application will be assessed against Schedule 2, Part 7, Class M of The Town and Country Planning (General Permitted Development) (England) Order 2015. This states:

Permitted development

M. The erection, extension or alteration of a school, college, university, prison or hospital building.

Development not permitted

M.1 Development is not permitted by Class M—

(a) if the cumulative footprint of any erection, extension or alteration under Class M on or after the relevant date would exceed the greater of—

(i) 25% of the cumulative footprint of the school, college, university, prison or hospital buildings as it was on the relevant date; or

(ii) 250 square metres;

(b) in the case of a college, university, prison or hospital building, if any part of the development would be within 5 metres of a boundary of the curtilage of the premises;

(ba) in the case of a school, where any land adjacent to the site is used for a purpose within Part C of the Schedule to the Use Classes Order (residential purposes), if any part of the proposed development is within 5 metres of the boundary of the curtilage of that residential land;

(c) if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;

(d) if the height of any new building erected would exceed—

(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or

(ii) in all other cases, 6 metres;

(da).

(e) if the height of the building as extended or altered would exceed—

(i) if within 10 metres of a boundary of the curtilage of the premises, the lesser of the height of the building being extended or altered or 5 metres; or

(ii) in all other cases, the height of the building being extended or altered;

(ea) if the height of any rooftop structure would exceed 1.5 metres above the height of the new building or the building as extended or altered (as the case may be);

(f) if the development would be within the curtilage of a listed building; or

(g) unless—

(i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education;

(ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services;

(iii) in the case of prison buildings—

(aa) the predominant use of the existing buildings on the premises is for the confinement of prisoners; and

(bb) in the case of a closed prison, the development does not involve the erection, extension or alteration of any building beyond the perimeter as it stood on the relevant date.

(cc).

Conditions

M.2 Development is permitted by Class M subject to the following conditions—

(a) the development is within the curtilage of an existing school, college, university, prison or hospital;

(b) the development is only used as part of, or for a purpose incidental to, the use of that school, college, university, prison or hospital;

(c) any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the original school, college, university, prison or hospital buildings;...

(d) any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered;

(e) where proposed development under Class M relates to the erection, extension or alteration of a school building that results in an increase in the school's published admission number, the developer

must, within a period of six months starting with the date the development is completed, submit to the local planning authority a travel plan for the site;

(f) where proposed development under Class M relates to the erection, extension or alteration of a university building, development is permitted subject to the condition that before beginning the development the developer applies to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (i) transport and highways impacts of the proposed development;
- (ii) the design and external appearance of the erection, extension or alteration; or
- (iii) the impact of the development on heritage and archaeology;

(g) an application required under paragraph (f) is to be made and determined in accordance with paragraph M.2A (procedure for applications for prior approval under Class M);

(h) development approved pursuant to an application under paragraph (f) is permitted subject to the condition that it is completed within a period of three years starting with the prior approval date;

(i) where proposed development under Class M relates to the erection, extension or alteration of an open prison building, before beginning development the developer must—

- (i) assess the contamination and flood risks of the development;
- (ii) identify measures to reduce, so far as practicable, any contamination or flood risks of the development;
- (iii) where the development is in an area within Flood Zone 3, carry out prior consultation in accordance with paragraph M.2B (procedure for prior consultation under Class M); and
- (iv) provide written notification to the local planning authority of the proposed development with the documents and information listed in sub-paragraph (j);

(j) the documents and information specified in sub-paragraph (i)(iv) are—

- (i) a written description of the proposed development;
- (ii) a plan indicating the site and showing the proposed development;
- (iii) a drawing, prepared to an identified scale, showing—

- (aa) in the case of a building to be erected, the proposed external dimensions and elevations of that building; and
- (bb) in the case of a building to be extended or altered, the external dimensions and elevations of that building both before and after the proposed extension or alteration;

- (iv) the proposed commencement date;
- (v) written confirmation that development will not take place on any land used as a playing field, and remaining in that use, at any time in the 5 years before the proposed commencement date;
- (vi) the developer's contact address; and
- (vii) the developer's email address if the developer is content to receive communications electronically.

ASSESSMENT

The property is not located on article 2 (3) land. The gross floor space of the extensions would not exceed 25% of the cumulative footprint of the existing school or 250 square metres. The development is not on land which adjoins other premises which are used for a purpose falling within any of the classes in Part C (residential premises or institutions) of the Use Classes Order. The location of the extension would not be on land currently used as a playing field. The height of the building as extended would not exceed 5 metres. The proposal would not include a rooftop structure. The development would not be within the curtilage of a listed building.

The development would be within the curtilage of the existing school and would be used for a purpose incidental to the school. There would be no increase to the school's published admission number. The extension would be constructed using materials which have a similar external appearance to those used for the building being extended and would be used as part of the use of the establishment.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class M, Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate can be issued.

Decision: Permission

Case Officer: Catherine Cardin