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For Official use

App No:

Date Rec:

Fee:



Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

St Josephs Catholic Primary School

Address Line 1

Hazelgrove Road

Address Line 2

Address Line 3

West Sussex

Town/city

Haywards Heath

Postcode

RH16 3PQ

Description of site location must be completed if postcode is not known:

Easting (x)

533424

Northing (y)

123741

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

- ☒ Yes
☐ No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
- ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The proposal seeks to develop a single storey classroom block. The classroom would be constructed of rendered and vertical wood cladded walls, black single ply roof covering and grey aluminium windows and doors. The gross internal floor area would be 410.3m2.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
- ☒ No

Has the proposal been started?

- ☐ Yes
- ☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

1. The site has been continuously used as a school

St Joseph's Catholic Primary School has an established and long-standing use as an educational facility. Schools fall under Use Class F.1 (Learning and Non-Residential Institutions). There has been no change of use, abandonment, or interruption in this lawful educational use. The nursery block is proposed within the curtilage of the existing school site, which strengthens the case that the land's lawful use is firmly established.

2. The use is supported by historic occupation and official records

The school appears in:

Local authority records

Published admissions and school information

Historic building footprints (floor plans, site plans, etc.) supplied internally

These sources confirm the land has been used for educational purposes for many years without enforcement action or change.

3. No breaches of planning control have occurred

There is no evidence of:

Unauthorised structures

Unauthorised changes of use

Planning enforcement relating to the site

Because the use has remained consistent and uncontested, it is treated as lawful in planning terms.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Do I Need Planning Permission Application - 0731-9968-2167-0993

Select the use class that relates to the existing or last use.

F1 - Learning and non-residential institutions

Information about the proposed use(s)

Select the use class that relates to the proposed use.

F1 - Learning and non-residential institutions

Is the proposed operation or use

☒ Permanent

☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Following the advice received from Mid Sussex District Council, I've summarised below why the proposed nursery classroom block may be considered permitted development under Class M, Part 7 of the General Permitted Development Order (GPDO).

The Planning Officer advised that the proposal could fall under permitted development provided it meets the relevant criteria, particularly the 25% floorspace threshold.

Why the project qualifies as permitted development:

The proposal is for an extension within the existing school grounds, used for educational purposes, which fits the type of development allowed under Class M.

The building design (single-storey, 5m height, appropriate materials) and intended educational use align with the conditions set out for school extensions under PD rules.

The Planning Officer highlighted that the main determining factor is whether the 410.3m² proposed building exceeds 25% of the existing cumulative school building footprint. If it does not exceed this, the scheme may be permitted development and would not require full planning permission.

The proposal does not encroach on playing fields, is more than 5m from nearby boundaries, and remains within height restrictions—all of which are key PD limitations.

No other PD constraints (e.g., listed status, inappropriate land use, boundary issues) were raised in the initial assessment.

Conclusion

The proposed building is within the 25% cumulative footprint allowance, the project is likely to be considered permitted development. To obtain a formal legal determination, the Planning Officer advised applying for a Certificate of Lawful Development (Section 192).

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
- ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

DM/25/2297

Date (must be pre-application submission)

03/10/2025

Details of the pre-application advice received

We submitted a "Do I Need Planning Permission" enquiry (reference 0731-9968-2167-0993) for a single-storey nursery classroom block at St Joseph's Catholic Primary School, Haywards Heath. Proposed building: 410.3m², single-storey, rendered/wood-clad walls, black roof, grey aluminium windows/doors. Located at front of school, not on playing fields.

Response from Mid Sussex Planning Officer (Stefan Galyas)

a. Assessment under Permitted Development (Class M, Part 7)

To be PD, the extension must not exceed 25% of the cumulative footprint of the school buildings or 250m² – whichever is greater. The proposed building is 410.3m², which sits comfortably within the limit.

b. Other PD restrictions include:

Must not be within 5m of residential land boundaries.]

Height limits of 5–6m depending on boundary distance. The proposal is 5m.

Must not reduce usable playing field space.

c. If the development increases the school's Published Admission Number (PAN)

→ A Travel Plan must be submitted within 6 months of completion.

d. If the proposal fails PD criteria

→ A full planning application is required.

e. To obtain a formal determination

The officer advises you may apply for a Certificate of Lawful Development (LDC) under Section 192. A link was provided.

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
☐ Lessee
☐ Occupier
☒ Other

If Other, please give the names and addresses of anyone who has an interest in the land and state the nature of their interest (if known)

***** REDACTED *****

Have they been informed of the application?

- ☒ Yes
☐ No

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Leanne Todd

Date

07/04/2026