

Wilbury Planning

Certificate of Lawfulness for Proposed Use or Development (CLOPUD)

External alterations to existing school building

**Oakdene, Burgess Hill Girls School, Keymer Road, Burgess Hill, West Sussex
RH15 0EG**



Supporting Statement prepared by Wilbury Planning Ltd

Applicant: Burgess Hill Girls School

22 July 2026

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1.0 Introduction

1.1 This Supporting Statement accompanies an application which seeks confirmation that the following constitutes permitted development:

- *"External alterations to existing school building."*

1.2 The application seeks confirmation from Mid Sussex District Council (MSDC) that the works described are lawful and constitute permitted development complying with the requirements of Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (*"the GPDO"*).

1.3 It is noted at the outset that Class M of Part 7 of the GPDO imposes no requirement for an application for prior approval where the development relates to a school building. The prior approval requirement at paragraph M.2(f) applies only to the erection, extension or alteration of a university building. This Statement is accordingly submitted in support of an application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) pursuant to section 192 of the Town and Country Planning Act 1990 (as amended).

1.4 The site is Oakdene, Burgess Hill Girls School, Keymer Road, Burgess Hill, West Sussex RH15 0EG. The application is made on behalf of the applicant, Burgess Hill Girls School.

1.5 The application is accompanied by the following documents:

Document	Author	Reference
Application Form	Wilbury Planning Ltd	PP-15102138
Supporting Statement	Wilbury Planning Ltd	22 July 2026
Existing Site Plans	EN Architects Ltd	001 B
Proposed Site Plans	EN Architects Ltd	002 B
Existing Elevations	EN Architects Ltd	060 B
Existing Plans	EN Architects Ltd	050 C
Proposed Plans	EN Architects Ltd	157 B
Proposed Elevations	EN Architects Ltd	160 B

2.0 Site Description

- 2.1 The site comprises Oakdene, a building situated within the campus of Burgess Hill Girls School, an independent day and boarding school for girls, which is accessed from Keymer Road, Burgess Hill.
- 2.2 The premises are in use as a school. The predominant use of the existing buildings on the premises is for the provision of education, falling within Class F.1(a) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 2.3 Oakdene is not a building which has changed use by virtue of Class S of Part 3 of Schedule 2 to the GPDO, nor was it erected by virtue of Class CA of Part 4 of that Schedule. It therefore falls within the definition of a "school" building for the purposes of Class M, as set out at paragraph M.3 of the GPDO.
- 2.4 Oakdene is not a listed building and is not located within the curtilage of a listed building.
- 2.5 The building is located within the Silverdale Road/ Birchwood Grove Road Conservation Area and therefore comprises Article 2(3) land for the purposes of the GPDO. Permitted development under Class M remains available on Article 2(3) land, subject to the materials condition at paragraph M.2(d), with which the proposed development complies, as addressed below.
- 2.6 The nearest boundary of the curtilage of residential land lies approximately 60 metres from the nearest elevation of Oakdene to which external alterations are proposed.
- 2.7 The nearest boundary of the curtilage of the premises lies approximately 28 metres from the nearest part of the proposed development.
- 2.8 Oakdene does not stand on, and the proposed alterations would not affect, any land used as a playing field at any time in the 5 years preceding the commencement of development.



Figure 1: The wider context of the site. Oakdene is denoted by the red star.

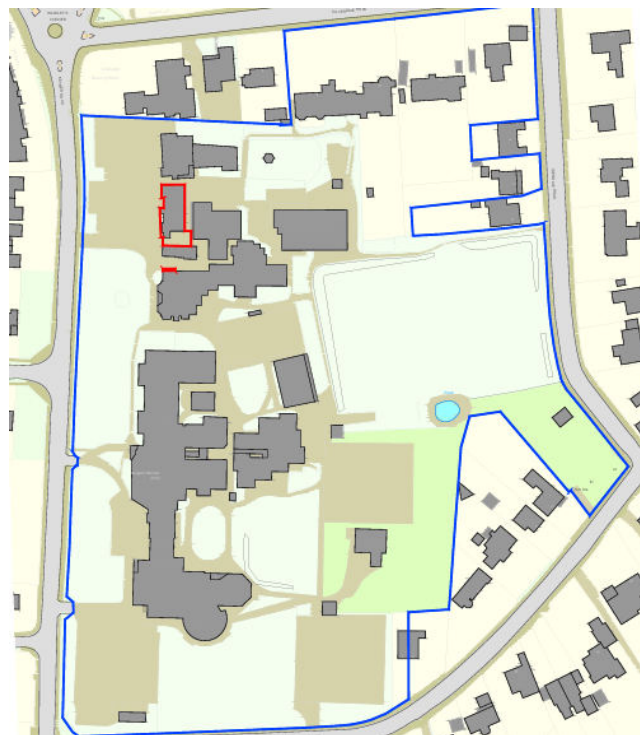


Figure 2: Oakdene is denoted by the red line.
The wider school campus is denoted by the blue line.

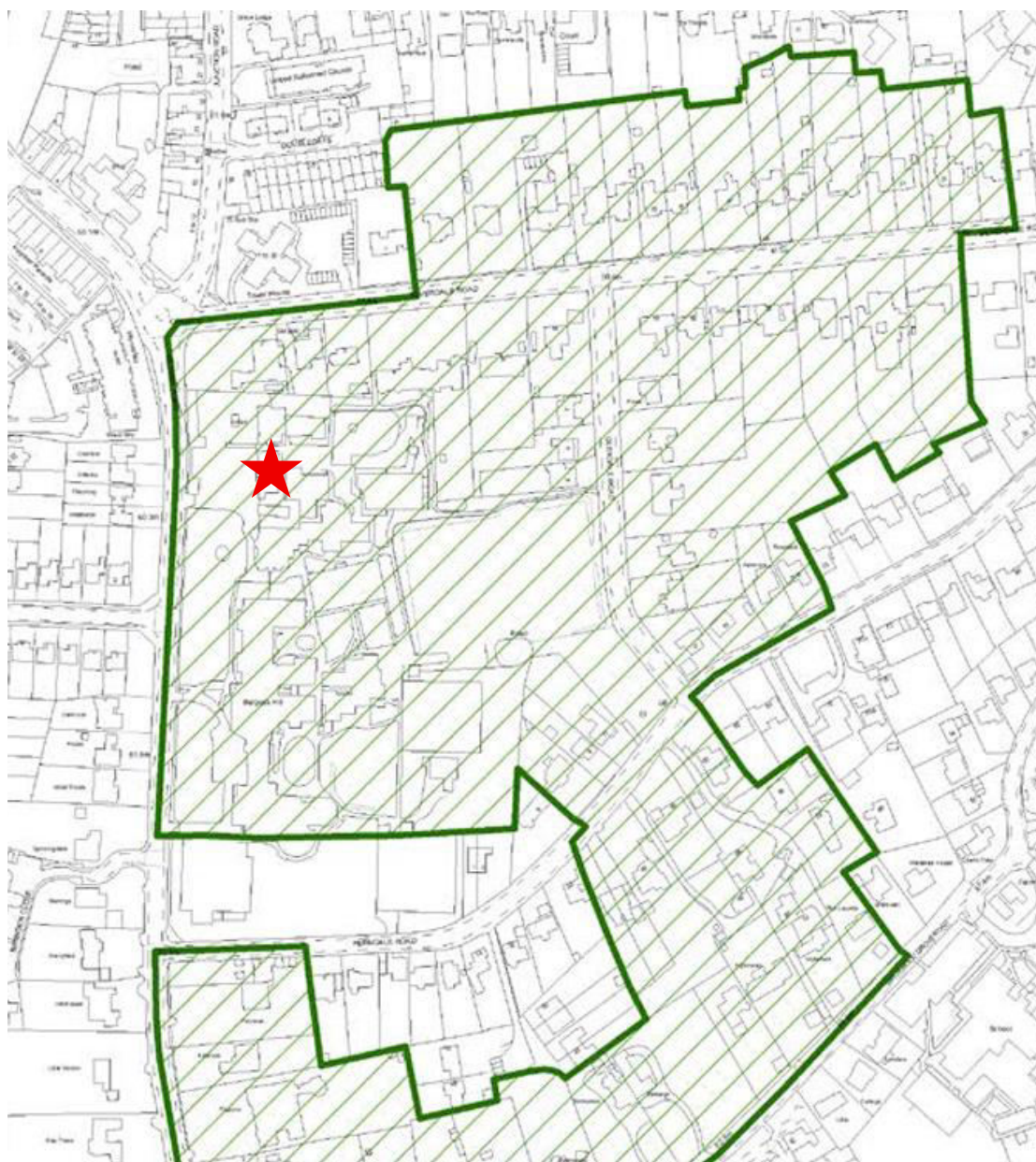


Figure 3: The Silverdale Road/ Birchwood Grove Road Conservation Area is denoted by the green line and hatching. Oakdene is denoted by the red star.

3.0 Planning History

- 3.1 A planning history search reveals significant previous applications associated with the school campus. From a review, there is nothing to suggest that the permitted development rights have been removed for Oakdene.
- 3.2 The site is not located within an area subject to a direction made under Article 4 of the GPDO, and no such direction withdraws those rights. Nor does any condition imposed on any extant planning permission relating to the building operate to remove them.
- 3.3 No development has been carried out under Class M of Part 7 of the GPDO within the curtilage of the school on or after 21 April 2021.

4.0 Description of Development

- 4.1 The proposed development comprises external alterations to Oakdene, an existing school building within the campus of Burgess Hill Girls School.
- 4.2 The proposed external alterations comprise:
- The formation of a new principal entrance to the south (side) elevation, incorporating a new doorway with an associated canopy and signage;
 - The retention of the existing front (west) door, its function being reduced so as to serve as an emergency exit only;
 - The conversion of two existing external door openings to windows on the east (rear) elevation;
 - The lowering of the cills of certain first-floor windows, as annotated “*window sills dropped*” on the Proposed Plans; and the installation of a new rooflight within the roof slope.
- 4.3 The proposed development comprises alterations only. It does not involve the erection of any new building, nor the extension of any existing building. There would accordingly be no increase in the footprint of Oakdene, nor in the cumulative footprint of the school buildings within the wider curtilage.
- 4.4 The alterations would not result in any increase in height of Oakdene, and the proposed new rooflight would sit within the plane of the existing roof slope. No rooftop structure is proposed.
- 4.5 The alterations would be carried out using materials which have a similar external appearance to those of the existing building, as set out on the submitted drawings. The new windows and the new entrance doorway would match the existing fenestration in material, appearance and detailing.
- 4.6 The submitted drawings also show associated works within the curtilage of Oakdene, comprising a new entrance gate and staff gate, boundary treatment, soft landscaping including a new tree, the relocation of cycle parking, and associated hard landscaping. These works do not comprise alterations to the school building itself and are considered to not constitute development in accordance with Section 55 of the Town & Country Planning Act (1990) (as amended).
- 4.7 Additionally, it is noted that works which affect only the interior of a building, and which do not materially affect its external appearance, do not constitute development by virtue of section 55 of the Town and Country Planning Act 1990 (as amended). As such the internal alterations associated with this application would not require planning permission in their own right.

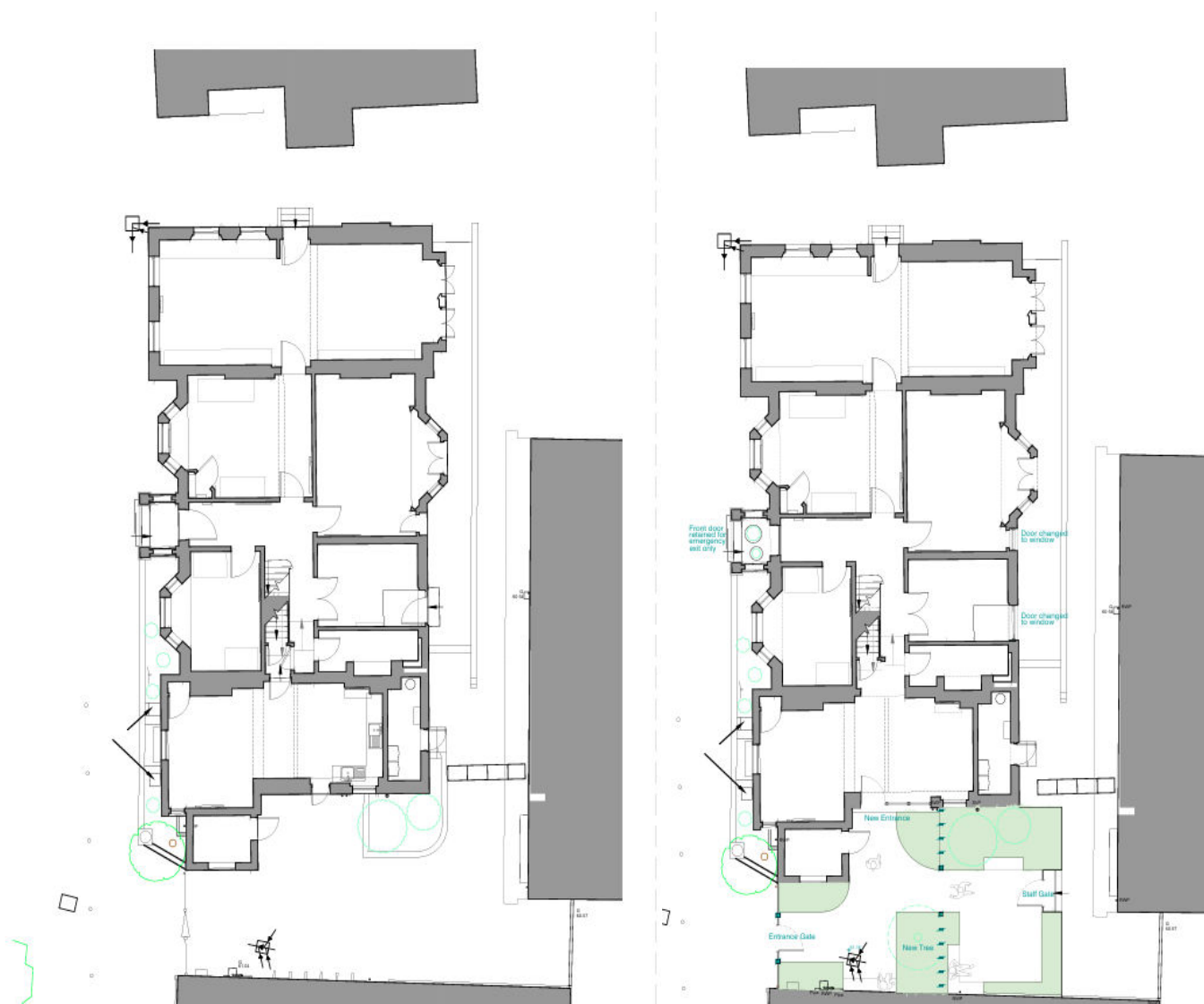


Figure 4: Existing and Proposed Ground Floor Plan.

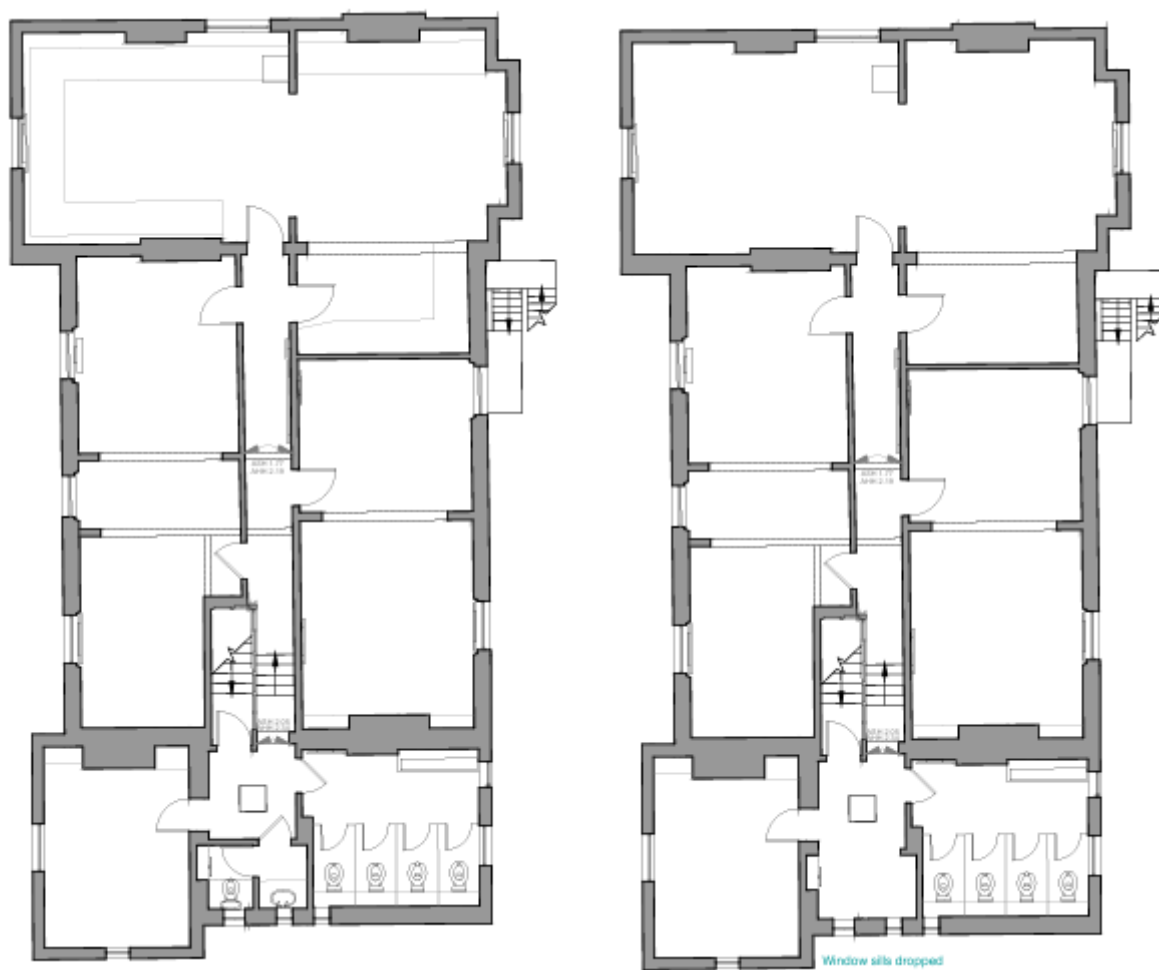


Figure 5: Existing and Proposed First Floor Plan.



Figure 6: Existing and Proposed Elevations.

5.0 Assessment against Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

5.1 Schedule 2, Part 7, Class M of the GPDO permits the following:

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

5.2 In order to assess the proposed development against the requirements found within Schedule 2, Part 7, Class M of the GPDO, each requirement is listed below, with compliance provided in **green** text.

Limitations — Paragraph M.1 (Development not permitted)

5.3 Under paragraph M.1 of Schedule 2, Part 7, Class M of the GPDO, development is not permitted by Class M:

- a) *If the cumulative footprint of any erection, extension or alteration under Class M on or after 21 April 2021 would exceed the greater of (i) 25% of the cumulative footprint of the school buildings as it was on that date; or (ii) 250 square metres.*

The proposed development comprises external alterations only. The alterations would be undertaken wholly within the existing building envelope and would not increase the area of ground covered by Oakdene. There would therefore be no addition to the cumulative footprint, and no development has been undertaken under Class M within the curtilage of the school on or after 21 April 2021. This limitation is not breached.

It is further noted that, pursuant to paragraph M.3 of the GPDO, where two or more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurement.

- 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.*

Oakdene is a school building. This limitation is expressed to apply only to college, university, prison and hospital buildings, and is therefore non-applicable.

- 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.*

The nearest part of the proposed development would lie approximately 60 metres from the boundary of the curtilage of the adjacent residential land, and thus in excess of 5 metres. This limitation is not breached.

- 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.*

The proposed alterations would be carried out to an existing building and would not be sited on, nor preclude the continued use of, any land used as a playing field. This limitation is not breached.

- d) *If the height of any new building erected would exceed (i) 5 metres, where within 10 metres of a boundary of the curtilage of the premises; or (ii) 6 metres in all other cases.*

The proposed development does not involve the erection of any new building. This limitation is non-applicable.

- e) *If the height of the building as extended or altered would exceed (i) where 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.*

The proposed alterations would not increase the height of Oakdene. The height of the building as altered would remain as existing and would not exceed the height of the building being altered. The proposed development is not sited within 10 metres of a boundary of the curtilage of the premises, and limb (i) is not therefore engaged. This limitation is not breached.

- 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.*

The proposed development does not incorporate any rooftop structure. The proposed new rooflight would sit within the plane of the existing roof slope, would not project more than 1.5 metres above the roof and does not, in any event, constitute a rooftop structure for the purposes of this limitation. This limitation is not breached.

- f) *If the development would be within the curtilage of a listed building.*

The proposed development would not be located within the curtilage of a listed building. This limitation is not breached.

- g) *Unless, in the case of school buildings, the predominant use of the existing buildings on the premises is for the provision of education.*

The predominant use of the existing buildings on the premises is for the provision of education. This requirement of Schedule 2, Part 7, Class M of the GPDO is satisfied.

Conditions — Paragraph M.2

5.4 Development permitted by Class M is subject to the conditions set out at paragraph M.2 of the GPDO, which are addressed in turn below.

- a) *The development is within the curtilage of an existing school, college, university, prison or hospital.*

The proposed alterations would be carried out to an existing building within the curtilage of Burgess Hill Girls School, an existing school. This condition is satisfied.

- 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.*

The building as altered would be used solely as part of, or for a purpose incidental to, the use of Burgess Hill Girls School. This condition is satisfied.

- 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 buildings.*

No new building is proposed. This condition, which governs the materials to be used in the construction of a new building on article 2(3) land, is therefore non-applicable.

- 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.*

The site comprises article 2(3) land, being located within the Silverdale Road/ Birchwood Grove Road Conservation Area, and this condition accordingly applies. The external alterations would be carried out using materials which have a similar external appearance to those used for the building being altered, as set out at Section 4.0 above and as shown on the submitted drawings. This condition is therefore satisfied.

- e) *Where the development 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 a travel plan for the site to the local planning authority.*

The proposed development would not result in an increase in the number of pupils admitted to the school. In any event, "*published admission number*" is defined at paragraph M.3 of the GPDO by reference to sections 88C and 88D of the School Standards and Framework Act 1998, which apply to the admission authorities of maintained schools and academies. As an independent school, Burgess Hill Girls School does not have a published admission number determined under those provisions. This condition is not therefore engaged.

- f) – (h) Where the development relates to the erection, extension or alteration of a university building, the developer must, before beginning development, apply to the local planning authority for a determination as to whether prior approval is required in respect of transport and highways impacts, design and external appearance, and heritage and archaeology.*

These conditions apply only to the erection, extension or alteration of a university building. Oakdene is a school building and these conditions are therefore non-applicable. It follows that no application for prior approval is required under Class M in this instance.

- i) – (j) Conditions relating to the erection, extension or alteration of an open prison building.*

These conditions are non-applicable.

6.0 Conclusion

- 6.1 It has been demonstrated that the proposed development satisfies the limitations and conditions set out in Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 6.2 It is therefore considered that the proposed external to the existing school building at Oakdene, Burgess Hill Girls School constitute permitted development, and it is respectfully requested that MSDC confirm the same without delay.