

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0927	Case Officer:	Stefan Galyas
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Single storey classroom block constructed of rendered and vertical wood clad walls, black single ply roof covering and grey aluminium windows and doors. The gross internal floor area 410.3m2.		
Site:	St Josephs Catholic Primary School, Hazelgrove Road, Haywards Heath, West Sussex, RH16 3PQ, , ,		
Validation Date	21 Apr 2026	Overall Expiry Date:	15 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Jun 2026
Target Date:	16 Jun 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	10 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0927

St Josephs Catholic Primary School, Hazelgrove Road, Haywards Heath, West Sussex, RH16 3PQ, ,

Single storey classroom block constructed of rendered and vertical wood cladded walls, black single ply roof covering and grey aluminium windows and doors. The gross internal floor area 410.3m2.

Leanne Todd

SUMMARY OF REPRESENTATIONS

There were no formal letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

Town Council: *'As this is an application for Lawful Development Certificate and is, therefore, a legal matter, the Town Council defers the decision to Mid Sussex District Council.'*

INTRODUCTION

This is a Lawful Development Certificate to establish whether the proposed development would constitute being permitted development. The proposal consists of a single storey classroom block.

RECENT PLANNING HISTORY

DM/15/2109 - Single storey traditional build office and main entrance extension. Permission 01.07.2015.

DM/17/1909 - Extension to existing hall to provide new small hall and entrance lobby with associated works. 13.06.2017.

SITE AND SURROUNDINGS

The application relates to St Josephs Catholic Primary School which is set to the eastern side of Hazlegrove Road. Mature boundary tree planting and hedges screen the school from the roadside with pedestrian and vehicle access breaking up this front boundary treatment intermittently. The school comprises an original cross pitched roof building which appears to have previously been extended through other flat and mono-pitched roof elements.

The application site lies within the built up area boundary for Haywards Heath.

APPLICATION DETAILS

The proposal would develop a single storey classroom block which would measure at approximately 27.3m in length, 18.8m wide and 4.2m high when taken from the highest adjacent natural ground floor level.

LEGAL FRAMEWORK

This is an application for a Lawful Development Certificate to establish whether the proposed development, consisting of the construction of a new classroom block 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 school is not located on Article 2(3) land. The gross floor space of the building would measure at 420.3m² and the footprint of the existing school on the relevant date (21st April 2021) was approximately 2283m². The proposed development would therefore not exceed 25% of the existing cumulative footprint and would comply with M.1(a). The development would not be located on land within 5m of the boundary of any adjacent neighbouring curtilages, the proposal would therefore comply with M.1(ba). The development would not be located on land currently used as a playing field and the proposal would comply with M.1(c). The height of the building would not exceed 5m and the proposal would therefore comply with M.1(d). The proposal would include solar panels to the roof, however these would not exceed 1.5m above the height of the building and therefore the proposal would accord with M.1(ea). The school is not located within the curtilage of any listed building and therefore complies with M.1(f).

The development would be within the curtilage of the existing school and would be used for a purpose incidental to the school, therefore complying with M.2(b). Correspondence and further clarification throughout the application from the Applicant has indicated that the proposal would not result in an increase in admission numbers. Therefore, the proposal would not be required to submit a travel plan as per M.2(e).

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: Stefan Galyas