

SCHEDULE 2

Permitted development rights

PART 3

Changes of use

Class S – agricultural buildings to state-funded school or registered nursery

Conditions

S.2.—(1) Development is permitted by Class S subject to the following conditions—

- (a) the site is to be used as a state-funded school or, as the case may be, as a registered nursery and for no other purpose, including any other purpose falling within Class D1 (non-residential institutions) of the Schedule to the Use Classes Order, except to the extent that the other purpose is ancillary to the primary use of the site as a state-funded school or, as the case may be, as a registered nursery; and
- (b) before changing the use of the site under Class S the developer must apply 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 development,
 - (ii) noise impacts of the development,
 - (iii) contamination risks on the site,
 - (iv) flooding risks on the site, and
 - (v) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change to use as a state-funded school or, as the case may be, a registered nursery,

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Subject to sub-paragraph (3), development under Class S must begin within a period of 3 years starting with the prior approval date.

(3) Where, in relation to a particular development under Class S, planning permission is granted on an application in respect of associated operational development before the end of the period referred to in sub-paragraph (2), then development under Class S must begin within the period of 3 years starting with the date that planning permission is granted.

(4) For the purposes of sub-paragraph (3), “associated operational development” means building or other operations in relation to the same building or land which are reasonably necessary to use the building or land for the use proposed under Class S.