

SCHEDULE 2

Permitted development rights

PART 4

Temporary buildings and uses

Class C – use as a state-funded school for a single academic year

Interpretation of Class C

C.3 For the purposes of Class C—

“academic year” means any period beginning with 1st August and ending with the next 31st July;

“community asset” means a building which has been entered onto a list of assets of community value, including any building which has been subsequently excluded from that list under regulation 2(b) of the Assets of Community Value (England) Regulations 2012⁽¹⁾;

“list of assets of community value” means a list of land of community value maintained by a local authority under section 87(1) of the Localism Act 2011⁽²⁾;

“nomination” means a nomination made under section 89(2) of the Localism Act 2011 for a building to be included in a list of assets of community value and “nominated” is to be interpreted accordingly;

“relevant Minister” means the Secretary of State with policy responsibility for schools;

“state-funded school” means a school funded wholly or mainly from public funds, including—

- (a) an Academy school, an alternative provision Academy or a 16 to 19 Academy established under the Academies Act 2010;
- (b) a school maintained by a local authority, as defined in section 142(1) of the School Standards and Framework Act 1998;

“specified building” means a building used for a purpose falling within Class A4 (drinking establishments) of the Schedule to the Use Classes Order—

- (a) which is a community asset; or
- (b) in relation to which the local planning authority has notified the developer of a nomination under paragraph C.2(f)(ii); and

“specified period” means—

- (a) in relation to a building which is subject to a nomination of which the local planning authority have notified the developer under paragraph C.2(f)(ii), the period from the date of that notification to the date on which the building is entered onto—
 - (i) a list of assets of community value; or
 - (ii) a list of land nominated by unsuccessful community nominations under section 93 of the Localism Act 2011;
- (b) in relation to a building which is a community asset—

(1) S.I. 2012/2421.

(2) 2011 c.20.

Status: This is the original version (as it was originally made).

- (i) 5 years beginning with the date on which the building was entered onto the list of assets of community value; or
- (ii) where the building was removed from that list—
 - (aa) under regulation 2(c) of the Assets of Community Value (England) Regulations 2012 following a successful appeal against listing or because the local authority no longer consider the land to be land of community value; or
 - (bb) under section 92(4)(a) of the Localism Act 2011 following the local authority's decision on a review that the land concerned should not have been included in the local authority's list of assets of community value,the period from the date on which the building was entered onto the list of assets of community value to the date on which it was removed from that list.