

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class M – extensions etc for schools, colleges, universities, prisons and hospitals. (See end of Document for details)

SCHEDULE 2

Permitted development rights

PART 7

Non-domestic extensions, alterations etc

Class M – extensions etc for schools, colleges, universities [F1, prisons] and hospitals

Textual Amendments

- F1** Word in Sch. 2 Pt. 7 Class M heading inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(2)** (with art. 15(3))

Permitted development

M. *The erection, extension or alteration of a school, college, university [F2, prison] or hospital building.*

Textual Amendments

- F2** Word in Sch. 2 Pt. 7 Class M para. M inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(3)** (with art. 15(3))

Development not permitted

M.1 Development is not permitted by Class M—

- [F3(a) if the cumulative footprint of any erection, extension or alteration under Class M on or after [F4the relevant date] would exceed the greater of—
- (i) 25% of the cumulative footprint of the school, [F5college,] university, prison or hospital buildings as it was on [F4the relevant date]; or
 - (ii) 250 square metres;]
- (b) [F6in the case of a college, university [F7, prison] or hospital building,] if any part of the development would be within 5 metres of a boundary of the curtilage of the premises;
- [F8(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 [F9exceed—]
- [F9(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or
 - (ii) in all other cases, 6 metres;]

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- [^{F10}(da) if the height of any rooftop structure would exceed 1.5 metres;]
- (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, [^{F11}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;
- (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 [^{F12};
 - [^{F12}(iii) in the case of prison buildings—
 - (aa) the predominant use of the existing buildings on the premises is for the confinement of prisoners [^{F13}; and]
 - [^{F14}(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.]
 - ^{F15}(cc)]

Textual Amendments	
F3	Sch. 2 Pt. 7 Class M para. M.1(a) substituted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428) , arts. 1(1), 9(4)(a) (with art. 15(3))
F4	Words in Sch. 2 Pt. 7 para. M.1(a) substituted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279) , arts. 1(1), 3(2)(a)
F5	Word in Sch. 2 Pt. 7 Class M para. M.1(a)(i) inserted (1.8.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2021 (S.I. 2021/814) , arts. 1(1), 6(7) (with Sch.)
F6	Words in Sch. 2 Pt. 7 Class M para. M.1(b) inserted (6.4.2017) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017 (S.I. 2017/391) , arts. 1, 6(b) (with art. 8)
F7	Word in Sch. 2 Pt. 7 Class M para. M.1(b) inserted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428) , arts. 1(1), 9(4)(b) (with art. 15(3))
F8	Sch. 2 Pt. 7 Class M para. M.1(ba) inserted (6.4.2017) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017 (S.I. 2017/391) , arts. 1, 6(c) (with art. 8)
F9	Words in Sch. 2 Pt. 7 Class M para. M.1(d) substituted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428) , arts. 1(1), 9(4)(c) (with art. 15(3))
F10	Sch. 2 Pt. 7 Class M para. M.1(da) inserted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428) , arts. 1(1), 9(4)(d) (with art. 15(3))
F11	Words in Sch. 2 Pt. 7 Class M para. M.1(e)(i) inserted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428) , arts. 1(1), 9(4)(e) (with art. 15(3))

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- F12** Sch. 2 Pt. 7 Class M para. M.1(g)(iii) inserted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428), arts. 1(1), **9(4)(f)** (with art. 15(3))
- F13** Word in Sch. 2 Pt. 7 para. M.1(g)(iii)(aa) substituted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **3(2)(b)(i)**
- F14** Sch. 2 Pt. 7 para. M.1(g)(iii)(bb) substituted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **3(2)(b)(ii)**
- F15** Sch. 2 Pt. 7 para. M.1(g)(iii)(cc) omitted (21.12.2023) by virtue of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **3(2)(b)(iii)**

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 [^{F16}, 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 [^{F16}, 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 [^{F16}, prison] or hospital buildings; ^{F17}...
- (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 [^{F18};
- ^{F18}(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 [^{F19}date;]
- ^{F20}(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;

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- (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.]

Textual Amendments

- F16** Word in Sch. 2 Pt. 7 Class M para. M.2 inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(5)(a)** (with art. 15(3))
- F17** Word in Sch. 2 Pt. 7 Class M para. M.2(c) omitted (21.4.2021) by virtue of [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(5)(b)** (with art. 15(3))
- F18** Sch. 2 Pt. 7 Class M para. M.2(e)-(h) inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(5)(c)** (with art. 15(1)(a)(3))
- F19** Word in Sch. 2 Pt. 7 para. M.2(h) substituted (21.12.2023) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023 \(S.I. 2023/1279\)](#), arts. 1(1), **3(3)(a)**
- F20** Sch. 2 Pt. 7 para. M.2(i)(j) inserted (21.12.2023) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023 \(S.I. 2023/1279\)](#), arts. 1(1), **3(3)(b)**

[^{F21}Procedure for applications for prior approval under Class M

M.2A.—(1) The following provisions apply where a developer is required under paragraph M.2(f) to make an application to a local authority for a determination as to whether the prior approval of the authority will be required.

- (2) The application must be accompanied by—
 - (a) a written description of the proposed development;
 - (b) a plan indicating the site and showing the proposed development;

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- (c) drawings prepared to an identified scale and showing—
 - (i) in the case of a building to be erected, the proposed external dimensions and elevations of that building; and
 - (ii) 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;
 - (d) a written statement in respect of the heritage and archaeological considerations of the development;
 - (e) the developer’s contact address;
 - (f) the developer’s email address if the developer is content to receive communications electronically; and
 - (g) any fee required to be paid.
- (3) Sub-paragraphs (3) to (5) and (7) to (14) of paragraph W of Part 3 apply to an application under this paragraph as they apply to an application under Part 3 as if—
- (a) in sub-paragraph (3)—
 - (i) the words from “except for” to “paragraph Q.2(1)(g)” were omitted;
 - (ii) for “this Part” there were substituted “Class M”;
 - (b) sub-paragraph (10)(c) were omitted.]

Textual Amendments

F21 Sch. 2 Pt. 7 Class M para. M.2A inserted (21.4.2021) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/428\)](#), arts. 1(1), **9(6)** (with art. 15(3))

[^{F22}Procedure for prior consultation under Class M

M.2B.—(1) Where a developer is required to carry out prior consultation under paragraph M.2(i)(iii), the developer must consult the Environment Agency as to the flood risks of the proposed development.

(2) The developer must notify the Environment Agency specifying the date by which the Environment Agency must respond (being 21 days from the date the notice is received or such other period as may be agreed with the Environment Agency) (“the closing date”).

(3) The development must not begin—

- (a) before the occurrence of one of the following—
 - (i) the receipt by the developer of responses to the consultation required by this paragraph, or
 - (ii) the day after the closing date;
- (b) in any event, before the developer takes into account any representations received on or before the closing date as a result of consultation under this paragraph.

(4) Where the developer receives representations on or before the closing date, as a result of consultation under this paragraph, the developer must as soon as reasonably practicable send to the local planning authority—

- (a) a copy of the representations, and
- (b) a statement explaining how the developer has taken the representations into account.]

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Textual Amendments

F22 Sch. 2 Pt. 7 para. M.2B inserted (21.12.2023) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023 \(S.I. 2023/1279\)](#), arts. 1(1), **3(4)**

Interpretation of Class M

M.3 For the purposes of Class M—

[^{F23}“closed prison” means a prison used for the confinement of prisoners in closed conditions located on a site with a closed perimeter;]

[^{F24}“footprint”, in relation to a building, means the total area of ground covered by it;

[^{F25}“open prison” means a prison used for the confinement of prisoners in open conditions located on a site without a closed perimeter;]

“original school, college, university, prison or hospital building” means original building which is a school, college, university, prison or hospital building, as the case may be, other than any building erected at any time under Class M;

“prior approval date” has the meaning given in paragraph X of Part 3;

“prison”—

- (a) includes a young offender institution provided pursuant to section 43(1)(a) (places for the detention of young offenders etc) of the Prison Act 1952;
- (b) does not include—
 - (i) a secure training centre or a secure college provided pursuant to, respectively, section 43(1)(b) or (c) of the Prison Act 1952;
 - (ii) premises approved pursuant to section 13(1) (approved premises) of the Offender Management Act 2007;
 - (iii) a bail hostel within the meaning of section 2(2) (other definitions) of the Bail Act 1976;

“published admission number” means the number of pupils of any relevant age group at the school determined by the admission authority under sections 88C and 88D of the School Standards Framework Act 1998;

[^{F26}“relevant date” means 21st December 2023 in the case of the development of an open prison building and 21st April 2021 in the case of all other development;]

“rooftop structure” has the meaning given in paragraph D.3 of Part 9;]

“school” does not include a building which changed use by virtue of Class S of Part 3 of this Schedule (changes of use) [^{F27}or which was erected by virtue of Class CA of Part 4 of this Schedule (temporary buildings and uses)] [^{F28}]; and

“travel plan” means a long-term management strategy that seeks to deliver sustainable transport objectives]

Textual Amendments

F23 Words in Sch. 2 Pt. 7 para. M.3 inserted (21.12.2023) by [The Town and Country Planning \(General Permitted Development etc.\) \(England\) \(Amendment\) \(No. 2\) Order 2023 \(S.I. 2023/1279\)](#), arts. 1(1), **3(5)(a)**

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- F24** Words in Sch. 2 Pt. 7 Class M para. M.3 substituted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428), arts. 1(1), **9(7)(a)** (with art. 15(3))
- F25** Words in Sch. 2 Pt. 7 para. M.3 inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **3(5)(b)**
- F26** Words in Sch. 2 Pt. 7 para. M.3 inserted (21.12.2023) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023 (S.I. 2023/1279), arts. 1(1), **3(5)(c)**
- F27** Words in Sch. 2 Pt. 7 Class M para. M.3 inserted (6.4.2017) by The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017 (S.I. 2017/391), arts. 1, **6(d)** (with art. 8)
- F28** Words in Sch. 2 Pt. 7 Class M para. M.3 inserted (21.4.2021) by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021 (S.I. 2021/428), arts. 1(1), **9(7)(b)** (with art. 15(3))

where 2 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.

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