

SCHEDULE 2

Permitted development rights

PART 7

Non-domestic extensions, alterations etc

Class N – hard surfaces for schools, colleges, universities or hospitals

Permitted development

N. Development consisting of—

- (a) *the provision of a hard surface within the curtilage of any school, college, university or hospital to be used for the purposes of that school, college, university or hospital; or*
- (b) *the replacement in whole or in part of such a surface.*

Development not permitted

N.1 Development is not permitted by Class N if—

- (a) the cumulative area of ground covered by a hard surface within the curtilage of the site (other than hard surfaces already existing on 6th April 2010) would exceed 50 square metres;
- (b) 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; or
- (c) the development would be within the curtilage of a listed building.

Conditions

N.2 Development is permitted by Class N subject to the following conditions—

- (a) where there is a risk of groundwater contamination, the hard surface is not made of porous materials; and
- (b) in all other cases, either—
 - (i) the hard surface is made of porous materials, or
 - (ii) provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the institution.

Interpretation of Part 7

O. For the purposes of Part 7—

“industrial building” means a building used for the carrying out of an industrial process and includes a building used for the carrying out of such a process on land used as a dock, harbour or quay for the purposes of an industrial undertaking and land used for research and development of products or processes, but does not include a building on land in or adjacent to and occupied together with a mine;

“office building” means a building used for any purpose within Class B1(a) of the Schedule to the Use Classes Order (offices);

Status: This is the original version (as it was originally made).

“registered nursery” and “state-funded school” have the meanings given in paragraph X of Part 3 of this Schedule (changes of use);

“school”—

- (a) includes a building permitted by Class C of Part 4 (temporary buildings and uses) to be used temporarily as a school, from the date the local planning authority is notified as provided in paragraph C.2(b) of Part 4;
- (b) except in Class M (extensions etc for schools), includes premises which have changed use under Class S of Part 3 of this Schedule (changes of use) to become a state-funded school or registered nursery; and
- (c) includes premises which have changed use under Class T of Part 3 of this Schedule (changes of use) to become a state-funded school or registered nursery; and

“warehouse” means a building used for any purpose within Class B8 (storage or distribution) of the Schedule to the Use Classes Order but does not include a building on land in or adjacent to and occupied together with a mine.