
Application number: 2025/0526

Description: Certificate of lawfulness for an external door, access ramp, 1.1m fencing, and external buggy store.

Location: Shafton Primary Academy, High Street, Shafton, Barnsley, S72 8QA

Site Location & Description

The application site is located within Shafton on High Street which is located northeast of Barnsley Town Centre. Shafton is accessible via road links and is connected to the rest of the borough through the A628. The surrounding area is prominently residential in nature, these residential dwellings consist of a mix of detached, semi-detached and terraced homes. There are a number of commercial properties in the area which provide employment to the local area and provide services.

Proposed Development

The applicant has submitted a certificate of lawfulness for the erection of external door, access ramp, 1.1m fencing, and external buggy store. The applicant has provided a planning statement which contains the block plan and all the details relating to the application along location plan in support of the application.

The applicant has stated that the proposed works will enable bursary places to increase within the local area and provide a suitable environment for teaching and learning.

Policy Context

Schedule 2 GDPO 2015, Part 7, Class M relating to non-domestic extensions/alterations.

Consultations

Legal – Acceptable providing the applicant *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

Representations

No letters were received from members of the public.

Relevant History

Assessment

An application has been made for a lawful development certificate under Schedule 2 GDPO 2015, Part 7, Class M relating to non-domestic extensions/alterations.

This proposal will not benefit from PD rights if the following apply (as set out in GDPO 2015 M.1):

- The cumulative footprint of any erection/alteration exceeds the greater of:

- 25% of the cumulative footprint of the school
- 250 square metres
- Within 5m of land next to the site that is used for residential purposes.
- If the development would stop any land used as a playing field in the last 5 years from continuing as such.
- If the height of any new building erected would exceed:
 - 5m if within 10m of boundary; or
 - in all other cases, 6 metres
- Extensions/alterations exceed:
 - 5m if within 10m of boundary; or
 - the height of the existing building elsewhere.
- If the development is within the curtilage of a listed building
- The site must mainly be used for its intended purpose of a school.

As with all developments/alterations, PD rights can accrue as long as:

- the building is not listed;
- the school is not in a conservation area; and
- there is no valid Article 4 Direction enacted over the area.

Development is permitted under Class M where the following conditions are satisfied:

- Must be within the curtilage of an existing school;
- Development must be used as part of, or incidental to, the use of that institution; and
- If the development increases the school's published admission number, a travel plan must be submitted to the local planning authority within 6 months of completion.

The applicant has stated that the proposed development is for the purpose of providing teaching to nursery age pupils. M.2(e) says that where any *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.* Where following this alterations/development of the external buggy store does make way for nursery age students, pupil numbers will increase. The applicant will need to comply with this condition in order to ensure the PD rights remain.

Based on the information available, the proposal appears to fall within Class M PD rights, subject to compliance with all limitations and conditions.

Recommendation

Section 192 Permission not required (Certificate granted)