

## **Certificate of Lawfulness of Proposed Use or Development Justification** **Duchy College- Stoke Climsland**

### **1// Project Description**

The proposed redevelopment involves the refurbishment of two buildings, an old engineering workshop and brick skills workshop. The buildings are steel portal frame construction with metal cladding on roof and upper level of walls and rendered blockwork at lower level. It is the intention to reclad both buildings and internally refurbish just the old engineering workshop to provide three new workshop spaces and a classroom.

The architectural philosophy is to reclad the buildings to reflect the neighbouring buildings of Pendray and Philp and the architectural merits of the Duchy College buildings.

The works include:

- Recladding and new render where required to both buildings.
- New windows and upgrading existing windows to old engineering workshop building.
- New roller shutter doors and external doors to old engineering workshop building
- Internal refurbishment to old engineering workshop building including creation of three workshops and insulated classroom.
- Creation of new external gated compound.
- Refurbishment/upgrading of existing tarmac areas including surface water drainage.

Enabling works associated with the above include:

- Demolition of poor condition lean to structure and connecting walls and roof between buildings.

Enabling works associated with the above include:

- Services and drainage alteration works to accommodate development.

### **2// Programme and Critical Timescales**

The proposed works target be completed by September 2024 to suit funding requirements.

### **3// Relevant Permitted Development Legislation**

Following consultation with CC Planning on previous educational schemes of a similar scale the new T Levels proposal is understood to constitute Permitted Development for the following reasons:

- A. The proposal is relatively small scale and does not exceed the thresholds of the Schedule 2 Part 10(b) (Urban Infrastructure) of the Environmental Impact Assessment Regulations 2017. Whilst this is not a formal screening opinion it is clear the proposals will not exceed thresholds and would not result in any complex interactions either within or off site thus the works would not require an environmental assessment.  
As Article 3 (10) of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (GPDO 2015) removes permitted development rights from development requiring an environmental assessment it is useful to clarify the matter at the outset. As an environmental assessment is not required there is Scope for the development to benefit from permitted development rights.
- B. The site is not within Article 2(3) land, AONB, Conservation Areas or World Heritage Site thus the additional Article 2(3) conditions within the GPDO do not apply.
- C. The relevant section of the GPDO 2015 is Schedule 2, Part 7, Class M which grants permitted development (PD) for the erection, extension or alteration of a school,

college, university, prison or hospital building. This part of the GPDO has been updated by the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021, hereafter referred to as the GPDO 2017. Both the 2015 Order and the 2017 amendment need to be read together as the amendment does not fully replace Class M of the 2015 Order. The GPDO 2017 permits schools to extend or erect new buildings to a threshold of 25% of the existing cumulative footprint of the school as at 21st April 2021 or by 250sqm whichever is the greater. In this instance the proposed extensions would not exceed either threshold.

- D. The proposals would include within the PD rights any ancillary outdoor paths, stairs, ramps or paving and lighting.
- E. Groundworks that are necessary to enable the building works will fall within the scope of the Class M permitted development rights as ancillary works. Class M does not specifically exclude works other than the construction of the building it is therefore reasonable to view the development as a whole as being permitted development.
- F. It is noted that where the development will result in an increase in the college's published admission numbers then the Condition at Class M 2(e) requires that within six months of the completion of the development a travel plan for the site must be submitted to the local planning authority. This development is an improvement in facilities intended to serve the existing student body and is not an expansion of capacity. It is therefore appropriate to not submit a travel plan in relation to these works.

Based upon the above points it is understood the proposed works fall within Permitted development Rights.

**4// List of Drawings submitted**

- 3923-PBWC-01-XX-DR-A-1001-Site Location Plan-S2-P1
- 3923-PBWC-01-XX-DR-A-1002-Block Plan - Existing-S2-P1
- 3923-PBWC-01-XX-DR-A-1003-Block Plan - Proposed-S2-P1
- 3923-PBWC-01-GF-DR-A-2001-Plans and Section - Existing-S2-P1
- 3923-PBWC-01-GF-DR-A-2002-Ground Floor Plan - Proposed-S2-P1
- 3923-PBWC-01-GF-DR-A-2003-Demolition Plans-S2-P1
- 3923-PBWC-01-GF-DR-A-2101-Ground Floor Plan - Proposed-S2-P4
- 3923-PBWC-01-GF-DR-A-2301-Demolition Plans-S3-P4
- 3923-PBWC-01-XX-DR-A-3002-Proposed Elevations-S2-P1
- 3923-PBWC-01-XX-DR-A-3102-Proposed Elevations-S2-P4
- 3923-PBWC-01-XX-DR-A-4101-GA Sections-S2-P4
- 3923-PBWC-01-XX-DR-A-3001-Existing Elevations-S2-P1