

Received Date:	23 September 2025
Expires:	18 November 2025
Application Number:	252108
Site:	The Cricketers, Basingstoke Road, Spencers Wood, Wokingham, RG7 1AP
Application:	Application for a certificate of lawfulness for the change of use of existing property to a Residential Family Assessment Centre (Use Class C3(b)).

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
44255	Erection of internally and externally illuminated shop and post signs.	27/06/1995	Approved	N/A
120776	Proposed erection of single storey rear extension to dwelling.	02/05/2012	Approved	N/A
202968	Full application for the change of use from (C1) Bed and breakfast to Residential use (C2). To provide provision of accommodation for the vulnerable and it is intended that this property will be used as a mother and child assessment centre.	21/12/2020	Withdrawn	N/A

2. Site Description

The application property, The Cricketers, is a two-storey property of traditional masonry construction, comprising a ground floor commercial unit, currently occupied by an Estate Agents, and residential accommodation.

To the front of the property there is a small garden area partially enclosed by timber fencing, and an area of hardstanding to the front of the commercial unit. A driveway at the north of the property leads to a detached outbuilding and a well-sized rear garden.

3. Land/ Property Designations

- There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The application site is located in an area that holds the potential to support bat roosts.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as '*lawful*' if:

- (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
- (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class A) grants planning permission for the *"enlargement, improvement or other alteration of a dwellinghouse"*.
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

This Lawful Development Certificate seeks confirmation that the use of the property as a Residential Family Assessment Centre for 3 parents and 3 children would be lawful.

7. Assessment against legislation:

Whilst the planning history (see above) shows that the property may have been in use as a bed and breakfast (Use Class C1), this use was never authorised, and therefore the previous residential use (Use Class C3) must be recognised as the existing lawful use of the site.

The proposed use as a Residential Family Assessment Centre for 3 parents and 3 children, would fall within Use Class C3(b), which is the use as a dwellinghouse by no more than six residents living together as a single household where care is provided for residents. The property would operate as a single, integrated household, where the residents in care and the carers will share all communal facilities, such as the living room and kitchen.

The proposed Use Class, C3(b), falls under the existing Use Class, C3. Therefore, the proposed change is not a material change of use, and it does not require planning permission under normal circumstances. The applicant's submitted statement demonstrates that the use would remain as a single household. And therefore, the proposed change of use is deemed as being lawful.

8. Conclusion

The proposed change of use from a residential dwelling (Use Class C3) to the use of the property as a residential family assessment centre (Use Class C3(b)) is not a material change of use, and it does not require planning permission.

DRAFT APPROVED



Development Management Team Leader

Date: 19/11/25