

Received Date:	29 January 2026
Expires:	26 March 2026
Application Number:	260189
Site:	Unit 120, Wharfedale Road, Winnersh, Wokingham, RG41 5RB
Application:	Application for a certificate of lawfulness for the proposed roller shutter door in place of existing ground floor window.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
062485	Outline planning application with all matters reserved except details of means of access to the site for development providing up to 191,100 sq m gross external area of built floorspace (in total) for Class B1 (a), (b) and (c) (including data centre use); Class D1; Class D2; Class C1; Class A1, A2, A3, A4, A5. Such development to include Highways and public transport facilities; Pedestrian, cyclist and vehicular ways; Pedestrian footbridge; Vehicle parking; Laying out open space; Landscaping; Groundworks; Drainage works; Provision and/or upgrade of services and related media and apparatus; Miscellaneous ancillary development (including security office, bin stores and cycle stores) and associated engineering and other operations.	2 nd August 2007	Approve	None

2. Site Description

An industrial unit within the major development location of Winnersh.

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 site is not subject to any wildlife or habitat designations.

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 7) (Class H) grants planning permission for the "*The erection, extension or alteration of an industrial building or a warehouse*".

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: A roller shutter door measuring approximately 3m in height and 2.5m in width to replace an existing ground floor window.

7. Assessment against legislation:

		Yes	No
1	Does it constitute development?	✓	
2	Would it be contrary to an enforcement notice?		✓
3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
4	The development is within the curtilage of an existing industrial building or warehouse;	✓	
	The gross floor space of any new building erected would not exceed—	✓	
	(i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;		
	(ii) in any other case, would exceed 200 square metres;		

		Yes	No
5	The gross floor space of the original building would not be exceeded by more than— (i) In respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser); (ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser); (iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);	✓	
6	The height of any part of the new building erected not would exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;	✓	
7	The height of the building as extended or altered would not exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres (ii) in all other cases, the height of the building being extended or altered	✓	
8	Any part of the development would not be within 5 metres of any boundary of the curtilage of the premises	N/A	
9	The development would not lead to a reduction in the space available for the parking or turning of vehicles	✓	
10	The development would not be within the curtilage of a listed building.	✓	
11	Any building as erected, extended or altered is only to be used— (i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking; (ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;	✓	

			Yes	No
	12	No building as erected, extended or altered is used to provide employee facilities— (i) between 7.00pm and 6.30am, for employees other than those present at the premises of the undertaking for the purpose of their employment; or (ii) at all, if a quantity of a dangerous substance is present at the premises of the undertaking in a quantity equal to or exceeding the quantity listed in the entry for that substance in Parts 2 or 3 of Schedule 1 to the Control of Major Accident Hazards Regulations 1999	N/A	
	13	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 existing industrial building or warehouse; and	N/A	
	14	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.	N/A	

The proposed installation of a shutter door in place of a window constitutes development and thus requires planning permission. Permission is available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 7) (Class H) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 24/03/26