

Received Date:	7 March 2026
Expires:	2 May 2026
Application Number:	260516
Site:	Waingels College, Waingels Road, Woodley, Wokingham, RG5 4RF
Application:	Application for a certificate of lawfulness for the proposed erection of a new single storey building.

1. Relevant Planning History

There is an extensive planning history to this site, and only those considered to be the most relevant are included within the table below.

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
344577	Extensions to sports block to form drama studio, weights room and equipment stores.	07/08/1995	Approved	N/A
001235	Proposed extension to school building to create 6 new classrooms and support accommodation to existing hall.	17/01/2001	Approved	N/A
002221	Proposed erection of portable double classroom.	12/07/2000	Approved	N/A
041609	Proposed first floor extension to school to provide improved teaching facilities and improve disabled access.	02/02/2005	Approved	N/A
050672	Proposed formation of a multi use games area with artificial grass.	01/02/2006	Approved	N/A
052709	Proposed erection of 2 storey modular teaching block in school site.	21/09/2005	Approved	N/A
081760	Proposed redevelopment of Waingels College to provide new secondary school academic floorspace comprising 4 new two storey buildings and retention and refurbishment of 5 existing single and 2 storey buildings (Scout Hut, Sports Hall & buildings B, E & F), together with new vehicular access at southern end of site (Waingels Road) plus retention of existing vehicular access for servicing/deliveries (currently main entrance).	04/12/2008	Approved	N/A
163217	Full application for the proposed erection of 6no floodlighting columns at the Multi Use Games Area (MUGA).	16/01/2017	Approved	N/A
173584	Full planning application for the demolition of existing store building attached to sports hall and erection	11/04/2018	Approved	N/A

	of all-weather multi-use games area with floodlighting columns.			
203456	Full planning application for the proposed construction of a 3G synthetic pitch funded through the FA framework consisting of sports fencing, LED floodlights, storage container, spectator area and pedestrian access.	12/03/2021	Approved	N/A

2. Site Description

The application site is a secondary school located on the edge of a residential area in Woodley.

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 subject to wildlife and habitat designations being located in an area that holds the potential to support bat roosts. The site is also located within a Red Impact Risk Zone for great crested newts.

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 M) grants planning permission for "*extensions etc for schools, colleges, universities, prisons and hospitals*".
- 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:

Application for a certificate of lawfulness for the proposed erection of a single storey building comprising of 3 no. small classrooms and ancillary spaces. The external appearance of the building will be similar to the existing buildings with through coloured render, a flat roof and powder coated aluminium windows and doors.

7. Assessment against legislation:

M.1 of Schedule 2, Part 7, Class M sets out when development is not permitted by Class M. The table below contains an assessment against this 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	Are the building operations involved in the construction of the original building lawful?	✓	
5	Does the cumulative footprint of any erection, extensions, or alteration under Class M on or after the relevant date exceed the greater of: (i) 25% of the cumulative footprint of the school, college, university, prison or hospital building as it was on the relevant date; or (ii) 250 square metres		✓
6	In the case of a college, university, prison or hospital building, would any part of the development be within 5 metres of a boundary of the curtilage of the premises?	N/A	N/A
7	In the case of a school, where any land adjacent to the site is used for a purpose within Part C of the Schedule to the Use Classes Order (residential properties), would any part of the proposed development be within 5 metres of the boundary of the curtilage of that residential land?		✓
8	Would, 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?		✓
9	Would the height of any new building erected exceed: (i) Within 10 metres of a boundary of the curtilage of the premises, 5 metres; or (ii) In all other cases, 6 metres		✓
10	Would the height of any rooftop structure exceed 1.5 metres?		✓
11	Would the height of the building as extended or altered exceed: (i) If within 10 metres of a boundary of the curtilage of the premises, the lesser of the height of the building being extended or altered or 5 metres; or (ii) In all other cases, the height of the building being extended or altered	N/A	N/A
12	Would the development be within the curtilage of a listed building?		✓
13	Would the development be within the curtilage of a listed building where:	N/A	N/A

	(i) In the case of a school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education (ii) In the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services. (iii) In the case of prison buildings a. The predominant use of the existing buildings on the premises is for the confinement of prisoners; and b. In the case of a closed prison, the development does not involve the erection, extension or alteration of any building beyond the perimeter as it stood on the relevant date.		
--	--	--	--

8. Conclusion:

The proposed erection of a single storey building to provide classrooms constitutes development requiring 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 M) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 30/04/26