

Received Date:	5 February 2026
Expires:	2 April 2026
Application Number:	260244
Site:	Westmead Centre, Rances Lane, Wokingham, RG40 2LH
Application:	Application for a certificate of lawfulness for the proposed use of the site within Use Class E(f).

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
10665	Covered play area for physically handicapped children.	04/05/1979	Approved	N/A
21873	Single storey extension to provide garage for school minibus.	18/09/1984	Approved	N/A
29155	Extension to proposed day centre for the physically handicapped and additional car parking.	17/03/1988	Approved	N/A

2. Site Description

The application site is located off the western side of Rances Lane. St Crispin's School is located directly to the west of the application site, but otherwise the wider area is typically residential in nature.

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 identified as having 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.

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 application is seeking permission for the proposed use of the site to be within Use Class E(f).

7. Assessment:

The most recent application at this site, 29155, was approved in 1988 for “Extension to proposed day centre for the physically handicapped and additional car parking.” The use was clearly defined as being a day centre, and this would have fallen under the old Use Class D1 Non-residential institutions which was revoked from 1 September 2020.

Under the new and current Use Classes, a day centre would fall under Use Class E(f). Therefore, given the site history does not indicate that the site has been used as anything other than a day centre since the approval of application 29155 in March 1988, the proposed use of the site within Use Class E(f) is acceptable. Additionally, the Council have no evidence to suggest the site was in any other use during this time.

8. Conclusion:

The proposed use of the site within Use Class E(f) is acceptable and does not amount to a material change of use of the land for which planning permission would be required under Section 55 of the Town and Country Planning Act 1990 (as amended).

It is therefore recommended that this application for a Lawful Development Certificate be **approved**.

DRAFT APPROVED

Development Management Team Leader



Date: 12/03/26