

DELEGATED APPLICATION REPORT

Ward:

App Ref: PL/25/0957 Lawful development: Proposed use

Address: SCHOOL CARETAKERS BUNGALOW, QUEENSWAY, CAVERSHAM, READING, RG4 6RP

Proposal: Change of use for the caretaker bungalow from ancillary C3 residential use to F1 provision of education and learning use at Caversham Park Primary School.

Applicant: Mrs Anne Mulford

Received date: 04/07/2025

Extended Target Decision date: 05/09/2025

Case Officer: Nathalie Weekes

1. SITE DESCRIPTION

The site is a detached single storey building with small grass garden to the front and rear at the north west of the school site, known as 'school caretakers bungalow'. It is located within the entrance to the grounds of Caversham Park Primary School and was formerly in use as a caretaker's bungalow. The building looks onto the school buildings with windows directly overlooking learning spaces and an open space used for the school gardening and allotment club.

The overall site is in F1 use class for learning and non-residential institutions for the provision of primary school education and the detached 'caretaker's' bungalow has previously been in ancillary C3 use.

The school site is separated from neighbouring residential houses by a boundary fence, hedging and a public footpath. A location plan is included below to show the caretaker's bungalow (red line boundary) within the overall black line boundary of the Caversham Park Primary School site.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for a change of use for the caretaker bungalow from ancillary C3 residential use to F1 provision of education and learning use at Caversham Park Primary School.

The existing caretaker's bungalow situated within the grounds of Caversham Park Primary school proposal has remained vacant since 28 March 2024 when the former caretaker left their post as an 'on-site, live-in' caretaker. The school is in need of additional meeting areas due to a shortage of space within the existing school buildings and logistical issues. The information submitted states that the caretaker's bungalow has a restricted occupation to be an employee of Caversham Park Primary School and that *'This property cannot be occupied by a non-school employee due to its location within the school site and our statutory duty to ensure the safeguarding of children in school (ref. Keeping Children Safe in Education 2024).'* The building has only had one previous ancillary use, as the accommodation for the Caversham Park Primary School residential caretaker.

The proposal is for the change in use of the existing bungalow to be used for educational purposes, the information submitted states, *'The plan is to use this building for provision of education (class F1) to include small group work, a meeting area for Teachers and outside professionals and an area for Teacher lesson planning'...* *'The bungalow would provide a more private area in which small group learning and meetings could take place.'* It is also proposed to extend the existing vegetable patch/gardening club area into the garden area. The use would be to change from an ancillary C3 residential use into the overall F1 education and learning site use.

The proposal would not result in an intensification of use of the school site and no increase in traffic is proposed. The footprint would remain unchanged with no proposed alteration or extension to the existing building. It is proposed to remove internal fences to 'integrate' the buildings and to allow greater access for the children to expand the gardening area. The external boundary hedging would remain, and the garden areas would remain part of a gardening area and would not be in use as a playing field.

Plans considered

- Caversham Park Location Plan
 - Block plan
 - PDF School grounds from above
 - PDF 1000122516 Side elevation of existing ancillary Caretaker's detached bungalow opposite the existing school buildings
 - PDF 1000122511 Front of existing ancillary Caretaker's detached bungalow, within the school grounds
 - Residential Caretaker Appointment letter 2005
 - Tenancy Agreement with Caretaker 2020
 - Caretaker vacation of property March 2024
 - Reading Council Tax 65832350
 - Proposed Use Photo Montage
- As received 4 July 2025*

3. RELEVANT PLANNING HISTORY

There is no unequivocal planning history on record pre-1977 when permission for Caversham Park Primary School was granted.

4. CONSULTATIONS

RBC legal team - The RBC Legal team have reviewed the information submitted and confirmed that the certificate can be granted.

No public consultations were undertaken as it is not required for an application of this type.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 10 of the Planning and Compensation Act 1991 established a procedure that enables anyone who wishes to do so, to apply to the local planning authority to determine whether a proposed use or operation, or an existing operational development or an existing use of land, or any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted, is lawful, and if so, be granted a certificate to that effect.

A Lawful Development Certificate is a legal document stating the lawfulness of past, present or future development. If granted by the local planning authority, the certificate means that enforcement action cannot be carried out to the development referred to in the certificate. However, the certificate will not protect from enforcement action by the planning authority if the specified use or development is then changed 'materially' without a planning application for it.

The certificate is not a planning permission. The planning merits of the use, operation or activity in the application are not relevant. The issue of a certificate depends entirely on factual evidence about the history and planning status of the building or other land and the interpretation of any relevant planning law or judicial authority. The responsibility is on the applicant to provide evidence to support the application.

The NPPG states that "In the case of applications for proposed development, an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved. In determining an application for a prospective development under section 192 of the Town & Country Planning Act a local planning authority needs to ask "if this proposed change of use had occurred, or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes."

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that

the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

6. APPRAISAL

A Certificate of Lawfulness for a Proposed Development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property. It is proposed that the change of use of an ancillary school caretakers building in C3 use is within the overall use of the site as F1 Learning and non learning institution under the Use Classes order 1987 (as amended on 1 September 2020). The [www.gov.uk](https://www.gov.uk/guidance/when-is-permission-required#:~:text=Movement%20from%20one%20primary%20use,set%20out%20in%20that%20Class.) website confirms that *'Movement from one primary use to another within the same use class is not development, and does not require planning permission.'*¹

The proposal must be assessed to ensure that the change of use of the C3 ancillary caretakers bungalow would remain within the same use class and comply with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 and any permitted development rights, Article 3(3) of the Town and Country Planning (Use Classes) Order 1987 (as amended) to identify the land use and whether the proposed development will remain in the same use class and Section 55 of the Town and Planning Act 1990 to identify whether there are any materials changes proposed to the use of the land.

A site visit was undertaken by the case officer which established that the C3 caretaker's bungalow was sited within the school grounds and can only be accessed after entering the main school gates.

The land on which the 'caretaker's bungalow' is located, in the north-west corner of the site, is considered to be within a wider F1 use to provide learning and educational facilities and is an ancillary to the use of the primary school. The change in use proposed is not considered be development as a change of use under planning law, as the caretaker's accommodation use is also within the overall F1 use. Neither is the proposal considered likely to result in an increase in disturbance to neighbouring houses due to the proposed change of use to incorporate small group learning, meeting spaces/workrooms, offices and storage space. There is no element of this proposal which would be considered development.

7. CONCLUSION

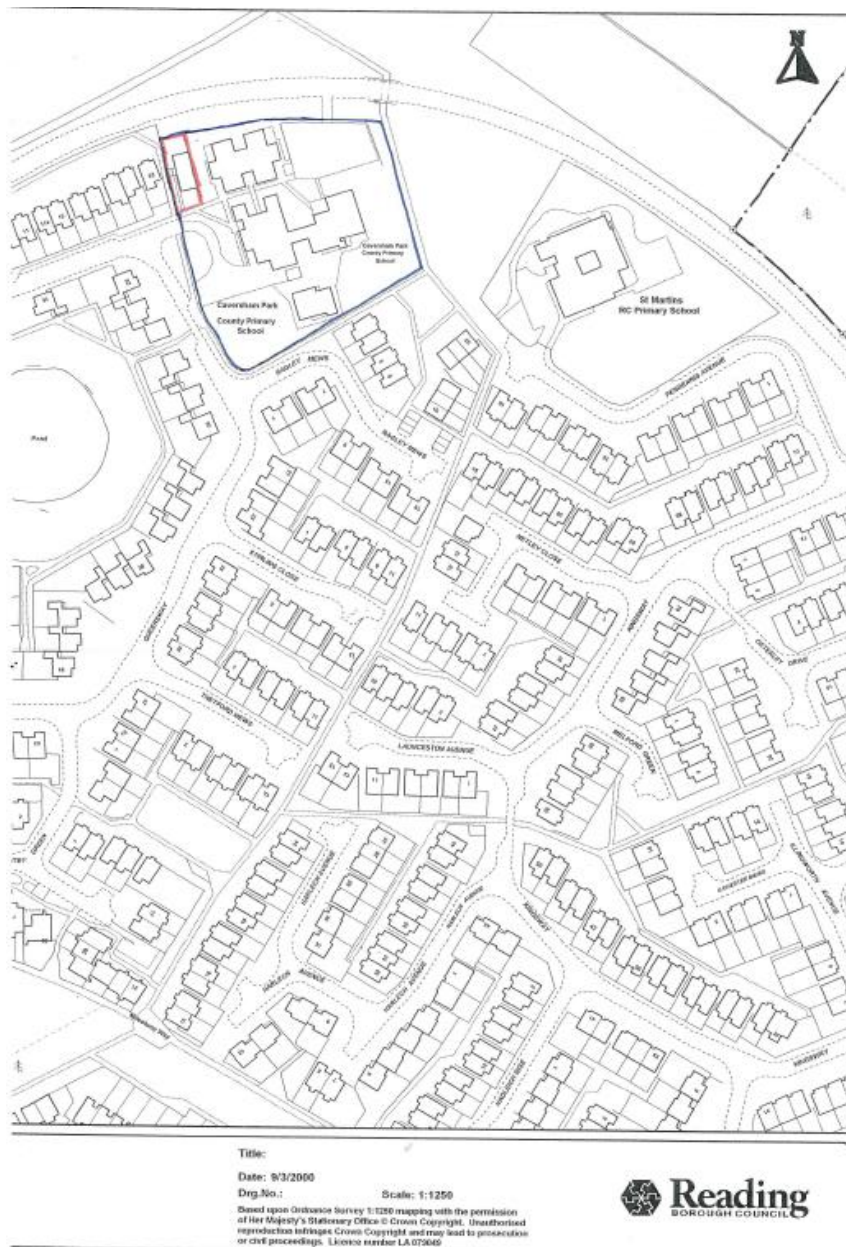
The site overall has a non-residential use falling within class F1: Learning and non-residential institutions. Within the overall site is a caretaker's bungalow (C3), which is ancillary to the primary educational use. The use of the bungalow for the provision of education and learning would not constitute a change of use as Article 3(3) of the Use Classes Order 1987 (as amended) provides that a use which is included in and ordinarily incidental to any use in a class specified in the schedule is not excluded from the use to which it is incidental merely because it is specified in the schedule as a separate use. Therefore, using the bungalow for education and learning purposes would not be development under (s55(2)(f)) as it would be a change of use within the same use class.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Town and Country Planning (Use Classes) Order 1987 (as amended) and it has been confirmed that the proposed use for the caretaker's bungalow to change from ancillary C3 residential use to F1 provision of education and learning use at Caversham Park Primary School would be lawful and not constitute a change of use.

¹ <https://www.gov.uk/guidance/when-is-permission-required#:~:text=Movement%20from%20one%20primary%20use,set%20out%20in%20that%20Class.>



Site Location Plan (not to scale)



8. RECOMMENDATION
GRANT Certificate