



WOKINGHAM
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS

TOWN AND COUNTRY PLANNING ACT 1990:
SECTION 191 AND 192

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39

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NOTIFICATION OF APPROVAL OF CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

Application Number: 213215
Applicant Name: Mike and Helen Howard
Site Address: Ruscombe Turn, Stanlake Lane, Ruscombe, RG10 0BL
Proposal: Application for a certificate of lawfulness for the proposed alterations to existing roof, single storey rear extension, the insertion of 1no. roof light, erection of outbuilding to be used as home office/gym, following demolition of existing outbuilding.

Wokingham Borough Council hereby certifies that on 12 October 2021 (being the date of application for this certificate), and subject to any conditions and/or informatives below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposed alterations to existing roof, single storey rear extension, the insertion of 1no. roof light, erection of outbuilding to be used as home office/gym (for a purpose incidental to the enjoyment of the dwelling house), following demolition of existing outbuilding 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 1) (Class A, B, E) of the Order.

Informatives

1. Where applicable, the approval above is subject to the following:

The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

2. This Certificate is issued in respect of plan no's 02 Existing Site Plan, 03 Existing Plans, 04 Existing Elevations, 100 Proposed Plans, 101 Proposed Elevations, 102 Proposed Outbuilding received by the Local Planning Authority on 25 September 2021 and 01 Rev A Location Plan, 05 Existing Outbuilding, 05 Rev A Block Plan received by the Local Planning Authority on 12/13 October 2021.

FIRST SCHEDULE

Proposal: Application for a certificate of lawfulness for the proposed alterations to existing roof, single storey rear extension, the insertion of 1no. roof light, erection of outbuilding to be used as home office/gym, following demolition of existing outbuilding.

SECOND SCHEDULE

Address: Ruscombe Turn, Stanlake Lane, Ruscombe, RG10 0BL

PLAN



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OS 100030994.

Scale: 1:1,250
Date: 03/11/2021



Signed

MHead

Marcia Head
Service Manager - Place & Growth
Date: 3 November 2021

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). There is **no time** limit for the submission of appeals in respect of certificates of lawful proposed use/development.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service as set out on the [.gov.uk](http://www.gov.uk) website which contains information and guides on the appeal process. Alternatively you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Planning Inspectorate website](http://www.planninginspectorate.gov.uk). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](http://www.linesearchbeforeudig.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended). It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and, therefore, was not liable to enforcement action under Part 7 of the 1990 Act on that date.

1. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any matters which are materially different from that which is described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act (as amended) which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.