



**WOKINGHAM
BOROUGH COUNCIL**

Wokingham Borough Council
Planning Services
PO Box 157, Civic Offices, Shute End
Wokingham, Berkshire
RG40 1WR
email: development.control@wokingham.gov.uk
Phone: 0118 974 6000

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,
including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mr.

First name

Anees

Surname

Ahmad

Company Name

Address

Address line 1

Pine Drive Lower Wokingham Road

Address line 2

Address line 3

Town/City

Crowthorne

County

Wokingham

Country

United Kingdom

Postcode

RG45 6BX

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☐ An existing use
- ☒ Existing building works
- ☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

I have installed a front fence with a height of 5 feet. This fence height is consistent with the neighboring properties on both the left and right-hand sides, which also have fences of the same height. Additionally, along Lower Wokingham Road, the majority of properties have front fences that are 6 feet high, as evidenced by the attached photographs.

The fence I installed is set further back from the road compared to the neighbouring fences, specifically to enhance road visibility and safety. This careful positioning was done with consideration for both aesthetics and practical visibility concerns. Given the uniformity with neighbouring properties and the careful attention to safety, I kindly request that the retrospective planning approval for the fence be granted.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☐ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The use as a single dwelling house began more than four years before the date of this application
- ☒ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details

The neighbors on the left-hand side, as well as several other houses along Lower Wokingham Road, have installed fences within the last one to two years without applying for planning approvals. These fences are of similar or greater height to the one I installed. Given that we matched the height of our fence to those of our neighbors, we were under the impression that planning permission was not required, as this was understood to fall under permitted development rules.

However, following recent feedback from the council, we are now submitting this retrospective planning application to ensure full compliance. We hope that, given the precedent set by surrounding properties and our adherence to local norms, our application will be viewed favourably.

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
☒ No

Please state why a Lawful Development Certificate should be granted

A Lawful Development Certificate should be granted for the following reasons:

Lower Wokingham Road is a very busy and frequently travelled road. For this reason, almost all residents along this road have opted for high fences to ensure privacy and security. In our specific case, the need for a fence is further justified by a previous incident where conifer trees on our property fell onto the road, posing a significant hazard to road users.

To prevent similar incidents in the future and to safeguard both the security of our home and the safety of those using the road, it is essential to have a fence that is at least 5 feet high. This height provides the necessary protection without compromising visibility for drivers or pedestrians. Additionally, we installed the fence set further back from the road compared to our neighbours' fences to enhance both road visibility and safety. Therefore, granting a Lawful Development Certificate for the existing fence would align with both safety and security considerations that are crucial for our property and the surrounding area.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

15-06-2024

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☐ Yes
☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- ☐ Yes
☒ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Anees Ahmad

Date

15/09/2024