



**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 a Proposed Use or Development

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	Arlington
Address Line 1	Basingstoke Road
Address Line 2	
Address Line 3	Wokingham
Town/city	Spencers Wood
Postcode	RG7 1AE

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

Easting (x)	Northing (y)
471516	166673

Description

Applicant Details

Name/Company

Title

Mr

First name

Fakrul

Surname

Islam

Company Name

Miahs Limited

Address

Address line 1

Miahs Spencers Wood

Address line 2

Tankerton House

Address line 3

Basingstoke Road

Town/City

County

Country

United Kingdom

Postcode

RG7 1AE

Are you an agent acting on behalf of the applicant?

- ☒ Yes
☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

☒ Yes

☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

Internal alternations and conversion of loft space with the addition of rear dormers and insertion of roof windows

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes

☒ No

Has the proposal been started?

☐ Yes

☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing building is an established residential dwelling which has been in existence for in excess of 50 years

this application is being re-submitted following the incorrect issuance of a rejection notice which relied on an un-implemented historic planning permission that would have brought the presented proposals as not being admissible due to the PD rights having been removed by way of the un-implemented permission.

Thus the case for refusal was incorrect and the council have asked for the application to be resubmitted as was originally presented.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Not required/applicable

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The conversion of the loft space with new dormers complies with Class B - additions etc to the roof of the Permitted development rules as follows:

- no part of the dwellinghouse as a result of the works, extends beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.
- the increase on volume does not exceed 50 cubic metres volume for a semi-detached house
- the dormers are not higher than the original ridge

the materials used in any exterior work are of a similar appearance to those used in the construction of the exterior of the existing dwelling house

- minimum of 20cm are retained from the eaves to the start of the vertical face of the dormer
- the property is not in an article 4 area where permitted development rights have been removed for extensions.
- this application is being re-submitted following the incorrect issuance of a rejection notice which relied on an un-implemented historic planning permission that would have brought the presented proposals as not being admissible due to the PD rights having been removed by way of the un-implemented permission.

Thus the case for refusal was incorrect and the council have asked for the application to be resubmitted as was originally presented.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

241627

Date (must be pre-application submission)

11/09/2024

Details of the pre-application advice received

I have spoken with my manager regarding the decision notice that was issued for this application. Unfortunately, we will not be able to cancel and re-issue a decision notice on this application.

If planning permission 33445 was never implemented, you are correct in that the permission has since lapsed, and therefore the restrictive condition does not apply.

We would invite you to resubmit a further certificate application, however, please could this be supported with a statement from the applicant that the two-storey rear extension approved under application 33445 was never implemented.

The applicant makes this statement as part of this resubmission

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

Interest in the Land

Please state the applicant's interest in the land

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

Declaration

I/We hereby apply for Lawful development: Proposed 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

Sunil Mehan

Date

28/09/2024