

Received Date	7 January 2026
Expires:	4 March 2026
Application Number:	253141
Site:	Lancambria, Basingstoke Road, Swallowfield, Wokingham, RG7 1PY
Application:	Application for a certificate of lawfulness for the proposed erection of 2no. detached outbuildings following demolition of existing outbuildings.

1. Relevant Planning History

PLANNING HISTORY		
Application No.	Description	Decision & Date
252570	Application for a certificate of lawfulness for the proposed insertion of 2 no. first floor windows to the south elevation of the dwelling, plus erection of 2 no. single storey outbuildings.	Refused 01/12/2025
250794	Application for non-material amendment to planning consent 242632 to raise the ridge and eaves of the front gable roof.	Approved: 09/04/2025
250793	Application for non-material amendment to planning consent 240807 to extend part of the single storey roof at the rear to create a covered area.	Approved: 03/04/2025
242632	Householder application for the proposed erection of first floor front/side extension, playroom and garage conversion into habitable accommodation.	Approved, 06/03/2025
240807	Householder application for proposed garage conversion to create habitable accommodation, single storey front extension to create a porch ,single storey rear extension with changes to the fenestration.	Approved, 01/05/2024
072895	Proposed demolition of existing double garage and erection of single storey and two storey side extensions to dwelling with front dormer windows. Resubmission F/2007/0421.	Approved, 26/07/2007
070889	Proposed demolition of existing double garage and erection of single storey side and two storey front and side extension to dwelling with front and rear dormer windows plus single storey front canopy extension.	Refused, 05/04/2007
03848	Detached House and Garage	Approved: 18/12/1975

2. Site Description

Two storey detached property located on the western side of Basingstoke Road, Swallowfield.

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 located in an area suitable for bat roosts.
- The site is located outside settlement limits in countryside.

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.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class E) grants planning permission for the erection of certain outbuildings, pools and fuel storage containers within the curtilage of a dwellinghouse.
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

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:

The proposal relates to a certificate of lawfulness for the proposed erection of two detached outbuildings and the removal of the two existing outbuildings.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓

			Yes	No
s.187a Art.3	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the dwellinghouse lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Art.4	6	Is it within the curtilage of the dwellinghouse?	✓	

Fuel storage

Sch.2 Pt. 1 E.b	7	Does the development consist of a container used for the storage of oil or liquid petroleum gas?		✓
Sch.2 Pt. 1 E.b	8	Is the storage for domestic heating purposes?		✓
E.1(j)	9	Would the capacity of the container exceed 3,500 litres?		✓

Outbuildings and pools

Sch.2 Pt. 1 E.a	10	Does the development comprise a building or enclosure, swimming or other pool, or the maintenance, improvement or other alteration of such a building or enclosure?	✓	
Sch.2 Pt. 1 E.a	11	Is the building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such?	✓	

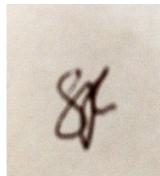
Fuel storage and outbuildings

E.1(a)	12	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?		✓
E.1(b)	13	Would the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the original curtilage (excluding the original dwelling)?		✓
E.1(c)	14	Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?		✓
E.1(d)	15	If it is a building would it have more than one storey?		✓
E.1(e)	16	Would the height of the building, enclosure or container exceed: (i) Four metres in the case of a building with a dual-pitched roof		✓
		(ii) 2.5 metres in the case of a building, enclosure or container within two metres of the boundary of the curtilage of the dwellinghouse?	NA	NA
		(iii) Three metres in any other case?		✓
E.1(f)	17	Would the height of the eaves of the building exceed 2.5 metres?		✓
E.1(g)	18	Would the building, enclosure, pool or container be situated within the curtilage of a listed building ?		✓
E.1(h)	19	Would the development include the construction or provision of a veranda, balcony or raised platform?		✓
E.1(i)	20	Would it relate to a dwelling?	✓	
E.1(j)	21	Would it relate to a microwave antenna?		✓

			Yes	No
E.3	22	Article 2(3) land (World Heritage Sites, National Parks, AONBs & Conservation Areas): Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?	NA	NA
	23	Would it affect or be within the Root Protection Area of a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval may be needed</i>		✓

8. Conclusion:

The proposed detached outbuildings constitute development, and this requires 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 E) of the Order.



DRAFT APPROVED

Development Management Team Leader

Date: 5.2.26