

Received Date	7 August 2026
Expires:	2 October 2026
Application Number:	261857
Site:	The Moorings, Loddon Drive, Wargrave, Wokingham, RG10 8HL
Application:	Application for a certificate of lawfulness for the proposed replacement and resurfacing of the existing parking and driveway areas with permeable paving, including associated preparation and relaying works, with surface water retained and discharged to permeable areas within the curtilage.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
22919	Erection of a detached two-bedroom bungalow with a garage and shed,	18 th March 1985	Approve	N/A
061236	Proposed erection of one replacement dwelling , demolition of existing dwelling.	09 th May 2006	Refused	N/A
060072	Application for a certificate of existing lawful use of annexe as separate living accommodation.	17 th July 2006	Refused	N/A
062226	Proposed erection of replacement dwelling. Demolition of existing dwelling.	20 th October 2006	Approve	N/A
082337	Proposed erection of detached three bay garage and workshop.	20 th October 2008	Refused	N/A
100735	Proposed erection of two-bay garage and workshop.	20 th May 2010	Approve	N/A
111078	Proposed erection of two bay garage and workshop/store.	18 th August 2011	Approve	N/A
140535	Proposed erection of detached two bay garage and workshop/store with associated hardstanding.	28 th January 2015	Approve	N/A

2. Site Description

This application site relates to a two-storey detached dwelling in the countryside location of Wargrave, Wokingham.

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 subject to bat roost habitat designations.

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 F) grants planning permission in certain circumstances for the provision and replacement of hard surfacing 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:

Application for a certificate of lawfulness for the proposed replacement and resurfacing of the existing parking and driveway areas with permeable paving, including associated preparation and relaying works, with surface water retained and discharged to permeable areas within the curtilage.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	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?		✓
Sch.2 Pt. 1 F (a) (b)	6	Would the development comprise the provision within the curtilage of a dwellinghouse of a hard surface, or for its partial or complete replacement?	✓	
Sch.2 Pt. 1 F (a) (b)	7	Is the hard surface required for a purpose incidental to the enjoyment of the dwellinghouse as such?	✓	

			Yes	No
F.1	8	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)?		✓
	9	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>		✓

Conclusion:

The proposed replacement and resurfacing of the existing parking and driveway areas with permeable paving, including associated preparation and relaying works, with surface water retained and discharged to permeable areas within the curtilage constitutes development requiring planning permission. Permission is granted 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 F) of the Order.

DRAFT APPROVED *MC*

Development Management Team Leader

Date: 29.09.2026