



WOKINGHAM BOROUGH COUNCIL

Statement by Local Planning Authority

Appellant	Mr Andy Coates
Site	66 Arbor Lane, Winnersh, RG41 5JD
Local Planning Authority Reference	260948
PINS Reference	60102171

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Appendix One: Decision Notice for Appeal Proposal (260948)

Appendix Two: Officer Report Relating to Appeal Proposal (260948)

1 Background

- 1.1 This appeal statement relates to the refusal of a Certificate of Lawful Development by the Local Planning Authority (LPA) in respect of the erection of a single storey outbuilding proposed as permitted development in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The outbuilding measures 12m X 12m with a dual pitched roof of 4m ridge and 2.3m eaves heights. The building comprises a proposed garage use.
- 1.3 A Lawful Development Certificate application for the development subject to the current appeal was validated on 24 April 2026 with planning reference 260948. The application was refused on 9 June 2026 because the “proposed building would not be incidental to the enjoyment of the dwellinghouse.”
- 1.4 A copy of the decision notice of application 260948 is enclosed in Appendix One and the delegated officer report is enclosed in Appendix Two.

2 Rebuttal of Applicants Statement:

- 2.1 This section of the statement will consider the appellant's comments in their statement and respond where necessary. The Inspector is also referred to the officer report the contents of which is not repeated below.
- 2.2 The Council maintains that the proposed development would not satisfy the requirements of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore would not constitute lawful development.
- 2.3 A significant proportion of the appellant's statement is directed towards a brief reference contained within the officer report concerning a previous enquiry relating to a workshop and vehicle lift. The Council wishes to clarify that this reference was included solely as background information and was not the basis upon which the application was refused. The refusal reason does not refer to any previous enquiry, commercial use, or alleged commercial intent. Instead, the Council's conclusion was reached primarily through an assessment of the scale and size of the proposed outbuilding in the context of the dwellinghouse when considered against the statutory requirement that a Class E building must be for a purpose incidental to the enjoyment of the dwellinghouse.
- 2.4 The Council acknowledges that a garage, may be capable of being an incidental use to a dwellinghouse in principle. However, whether development falls within Class E is a matter of fact and degree and depends not only upon the stated use but also upon the physical characteristics of the building proposed. As set out in the officer report, the footprint of approximately 143.5sqm is substantial and significantly exceeds what would ordinarily be expected to serve the needs of a single dwellinghouse. The scale of the proposed building is therefore a material consideration in determining whether it can reasonably be regarded as subordinate and incidental to the enjoyment of the host dwelling.
- 2.5 The appellant places considerable weight on the absence of a specific size restriction within Class E. Whilst the GPDO does not prescribe a maximum floorspace, that does not mean that size is irrelevant. The Courts and Planning Inspectorate have consistently recognised that the scale of an outbuilding is relevant when considering whether it is genuinely incidental to the enjoyment of the dwellinghouse. The Council's concern is not that the proposal exceeds any dimensional limitation within Class E, but that its scale is such that it cannot reasonably be regarded as incidental development within the meaning of the Order. In particular, the size is excessive when compared to the footprint and scale of the host dwellinghouse and significantly greater than would ordinarily be expected to serve the domestic needs of a single dwelling of this size.

- 2.6 The appellant has also provided a detailed inventory of vehicles, equipment and hobbies said to justify the size of the building. Whilst the Council notes these assertions, the application submitted to the Local Planning Authority did not contain this information. Regardless, a garage would ordinarily be used for the parking of vehicles or storage of domestic paraphernalia. In any event, the existence of numerous vehicles, recreational equipment or domestic hobbies does not automatically establish that an outbuilding of this scale would fall under Class E. The assessment remains one of fact and degree, having regard to the overall size and relationship of the building to the dwellinghouse and its residential curtilage. The question is not simply whether the appellant can identify sufficient items to occupy the floorspace, but whether the proposed building, having regard to its overall scale, footprint and relationship to the host dwellinghouse and its curtilage, can reasonably be regarded as a building required for a purpose incidental to the enjoyment of the dwellinghouse. The Council considers that it cannot.
- 2.7 For these reasons, the Council remains of the view that the proposed garage would not be a building required for a purpose incidental to the enjoyment of the dwellinghouse as such and would therefore require express planning permission. Accordingly, the Council respectfully requests that the Inspector dismiss the appeal.