

EXISTING LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Application Number: 251248

Draft Recommendation: Wokingham Borough Council hereby certify that on 27 May 2025 (being the date of application for this certificate), and subject to any conditions or informatives below, the use/operations/matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, and edged red on the attached plan **would not have been lawful** within the meaning of Section 191/192 of the Town and Country Planning Act 1990 (as amended) or section 26H (2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended), for the following reason(s):

1. The relevant test for Lawful Use is the 'balance of probability'. Based on the evidence provided and the Local Planning Authority's own information, it is considered that the applicant has not discharged their burden of proof in evidencing the land has been in continuous residential use as garden associated with The Lake House, as outlined in red on the submitted Location Plan for at least ten years prior to the application.

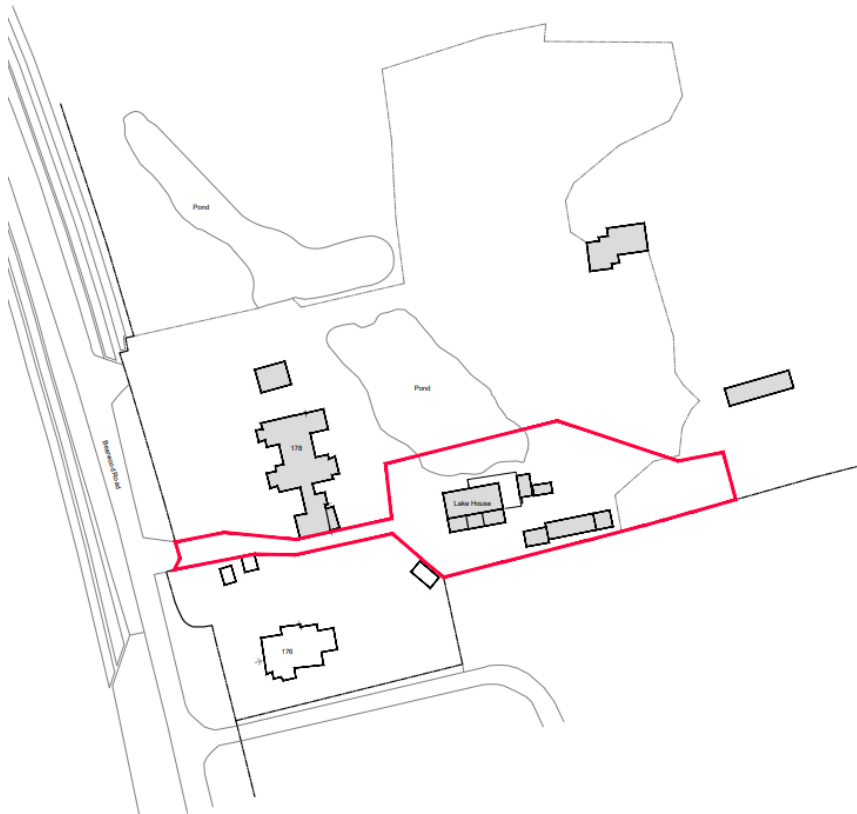
FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for the use of land as residential garden associated with the Lake House.

SECOND SCHEDULE

Address: Land at 178 Bearwood Road, Barkham, Wokingham, RG41 4SH

PLAN



Scale - 1:1250

Recommendation agreed: *JMM*

Date: 7 August 2025