

PROPOSED LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



Application Number: 243192

Draft Recommendation: Wokingham Borough Council hereby certify that on 20 December 2024 (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 proposed erection of a detached outbuilding constitutes development requiring planning permission. Permission is not granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal not being in accordance with Schedule 2 (Part 1) (Class E) E1.eii and f of the Order.

The outbuilding would be less than 2 meters from the side boundary, therefore the height limit for the total development is restricted to 2.5 metres if it is to be permitted development. The total height is 2.65 meters, thus not permitted development.

The height of the eaves of the building is 2.60 metres, which is not under permitted development as the height of the eaves of the building should not exceed 2.5 metres. Therefore, planning permission is required for the development. The certificate cannot be approved for these reasons.

Informatives

1. This Certificate/Decision is issued in respect of plans; Location Plan, 24/06/10, 24/06/11 & 26/06/12 A received on 19/12/24 & 20/12/24.

2. The nearby trees are protected by a Tree Preservation Order and separate consent regarding works that will affect protected trees and the respective roots may be required. It is a criminal offence to cut down, top, lop, uproot, wilfully damage or destroy any TPO tree. It is advised that the applicant consults a specialist arboricultural consultant or tree surgeon before carrying out any works affecting TPO Trees. Further information can be found on the council's website

<https://www.wokingham.gov.uk/countryside-parks-and-conservation/trees-hedges-and-grass-cutting/tree-work-and-law>

FIRST SCHEDULE

Proposal: Application for a certificate of lawfulness for the proposed erection of a detached outbuilding and installation of hardstanding to form an enlarged patio.

SECOND SCHEDULE

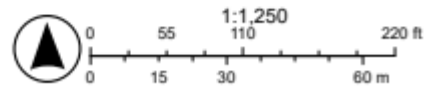
Address: 14 Heatherway, Crowthorne, Wokingham, RG45 6HG

PLAN

14 Heatherway, Crowthorne, Wokingham



13/02/2025, 09:38:07



Wokingham Internal
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Recommendation agreed: *MC*

Date: 13.02.2025