

Received Date:	11 September 2025
Expires:	6 November 2025
Application Number:	252160
Site:	Holme Farm, Aston Lane, Aston, Wokingham, RG9 3DJ
Application:	Application for a certificate of lawfulness for the proposed installation of 5no roof lights on the studio outbuilding.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
221786	Application for a certificate of existing lawful development for a tennis court and swimming pool.	19/07/2022	Approved	None
251500	Application for a certificate of lawfulness for the proposed erection of tennis court and enclosure following demolition of the existing tennis court.	01/08/2025	Split Decision	None
251674	Application for a certificate of lawfulness for the proposed erection of a detached outbuilding.	10/09/2025	Approved	None
251905	Application for a certificate of lawfulness for the proposed erection of a tennis court with enclosure following demolition of existing tennis court.	01/10/2025	Approved	None

2. Site Description

The application site consists of a two-storey detached property located off a track leading from Aston Lane, Aston. The application site is within the Aston Area of Special Character.

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).
- Grade II* Listed Culham Court is located to the east of the site.
- The site is located in an area suitable for bat roosts.
- The site is located in designated countryside and Green Belt.

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 C) grants planning permission for alterations to the roof of a dwellinghouse other than the enlargement of the 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 insertion of five rooflights into the main roof of the studio outbuilding.

7. Assessment against legislation:

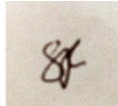
			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the original building lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Sch.2 Pt. 1 C	6	Does the development consist of a roof alteration (other than enlargement)?	✓	
C.1(a)	7	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)?		✓
C.1(b)	8	Would the alteration protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof?		✓
C.1(c)	9	Would it result in the highest part of the alteration being higher than the highest part of the original roof?		✓
C.1(d)	10	Would it would consist of or include: (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment?		✓
	11	Would it affect a TPO'd tree? <i>* Does not affect Article 3 permission in respect of TPO trees.</i>		✓

			Yes	No
	12	Does affect Article 3 permission in respect of bats.	✓	

8. Conclusion:

The proposed detached outbuilding constitutes 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 C) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 24.10.25