

EXISTING LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Application Number: 242362

Draft Recommendation: Wokingham Borough Council hereby certify that on 23 September 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 erection of a boundary fence constitutes development requiring planning permission. Permission is not available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the development not being in accordance with Schedule 2 (Part 2) (Class A) of the Order.

It is clear that the position of the fence is adjacent to a highway used by vehicular traffic, such that A.1(a)(ii) of Schedule 2, Part 2, Class A of the GPDO (as amended) is the criteria relevant to this submission. This requires that a means of enclosure does not exceed 1 metre above ground level. The fence is 1.52 metres in height, and therefore fails to comply with this requirement.

Informatives

1. This decision is issued in respect of plans titled/numbered (Site Plan/TQRQM24253213747041) (Location Plan/TQRQM24253215438698) (Pine Drive Fence Elevation Sketch) (Photo of Fence and Diagram) received by the Local Planning Authority on 15/09/2024 & 22/09/2024.

2. The Council would like to draw the Applicants attention to the fact that the plans submitted with the application are not accurate and lack detail of the development. Revised plans, providing accurate and adequate information to assess the application are required for an approval, appeal or any subsequent application. Despite requests at validation stage, accurate, scale revised plans showing all aspects of the development were not received.

FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for erection of a boundary fence.

SECOND SCHEDULE

Address: Pine Drive, Lower Wokingham Road, Crowthorne, Wokingham, RG45 6BX

PLAN



Scale - 1:1250

Recommendation agreed: *JMM*

Date: 12 November 2024