

EXISTING LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



Application Number: 242918

Draft Recommendation: Split Decision

Wokingham Borough Council hereby certify that on 25 November 2024 (being the date of application for this certificate) that the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking and operational development including staff amenity building, staff gazebo building and associated pathways and drainage, as 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).

Wokingham Borough Council hereby certify that on 25 November 2024 (being the date of application for this certificate) that the hardstanding constructed to the south of the site and the footpaths in the northern section of the site shown in green on the attached plan **would 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).

The above recommendations are justified by the following reasons:

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 to have not been demonstrated that the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking has been occurring for a consecutive period of ten years i.e. since 25 November 2014.

With regards to the staff amenity building, staff gazebo building and associated drainage and southern pathways, being ancillary to the use of the site, it has not been demonstrated that they were substantially complete/constructed on site 10 years prior to the submission of the application.

However, on the balance of probabilities, the hardstanding constructed to the south of the site and the footpaths in the northern section of the site shown in green on the attached plan have been in situ for a period in excess of 10 years.

FIRST SCHEDULE

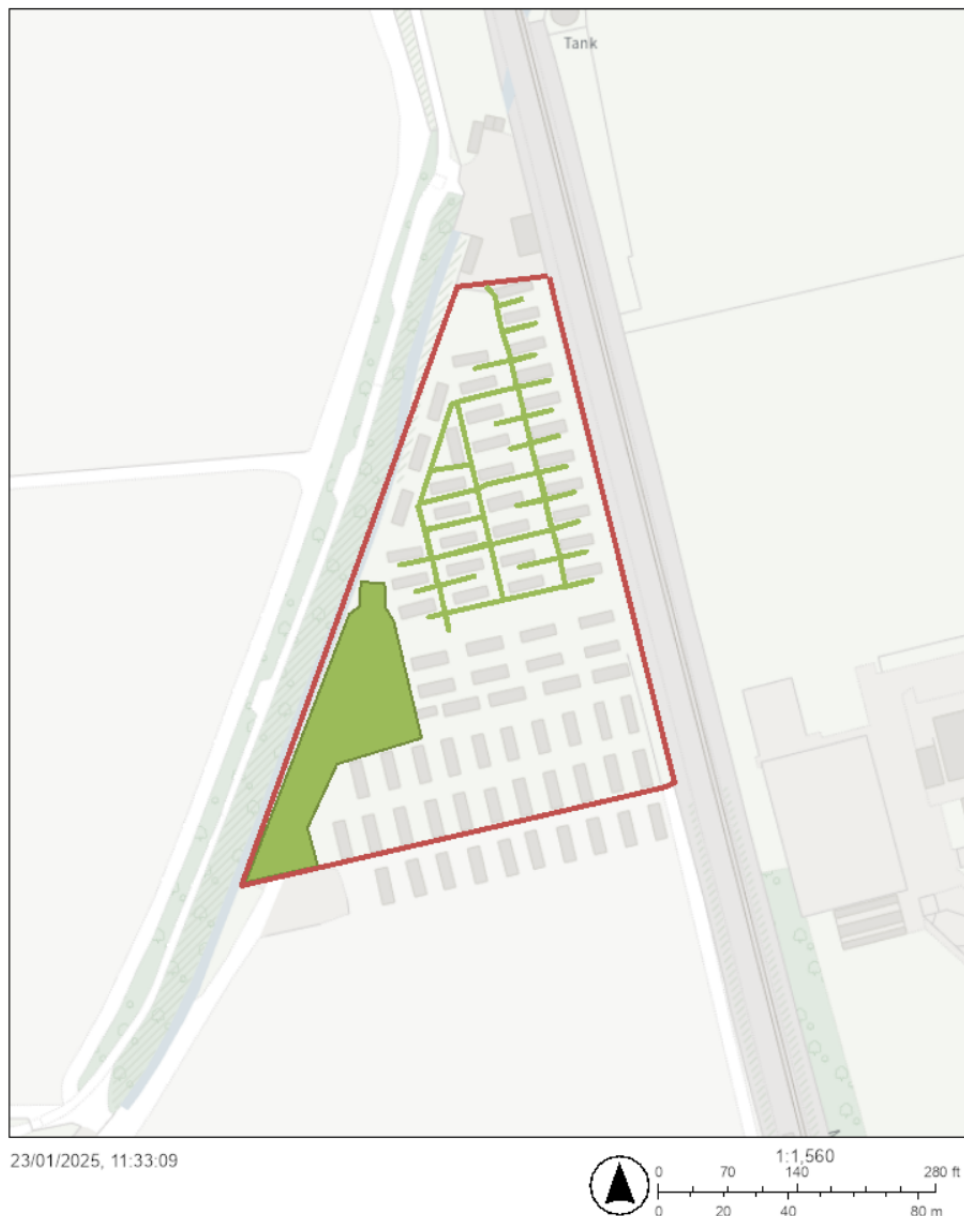
Proposal: Application for a certificate of existing lawful development for the use of land for the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking, and operational development including staff amenity building, staff gazebo building and associated pathways, hardstanding and drainage.

SECOND SCHEDULE

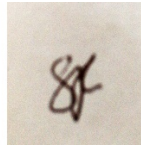
Address: Sheeplands Farm, Goffs Barn, Wargrave Road, Wargrave, Wokingham, RG10 8DJ

PLAN

Sheeplands Farm, Goffs Barn, Wargrave Road, Wargrave, RG10 8DJ



Recommendation agreed:

A small, square, light-colored stamp or piece of paper with a handwritten signature in dark ink. The signature appears to be 'SF' or similar initials.

Date: 23.1.25