

PROPOSED LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Application Number: 243011

Draft Recommendation: Wokingham Borough Council hereby certify that on 28 November 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 use of the existing dwelling for supported accommodation for up to 6 children constitutes development requiring planning permission as it would result in a material change of use from Use Class C3 to C2. The description provided in the Planning Statement falls squarely within a C2 Use Class. The use as described would not form a single household and therefore would be a C2 Use Class. This conclusion is supported by case law. The proposed use would result in a material change to the character of the use of the site. C2 and C3 uses draw upon different planning policies; strategic assessments and can attract different material weight: they are materially different uses with different material planning consequences.

Informatives

1. This Certificate/Decision is issued in respect of the submitted Planning Statement (ET Planning) and drawing titled 'Location Plan' received on 28 November 2024 and drawings titled 'Proposed Ground Floor Layout Plan' and 'Proposed First Floor Layout Plan' received on 5 February 2025.

FIRST SCHEDULE

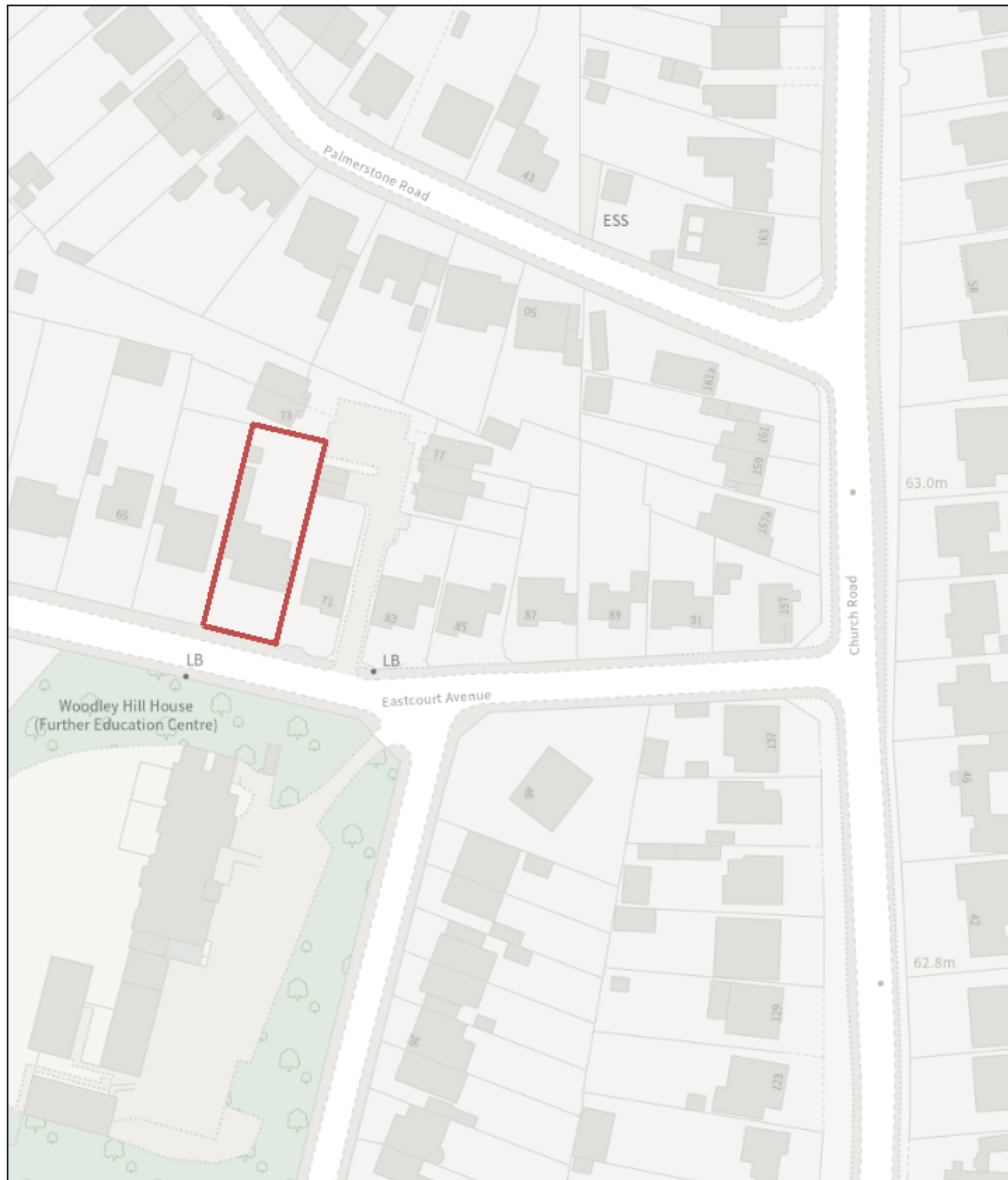
Proposal: Application for a certificate of lawfulness for the proposed use of the existing dwelling for supported accommodation.

SECOND SCHEDULE

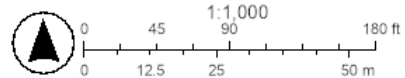
Address: 69 Eastcourt Avenue, Earley, Wokingham, RG6 1HH

PLAN

243011 - 69 Eastcourt Avenue, Earley, RG6 1HH



26/02/2025, 17:05:03



Wokingham Internal
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Recommendation agreed:

Date: 27/02/25