



WOKINGHAM
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS

TOWN AND COUNTRY PLANNING ACT 1990:
SECTION 191 AND 192

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39

ET Planning
ET Planning
200 Dukes Ride
Crowthorne
RG45 6DS

NOTIFICATION OF APPROVAL OF CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT

Application Number: 242499
Applicant Name: Mr and Mrs Luke and Philippa Sanders and Kay
Site Address: 178 Land At, Bearwood Road, Barkham, Wokingham,
RG41 4SH
Proposal: Application for a certificate of existing lawful
development for the incidental residential garden use
of land associated with The Lodge (also ancillary
development associated with construction of
dwelling).
Date of Decision: 13 February 2025

Wokingham Borough Council hereby certifies that on 14 October 2024 (being the date of application for this certificate), and subject to any conditions and/or informatives below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

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 been demonstrated that the incidental residential use of land to the south of the Lodge, along with the immediate surrounding has been as residential garden for a consecutive period of over 10 years preceding the application. It is therefore considered that the certificate of existing lawful use should be amended and approved.

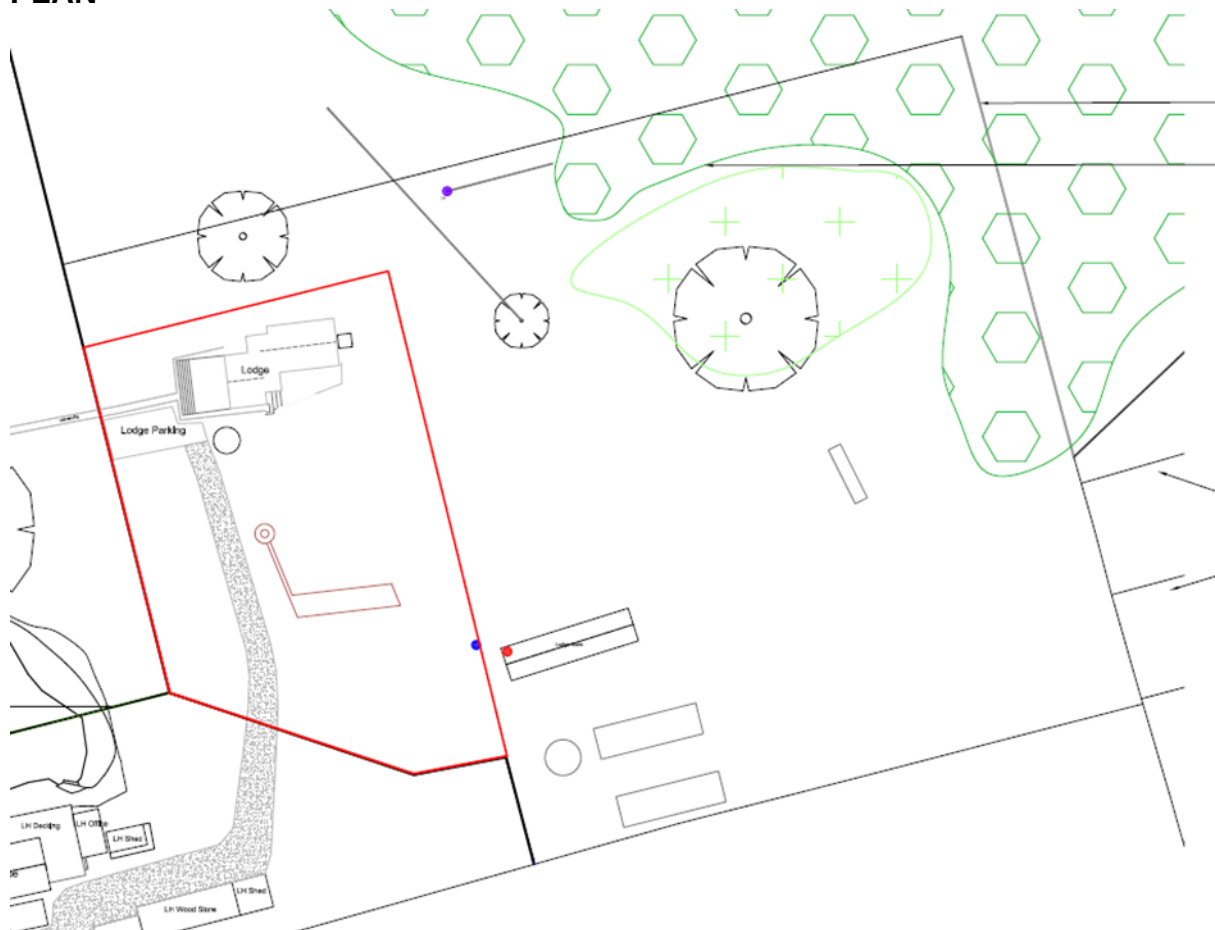
FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for the incidental residential garden use of land associated with The Lodge (also ancillary development associated with construction of dwelling).

SECOND SCHEDULE

Address: 178 Land At, Bearwood Road, Barkham, Wokingham, RG41 4SH

PLAN



Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 13 February 2025

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). There is **no time** limit for the submission of appeals in respect of certificates of lawful existing use/development.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service as set out on the [.gov.uk](http://www.gov.uk) website which contains information and guides on the appeal process. Alternatively you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Planning Inspectorate website](http://www.planninginspectorate.gov.uk). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.