

Our ref. : AB2619/LPA120526
Planning Portal ref. : PP-14929620

Development Management
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

12th May 2026

Dear Sir/Madam,

**CERTIFICATE OF PROPOSED LAWFUL DEVELOPMENT APPLICATION
MILLGATE HOUSE, RUSCOMBE LANE, RUSCOMBE, TWYFORD, RG10 9JR**

On behalf of our client, Form Workplace Solutions, please find enclosed an application seeking a Certificate of Proposed Lawful Development in respect of development to (and within the curtilage of) the existing building (the lawful use of which is for Commercial, Business and Service purposes, i.e. Use Class E) known as Millgate House, Ruscombe Lane, Ruscombe, Twyford, RG10 9JT.

For the reasons set out within this covering letter/supporting statement, the proposed developments constitute 'permitted development' under Class A of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and accordingly a Certificate of Proposed Lawful Development should be issued by Wokingham Borough Council (the LPA).

This Certificate application, which is being submitted to the LPA electronically via the Planning Portal website, comprises the following documentation ;

- Completed application forms.
- Completed Community Infrastructure Levy (CIL) form.
- This covering letter/supporting statement prepared by Beamish Planning Consultancy.
- Unnumbered 1:1250 scale plan of application site and surrounding area.
- Drawing no. E7866.200.00.202 – existing and proposed sections, elevations and layout plans prepared by Form Workplace Solutions.

The statutory Certificate Proposed Lawful Development application fee of £154.50 (as the proposed alterations create between 0 and 40 square metres of new floorspace) and the Planning Portal service charge fee of £91 have been paid electronically when submitting this application via the Planning Portal website.

Description of application site

The application site comprises a modern detached two-storey building (with additional floorspace within the roof space) known as Millgate House, fronting Ruscombe Lane to the north and Millgate Court to the west.

The curtilage of the site, between Millgate House and Ruscombe Lane, comprises a large area of hardsurfacing used as a car park, benefitting from vehicular access from/egress to Millgate Court, with a separate area of hardsurfacing located to the rear of the building, also accessed from Millgate Court. All those areas of hardsurfacing were in situ prior to 6th April 2010.

At the present time the pedestrian entrance into the building is located within its west facing elevation, accessed by way of an existing path which runs between both areas of hardsurfacing. There is no dedicated pedestrian only access point into the site.

The most recent and lawful use of the entire building and its curtilage is for purposes falling within Use Class E (Commercial, Business and Service).

Millgate House is neither statutorily nor locally listed and nor is Millgate House (or its immediate surroundings) within a Conservation Area or the subject of an Article 4 Direction restricting permitted development rights.

Planning history of application site

In March 2004 planning permission (application ref. F/2003/9870) was granted by the LPA for the erection of an office building and the erection of 8 x 2-bedroom apartments, incorporating the demolition of existing storage buildings and the creation of a new vehicular access from Ruscombe Lane.

In December 2004 planning permission (application ref. F/2004/2412) was granted by the LPA for an amended development of 8 apartments and a 2-storey office building, and that permission was subsequently implemented. The building known as Millgate House comprises the office building approved by way of that permission, whilst the apartments approved by way of that permission are those located within Millgate Court immediately to the west of Millgate House.

It is acknowledged that condition 32 imposed upon the granting of planning application ref. F/2004/2412 prevents any additional windows or similar openings being constructed in the roofs of the approved buildings, regardless of whether such windows or openings could benefit from permitted development rights, but that condition only relates to windows or openings within the roofs of the approved buildings, not within their elevations.

In June 2005 retrospective planning permission (application ref. VAR/2005/4633) was granted by the LPA for the variation of condition 20 imposed upon the granting of planning application ref. F/2004/2412, relating to an amendment to the previously approved visibility splays.

Development for which a Certificate of Proposed Lawful Development is sought

A Certificate of Proposed Lawful Development is sought in respect of 2 proposed developments within the curtilage of the existing Class E premises.

Firstly, an alteration to part of the northern elevation (Ruscombe Lane facing) elevation of the existing building is proposed. That alteration would comprise the replacement of an existing aluminium framed window (at ground floor level) within that elevation with a set of aluminium framed double entrance doors.

Secondly, a small area (measuring approximately 4.26 metres wide by 2.3 metres deep) of existing grass lawn and landscaping, directly to the front of the part of the northern elevation of the building where an existing window is to be replaced by double entrance doors, is to be replaced by a path consisting of a 150mm deep hardcore subbase below a 100mm thick poured concrete path, incorporating an aluminium grated drain with any water running off to the existing soak away.

Full details of both proposed development elements are provided by way of accompanying drawing no. E7866.200.00.202 prepared by Form Workplace Solutions.

Planning Assessment

As set out in the preceding section of this supporting statement, there are 2 elements of the proposed development, firstly alterations to part of the northern elevation (Ruscombe Lane facing) elevation of the existing building known as Millgate House, and secondly the laying of a small area of new hardsurfacing immediately to the part of the northern elevation of the existing building in front of where the proposed elevation alterations are proposed.

The proposed alterations to part of the northern elevation of the existing building can only be assessed against the provisions of Class A of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), whilst the proposed hardsurfacing can only be assessed against the provisions of Class E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended),

Accordingly, this section of this supporting statement firstly appraises the proposed elevational alterations against the criteria set out within Class A of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which relates to the extension or alteration of a commercial, business or service (i.e. Class E) establishment.

Following that appraisal, we then appraise the proposed hardsurfacing against the criteria set out within Class E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Class A – Extensions etc. of commercial, business or service premises

Development is not permitted by Class A if –

(a) the gross floor space of the original building would be exceeded by more than—

- (i) in respect of an original building or a development on—*
 - (aa) article 2(3) land, or*
 - (bb) a site of special scientific interest,*

25% or 50 square metres (whichever is the lesser);

(ii) in any other case, 50% or 100 square metres (whichever is the lesser);

The gross floor space of the original building would not be extended at all as a result of the proposed alteration and accordingly the proposed alteration complies with criteria (a).

(b) the height of the building as extended would exceed 4 metres;

The height of the building would not change as a result of the proposed alteration and therefore the proposed alteration complies with criteria (b).

(c) any part of the development (other than an alteration)—

(i) is on land which—

- (aa) adjoins other premises which are used for a purpose falling within any of the classes in Part C (residential premises or institutions) of Schedule 1 to the Use Classes Order,*
- (bb) is article 2(3) land, or*
- (cc) is a site of special scientific interest, and*

(ii) is within 2 metres of any boundary of the curtilage of the premises;

Criteria (c) is not applicable as the proposal relates to an alteration. Even if it was applicable the curtilage of Millgate House does not adjoin any other properties falling within Use Class C, nor is the site within a Conservation Area or a site of special scientific interest (SSSI) and finally nor is any part of the proposed development within 2 metres of any boundary of the curtilage of Millgate House.

(d) the development would be within the curtilage of a listed building;

Millgate House is not a listed building so the proposed alteration complies with criteria (d).

(e) any alteration would be on article 2(3) land;

Neither Millgate House nor any part of its curtilage are located within a Conservation Area, an Area of Outstanding Natural Beauty, an area specified by the SoS for the purposes of Section 41(3) of the Wildlife and Countryside Act 1981 (as amended), the Broads, a National Park or a World Heritage Site, and accordingly the proposed alteration complies with criteria (e).

(f) the development would consist of or include the construction or provision of a verandah, balcony or raised platform;

The proposed alteration would not consist of, or include the construction or provision of, a verandah, balcony or raised platform, and therefore the proposed alteration complies with criteria (f).

(g) any part of the development would extend beyond the front of any existing building;

The proposed alteration relates solely to changes to the existing fenestration within the Ruscombe Lane facing elevation of Millgate House and accordingly would not extend beyond the front of the existing building and consequently complies with criteria (g).

(h) the development would involve the insertion or creation of a new shop front or the alteration or replacement of an existing shop front; or

The proposed alteration does not relate to the installation or creation of a new shop front, nor to the alteration or replacement of an existing shop front, and accordingly the proposed alteration complies with criteria (h).

(i) the development would involve the installation or replacement of a security grill or shutter on a shop front.

The proposed alteration does not involve the installation or replacement of a security grill or shutter on a shop front, and therefore the proposed alteration complies with criteria (i).

Class A goes on to set out several conditions which must be complied with, namely ;

(a) any alteration is at ground floor level only;

The proposed alteration to the existing fenestration within the Ruscombe Road facing elevation of the building would be at ground floor level only.

(b) any extension is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended; and

As already set out, the proposed alteration neither relates to an extension and nor is the application site on Article 2(3) land, so this condition is not applicable.

(c) any extension or alteration is only to be used as part of, or for a purpose incidental to, the use of the commercial, business or service establishment.

The proposed alteration is solely associated with the lawful use of Millgate House for purposes falling within Use Class E (i.e. as a Commercial, Business or Service Establishment).

Consequently, for the reasons set out above and overleaf, the proposed alteration to the north facing elevation of the existing building, with that alteration comprising the replacement of an existing window at ground floor level with a set of double entrance doors, constitutes 'permitted development' under Class A of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The subsequent part of this supporting statement appraises the proposed hardsurfacing against the criteria set out within Class E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Class E – Hard Surfaces for Commercial, Business or Service etc. premises

Permitted development

E. Development consisting of—

(a) the provision of a hard surface within the curtilage of a building used for a purpose falling within one of the following provisions of the Use Classes Order—

- (i) article 3(6)(p) (drinking establishments etc);*
- (ii) article 3(6)(q) (drinking establishment with expanded food provision);*
- (iii) article 3(6)(r) (hot food takeaway); or*
- (iv) Class E (commercial, business and service) of Schedule 2; or*

(b) the replacement in whole or in part of such a surface.

Development not permitted

E.1 Development is not permitted by Class E if—

(a) the cumulative area of ground covered by a hard surface within the curtilage of the premises (other than hard surfaces already existing on 6th April 2010) would exceed 50 square metres; or

(b) the development would be within the curtilage of a listed building.

The proposed hardsurfacing would be within the curtilage of a building, the lawful use of which falls within Class E (Commercial, Business and Service). All other areas of hardsurfacing within the curtilage of the building existed on 6th April 2010, and the proposed new area of hardsurfacing would comprise an area of approximately 9.8 square metres, and, as already set out, the existing building is not a listed building. Consequently, the proposed hardsurfacing satisfies all the above criteria.

Class E goes on to set out several conditions which must be complied with, namely ;

a) where there is a risk of groundwater contamination, the hard surface is not made of porous materials; and

(b) in all other cases, either—

- (i) the hard surface is made of porous materials, or*
- (ii) provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the undertaking.*

Having regard to these conditions, we would point out that both concrete and hardcore (which the proposed area of hardsurfacing would be constructed from) are porous material, and the proposals also make provision for run-off water to be directed to an existing soak away, and a grated drain is also proposed as part of the construction of the hardsurfacing.

Consequently, for the reasons set out above and overleaf, the proposed hardsurfacing constitutes 'permitted development' under Class E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

The accompanying drawing prepared by Form Workplace Solutions and this supporting statement demonstrate that the proposed developments constitute 'permitted development' by way of Classes A and E of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In conclusion therefore the LPA should issue a Certificate of Proposed Lawful Development confirming that the proposed developments constitute PP'permitted development' and do not require planning permission.

We trust that this Certificate application will be promptly validated and look forward to receiving formal confirmation of this in due course, and subsequent dialogue with the Case Officer to whom this application is allocated, but in the meantime should any further information or clarification be required please do not hesitate to contact us.

Yours faithfully,



Adam Beamish
BA (Hons), DIP TRP, MRTPI