

Received Date:	15 December 2025
Expires:	9 February 2026
Application Number:	252950
Site:	2 Merrifield Close, Earley, Wokingham, RG6 4BN
Application:	Application for a certificate of lawfulness for the proposed use of a garage for residential accommodation including incidental/ancillary dog grooming with changes to fenestration.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
25368	Two storey side and rear extension to provide garage, dining room with bedroom above.	May 1986	Approved	N/A

2. Site Description

This application site relates to a two-storey semi-detached dwelling with associated parking and landscaping in the residential area of Earley.

3. Land/ Property Designations

- There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is not subject to any wildlife or habitat designations.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as 'lawful' if:
- (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
- (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class A) grants planning permission for the "*enlargement, improvement or other alteration of a dwellinghouse*".
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

Application for a certificate of lawfulness for the proposed change of use of a garage to mixed use of residential and dog grooming salon along with changes to fenestration.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	√	
s.191	2	Would it be contrary to an enforcement notice?		√
s.187a Art.3 (4)	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		√
Art.3 (5)	4	Are the building operations involved in the construction of the original building lawful?	√	
Art.3 (6)	5	Does it involve the formation, laying out or material widening of a means of access to an existing highway which is a trunk or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons?		√
Art.4	6	Is there an 'Article 4 Direction' in effect for the site?		√
Sch.2 Pt. 1 A	7	Does it consist of enlargement, improvement or other alteration of a dwellinghouse?	√	
A.1(a)	8	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?		√
A.1(b)	9	Would the total area of ground covered by buildings (other than the original dwelling) exceed 50% of the total area of the curtilage?		√
A.1(c)	10	Would the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse?		√
A.1(d)	11	Would the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse?		√
A.1(e)	12	Would the enlarged part of the dwellinghouse extend beyond a wall which - (i) fronts the principal elevation of the original house; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse?		√
A.1(f)	13	If the enlarged part of the dwellinghouse is single storey, would it either: (i) extend beyond the rear wall of the original dwellinghouse by more than: 4 metres in the case of a detached dwellinghouse 3 metres in the case of any other dwellinghouse; or (ii) exceed 4 metres in height		√

		Yes	No
A.1(g)	14		✓
A.1(h)	15		✓
A.1(i)	16		✓
A.1(j)	17		✓
A.1(k)	18		✓
A.2(a)	19		✓
A.2(b)	20		✓
A.2(c)	21		✓
	22		✓

The dog grooming has been described as part time and is considered incidental to the main use of the dwellinghouse. It would occupy a small section of the dwelling on a part time basis. No additional employees will be located at the house other than the owner.

Application for a certificate of lawfulness for the proposed use of a garage for residential accommodation including incidental/ancillary dog grooming with changes to fenestration constitutes development and thus requires planning permission. Permission is granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 1) (Class A) of the Order.

DRAFT APPROVED MC

Development Management Team Leader

Date: 06.02.2026