

## **EXISTING LAWFUL CERTIFICATE** **DRAFT DECISION NOTICE**



**WOKINGHAM**  
**BOROUGH COUNCIL**

**Application Number:** 251142

**Draft Recommendation:** Wokingham Borough Council hereby certify that on 13 May 2025 (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 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 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 Buildings A, B & C, as shown in the submitted details, have been in situ for more than four years and consecutively used for purposes incidental (A & B) or ancillary (C) to the enjoyment of the main dwellinghouse. It is also considered to have been demonstrated that the use of the land identified in green on the site known as 'Highland House', as shown in the submitted details, has been in use as residential garden for a consecutive period of more than ten years.
2. The Certificate relates to the use, footprint and location of these buildings only as no elevational drawings or floorplans have been submitted as evidence.

### **FIRST SCHEDULE**

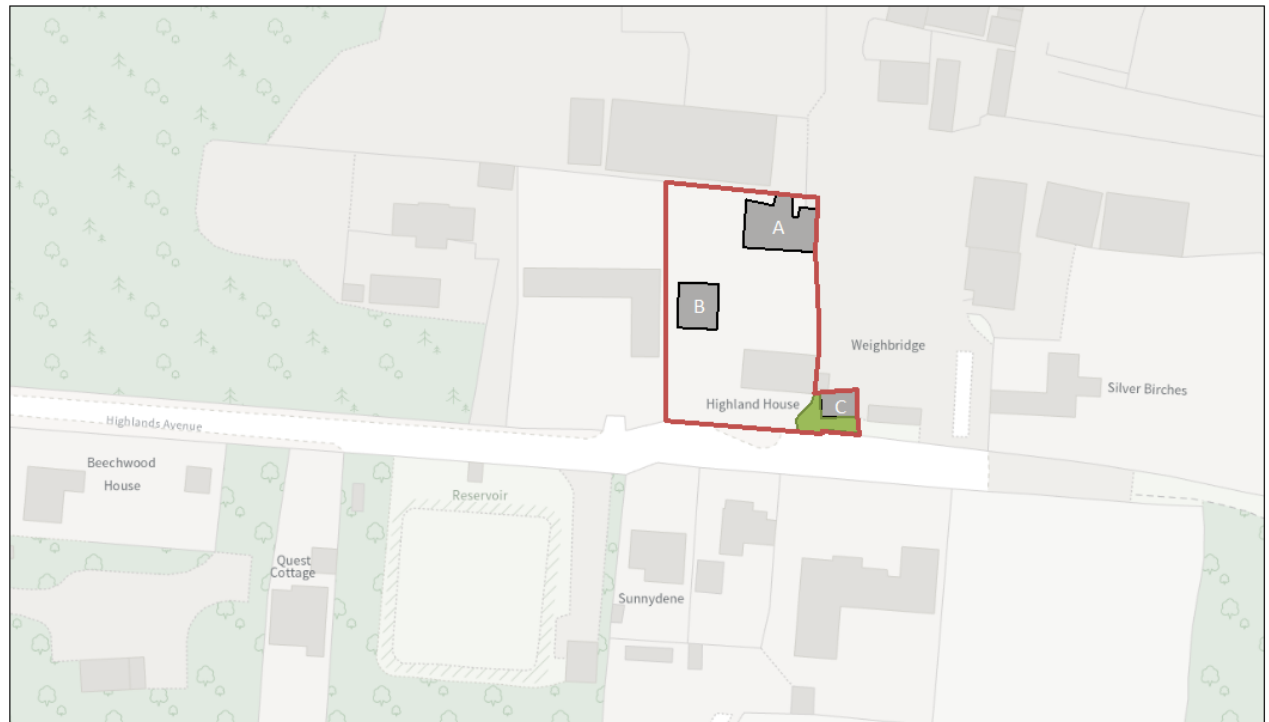
**Proposal:** Application for a certificate of existing lawful development for the use of the land shaded in green as residential garden and the use of Building A as a Gym/Swimming Pool; Building B as a Garage and Building C as ancillary living accommodation associated with Highland House.

### **SECOND SCHEDULE**

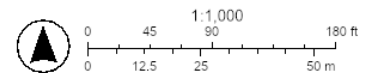
**Address:** Highland House, Highlands Avenue, Barkham, Wokingham, RG41 4SP

## PLAN

251142 - Highland House, Highlands Avenue, Barkham, RG41 4SP



11/07/2025, 12:46:00



Wokingham Internal  
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Recommendation agreed:

*JMM*

Date: 11 July 2025