

Received Date	24 December 2025
Expires:	18 February 2026
Application Number:	253053
Site:	The Elms, Lambwood Hill, Grazeley, Wokingham, RG7 1JN
Application:	Application for a certificate of lawfulness for the proposed erection of a greenhouse following demolition of existing outbuildings.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
43936	Installation of replacement windows in side and rear elevations (retrospective).	01/02/1996	Refused	N/A
011090	Proposed internal alterations to listed building.	07/08/2001	Approved	N/A
011901	Proposed replacement of fireplaces in drawing room and bedroom one of listed building.	13/06/2001	Approved	N/A
020633	Proposed demolition and rebuilding of single storey rear extension to listed building.	23/04/2003	Approved	N/A
021003	Proposed demolition of existing sun room attached to listed building and erection of replacement sun room.	05/03/2002	Approved	N/A
021620	Proposed demolition and rebuilding of single storey rear extension on dwelling.	23/04/2003	Approved	N/A
041467	Proposed part two storey and part single storey rear extension to dwelling. Demolition of existing rear extension.	22/02/2005	Approved	N/A
041468	Proposed part two storey and part single storey rear extension to listed building. Demolition of existing extension.	26/01/2005	Approved	N/A
050456	Proposed change of use of paddock to residential curtilage and erection of a double garage and workshop.	06/06/2005	Withdraw	N/A
120661	Listed building application for the erection of single storey side extension and demolition of existing sun room.	18/05/2012	Approved	N/A
122228	Proposed erection of single storey side extension. (Demolition of sun room)	18/05/2012	Approved	N/A
231947	Application for a certificate of lawfulness of proposed works to a listed building for the removal of asbestos and demolition of an attached outbuilding, and the	15/11/2023	Refused	N/A

	extension of the existing patio in its place.			
240163	Application for Listed Building consent for the proposed demolition of an attached garden room and the extension of the existing patio.	19/03/2024	Approved	N/A
242568	Householder application for the installation of a Tesla Powerwall Battery to be attached to two small posts, and for the installation of a freestanding EV Charger.	16/01/2025	Approved	N/A

2. Site Description

The application site is located within a rural area of Grazeley, typical of a countryside setting.

3. Land/ Property Designations

- There is a listed building (The Elms) at the site, but the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The application site is located within an area that holds the potential to support bat roosts.

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 E) grants planning permission for the erection of certain outbuildings, pools and fuel storage containers within the curtilage 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:

The proposed erection of a greenhouse located to the rear of the dwellinghouse following demolition of the existing two sheds. The greenhouse would have a smaller floor area than the sheds and is on the same footprint.

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	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 dwellinghouse lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Art.4	6	Is it within the curtilage of the dwellinghouse?		✓

Fuel storage

Sch.2 Pt. 1 E.b	7	Does the development consist of a container used for the storage of oil or liquid petroleum gas?	N/A	N/A
Sch.2 Pt. 1 E.b	8	Is the storage for domestic heating purposes?	N/A	N/A
E.1(j)	9	Would the capacity of the container exceed 3,500 litres?	N/A	N/A

Outbuildings and pools

Sch.2 Pt. 1 E.a	10	Does the development comprise a building or enclosure, swimming or other pool, or the maintenance, improvement or other alteration of such a building or enclosure?	N/A	N/A
Sch.2 Pt. 1 E.a	11	Is the building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such?	N/A	N/A

Fuel storage and outbuildings

E.1(a)	12	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)?		✓
E.1(b)	13	Would the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the original curtilage (excluding the original dwelling)?		✓
E.1(c)	14	Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?		✓
E.1(d)	15	If it is a building would it have more than one storey?		✓
E.1(e)	16	Would the height of the building, enclosure or container exceed: (i) Four metres in the case of a building with a dual-pitched roof		✓

			Yes	No
		(ii) 2.5 metres in the case of a building, enclosure or container within two metres of the boundary of the curtilage of the dwellinghouse?	✓	
		(iii) Three metres in any other case?		✓
E.1(f)	17	Would the height of the eaves of the building exceed 2.5 metres?		✓
E.1(g)	18	Would the building, enclosure, pool or container be situated within the curtilage of a listed building ?	✓	
E.1(h)	19	Would the development include the construction or provision of a veranda, balcony or raised platform?		✓
E.1(i)	20	Would it relate to a dwelling?		✓
E.1(j)	21	Would it relate to a microwave antenna?		✓
E.3	22	Article 2(3) land (World Heritage Sites, National Parks, AONBs & Conservation Areas): Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?		✓
	23	Would it affect or be within the Root Protection Area of a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval may be needed</i>		✓

8. Conclusion:

The proposed erection of a greenhouse following the removal of the two sheds constitutes development requiring planning permission. Permission **IS NOT** available under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal not being in accordance with Schedule 2 (Part 1) (Class E) of the Order. This is because the height of the greenhouse exceeds 2.5 metres and is within 2 metres of the boundary, plus the greenhouse is not deemed as being within the curtilage of the dwellinghouse which is a listed building.

DRAFT APPROVED

Development Management Team Leader

BJC

Date: 17.02.26