

EXISTING LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



Application Number: 251221

Draft Recommendation: Wokingham Borough Council hereby certify that on 27 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 the use of the workshop building (in the approximate location shaded in blue on the attached plan) and part of the adjoining yard area (outlined in red on the attached plan) for a vehicle repair business has been occurring for a consecutive period of over ten years.

Informatives

1. This certificate/decision relates to the use of the land, outlined in red on the attached plan, for a vehicle repair business only and does not relate to the use of any other part of the wider site. The red line has been reduced to reflect the area the Council is satisfied has become lawful through the passage of time.

The remaining yard area as shown on the submitted Location Plan has not been included within the red line as it has not been demonstrated on the balance of probability that it has been used continuously for a vehicle repairs business for over ten years. It appears that this part of the application site has been used for a mix of activities, including parking, car sales and residential use, which have interrupted the continuity of the use applied for. Therefore, the use of this area cannot be considered lawful.

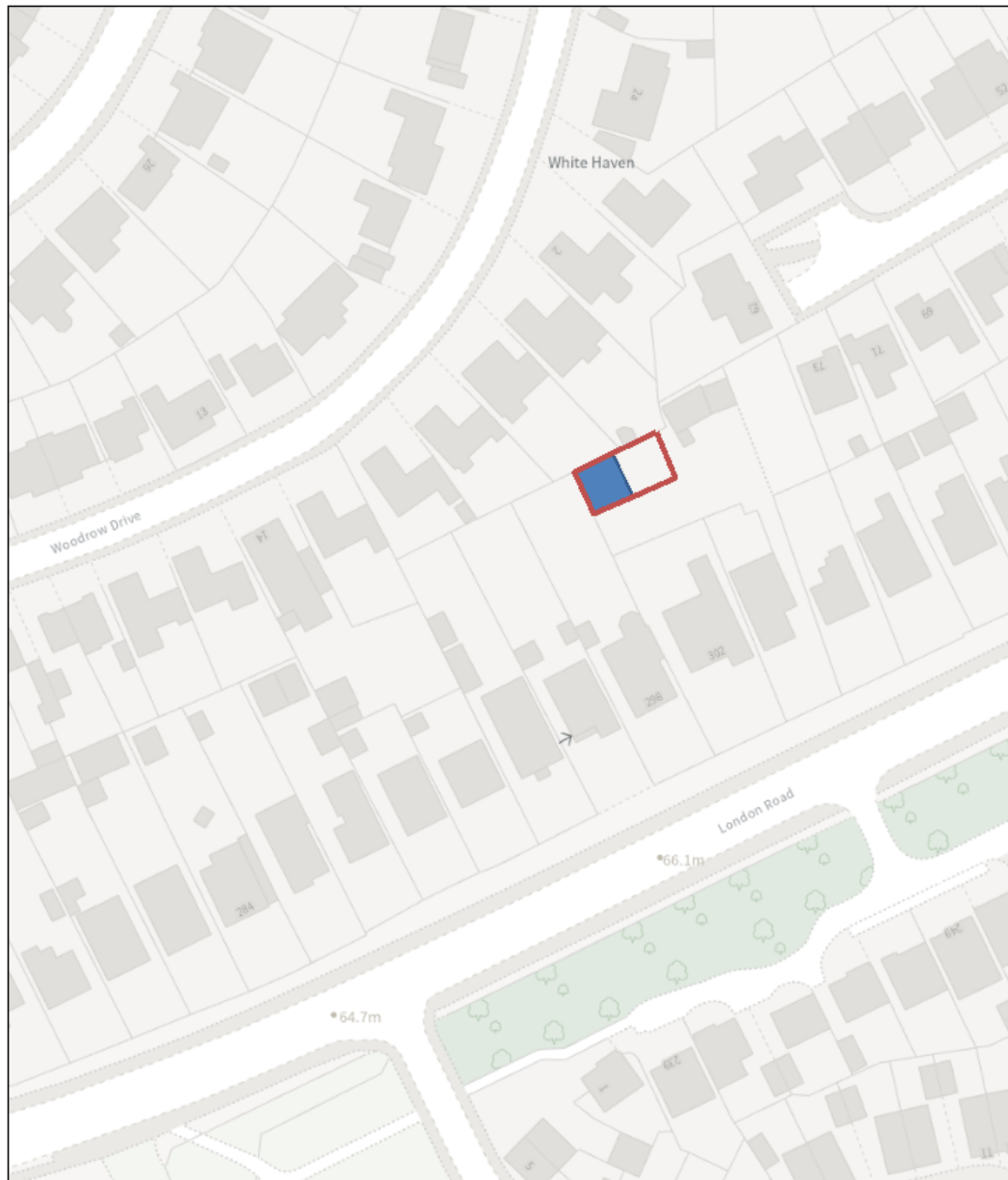
FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for a car repair business within the workshop and adjoining yard area.

SECOND SCHEDULE

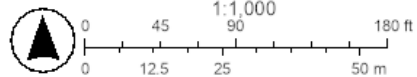
Address: Land To Rear Of 302 And 304 London Road Wokingham RG40 1RD

PLAN



04/03/2026, 17:14:37

 District



Wokingham Internal
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Recommendation agreed:



Date: 06/03/26