

Your ref:

Our ref: HFNH 2 TP 04

Date: 07.08.25

*Planning Department
Wokingham Borough Council
Shute End,
Wokingham,
Berkshire,
RG40 1BN*

Dear Sir / Madam,

RE: Class E Certificate of Lawful Development for the construction of a new tennis court with enclosure, including the removal of the existing tennis court at Holme Farm, Aston, Henley-on-Thames, RG9 3DJ.

Introduction

On behalf of the applicant, DP Architects have been instructed to prepare and submit this Certificate of Lawful Development application for the construction of a new tennis court with enclosure, including the removal of the existing tennis court.

To accompany this covering letter, we also submit the following drawings for consideration:

- 25 HFNH SL01 (Site Location Plan)
- 25 HFNH EX01 (Existing Site Plan)
- 25 HFNH SP01 A (Proposed Site Plan)
- 25 HFNH TC01 (Proposed Tennis Court Plan & Elevations)
- CIL Form 1

Planning Precedents & Scheme Revisions

Application 251500 established that the removal of the existing tennis court would fall under permitted development but deemed that the installation of the new tennis court would involve an engineering operation due to the change in ground levels required and was therefore not granted a lawful development certificate.

Regarding whether it is acceptable for a lawful development application to involve an 'engineering operation', the inspector for appeal APP/X5210/X/15/3006433 ruled the following on the matter:

It is not whether the works are an engineering operation or not, but whether, whatever form of development they may be, they amount to a separate activity of substance that is not ancillary to the activity that benefits from permitted development rights.

This essentially established that engineering operations should be deemed acceptable, providing they are ancillary to the purpose of the lawful development certificate proposals. In this case, providing the engineering operation (changes to site levels) involved is ancillary to the erection of the tennis court, that they should be deemed acceptable.

The level at which the tennis court was proposed to be installed was assumed to be at the same level as this existing court in application 251500, this was incorrect and as such, we have added a proposed site section to drawing 25 HFNH SP01 A to clarify. This illustrates that the proposed tennis court is to be installed on land with a fall amounting to a maximum of 1200mm from the highest to lowest point. For obvious reasons, a tennis court needs to be installed level. As such, the proposed level of the court is halfway between the maximum and minimum heights which results in a maximum change in the existing ground levels of 600mm. Following the principles established by the inspectors ruling of APP/X5210/X/15/3006433, these works are clearly ancillary to the erection of the tennis court and should therefore be deemed acceptable.

Class E Criteria

Regarding the criteria for Class E, we confirm the following:

E.1

- a) Permission to use the dwellinghouse as a dwellinghouse was not granted by virtue of Class M, N, P, PA or Q.
- b) The total area of ground covered by buildings, enclosures and containers within the curtilage measures 9.7% of the total curtilage area of the original dwellinghouse.
- c) No part of the building, enclosure, pool or container is situated on land forward of a wall forming the principal elevation of the original dwellinghouse.
- d) The proposals are for a tennis court and are therefore single storey.
- e) The proposals are 9m from the closest boundary and do not exceed 3 meters in height.
- f) The proposals are for a tennis court and enclosure.
- g) The proposals are not situated within the curtilage of a listed building.
- h) The proposals do not involve the construction or provision of a verandah, balcony or raised platform.
- i) The proposals do not involve a microwave antenna.
- j) The proposals are for a tennis court and enclosure.

E.2

The site is not within a World Heritage Site, National Park, area of outstanding natural beauty or the Broads.

E.3

The site is not situated on article 2(3) land.

E.4

The proposals are for a tennis court with an enclosure and as such are incidental to the enjoyment of the dwellinghouse.

The tennis court would be constructed from a permeable surface (Sporturf or similar) with a natural grass appearance. Fencing would be traditional chain-link as indicated on 25 HFNH TC01.

We trust that you have everything you require to successfully determine the application however, should you require any additional information, please do not hesitate to contact us.

Kind regards,

Calum Bluck

CALUM BLUCK – Associate | Architect (RIBA)

For DP Architects