

EXISTING LAWFUL CERTIFICATE **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Application Number: 242499

Draft Recommendation: Wokingham Borough Council hereby certify that on 14 October 2024 (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 incidental residential use of land to the south of the Lodge, along with the immediate surrounding has been as residential garden for a consecutive period of over 10 years preceding the application. It is therefore considered that the certificate of existing lawful use should be amended approved.

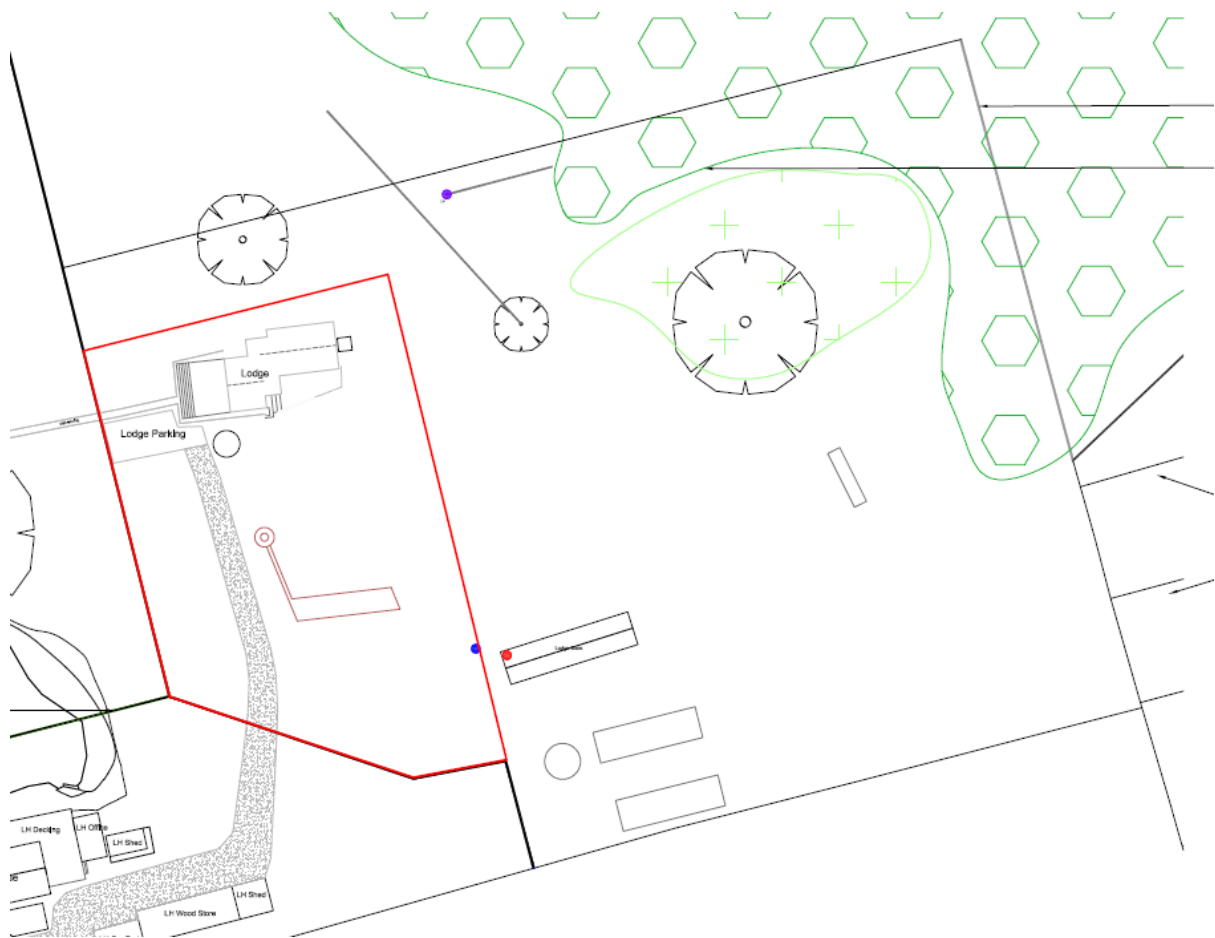
FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for the incidental residential garden use of land associated with The Lodge (also ancillary development associated with construction of dwelling).

SECOND SCHEDULE

Address: 178 Land At, Bearwood Road, Barkham, Wokingham, RG41 4SH

PLAN



Recommendation agreed: *MC*

Date: 13.02.2025