



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

Mrs Rebecca Lord
Rebecca Lord Planning
44 Barton Drive
Hamble Le Rice
Southampton
SO31 4RE

NOTIFICATION OF APPROVAL OF CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

Application Number: 241616

Applicant Name: Mr Aaron Maslen

Site Address: 315 Hyde End Road, Spencers Wood, Wokingham, RG7 1DD

Proposal: Application for a certificate of lawfulness for the proposed siting of a mobile home for incidental residential accommodation.

Date of Decision: 15 August 2024

Wokingham Borough Council hereby certifies that on 1 July 2024 (being the date of application for this certificate), and subject to any conditions and/or informatives below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposed siting of a mobile home within the residential curtilage of the host dwelling does not amount to operational development and the use is considered to be incidental to the enjoyment of the main residential use on the site.

FIRST SCHEDULE

Proposal: Application for a certificate of lawfulness for the proposed siting of a mobile home for incidental residential accommodation.

SECOND SCHEDULE

Address: 315 Hyde End Road, Spencers Wood, Wokingham, RG7 1DD

PLAN



Signed

M Head

Marcia Head

Head of Development Management - Place & Growth

Date: 15 August 2024

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

Tree Preservation Order: This decision notice does not give consent for any work that may be required as a result of the development above to a tree protected by a tree preservation order. You should apply separately for works to trees through the [Planning Portal website](#).

Community Infrastructure Levy: If the application includes 100 sqm or more of new floor area then it is liable for the community infrastructure levy.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). There is **no time** limit for the submission of appeals in respect of certificates of lawful proposed use/development.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service as set out on the [.gov.uk](#) website which contains information and guides on the appeal process. Alternatively you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Planning Inspectorate website](#). Please note all documents will be published online by the Planning Inspectorate

and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](https://www.lsbud.co.uk/) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk.

Building Control: The development subject to this certificate may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's Building Control website or call 0300 790 0580 to speak to a member of the team.

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended). It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and, therefore, was not liable to enforcement action under Part 7 of the 1990 Act on that date.
2. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any matters which are materially different from that which is described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act (as amended) which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.



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Mrs Rebecca Lord
Rebecca Lord Planning
44 Barton Drive
Hamble Le Rice
Southampton
SO31 4RE

NOTIFICATION OF APPROVAL OF CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

Application Number: 241311

Applicant Name: Ms Jasmine Belouadah

Site Address: 6 Pitts Lane, Earley, Wokingham, RG6 1BT

Proposal: Application for a certificate of lawfulness for the proposed provision of a twin unit mobile home within the garden of the lawful dwelling house for use as additional accommodation by one household.

Date of Decision: 18 July 2024

Wokingham Borough Council hereby certifies that on 23 May 2024 (being the date of application for this certificate), and subject to any conditions and/or informatics below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposed siting of a mobile home within the residential curtilage of the host dwelling does not amount to operational development and its use is considered to be incidental to the enjoyment of the main residential use on the site.

Informatics

1. This Certificate/Decision is issued in respect of the following plans and documents numbered/titled (224064-03), (224064-04), (224064-02), (224064-05), (Caravan Compliance Information Pack), (Lawful Development Certificate Application Report), received by the local planning authority on 23/05/2024.

FIRST SCHEDULE

Proposal: Application for a certificate of lawfulness for the proposed provision of a twin unit mobile home within the garden of the lawful dwelling house for use as additional accommodation by one household.

SECOND SCHEDULE

Address: 6 Pitts Lane, Earley, Wokingham, RG6 1BT

PLAN

6 Pitts Lane, Earley, Wokingham, RG6 1BT



Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 18 July 2024

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Officer Report: An officer report explaining the decision will be available to view online.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). There is **no time** limit for the submission of appeals in respect of certificates of lawful proposed use/development.

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1. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any matters which are materially different from that which is described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act (as amended) which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.



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Mrs Rebecca Lord
Rebecca Lord Planning
44 Barton Drive
Hamble Le Rice
Southampton
SO31 4RE

NOTIFICATION OF APPROVAL OF CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT

Application Number: 200219

Applicant Name: Mr & Mrs Belcher

Site Address: Grange Farm, Nelsons Lane, Hurst, Wokingham,
RG10 0RR

Proposal: Application for a Certificate of Lawfulness for the
Proposed
siting of a mobile home to provide ancillary
accommodation to the main dwelling.

Wokingham Borough Council hereby certifies that on 30 January 2020 (being the date of application for this certificate), and subject to any conditions and/or informatives below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposed stationing of a mobile home ancillary to the main residential use of the dwelling does not amount to operational development and the use is considered to be incidental to the enjoyment of the main residential dwelling on the site.

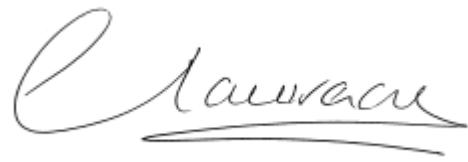
FIRST SCHEDULE

Proposal: Application for a Certificate of Lawfulness for the Proposed
siting of a mobile home to provide ancillary accommodation to the main dwelling.

SECOND SCHEDULE

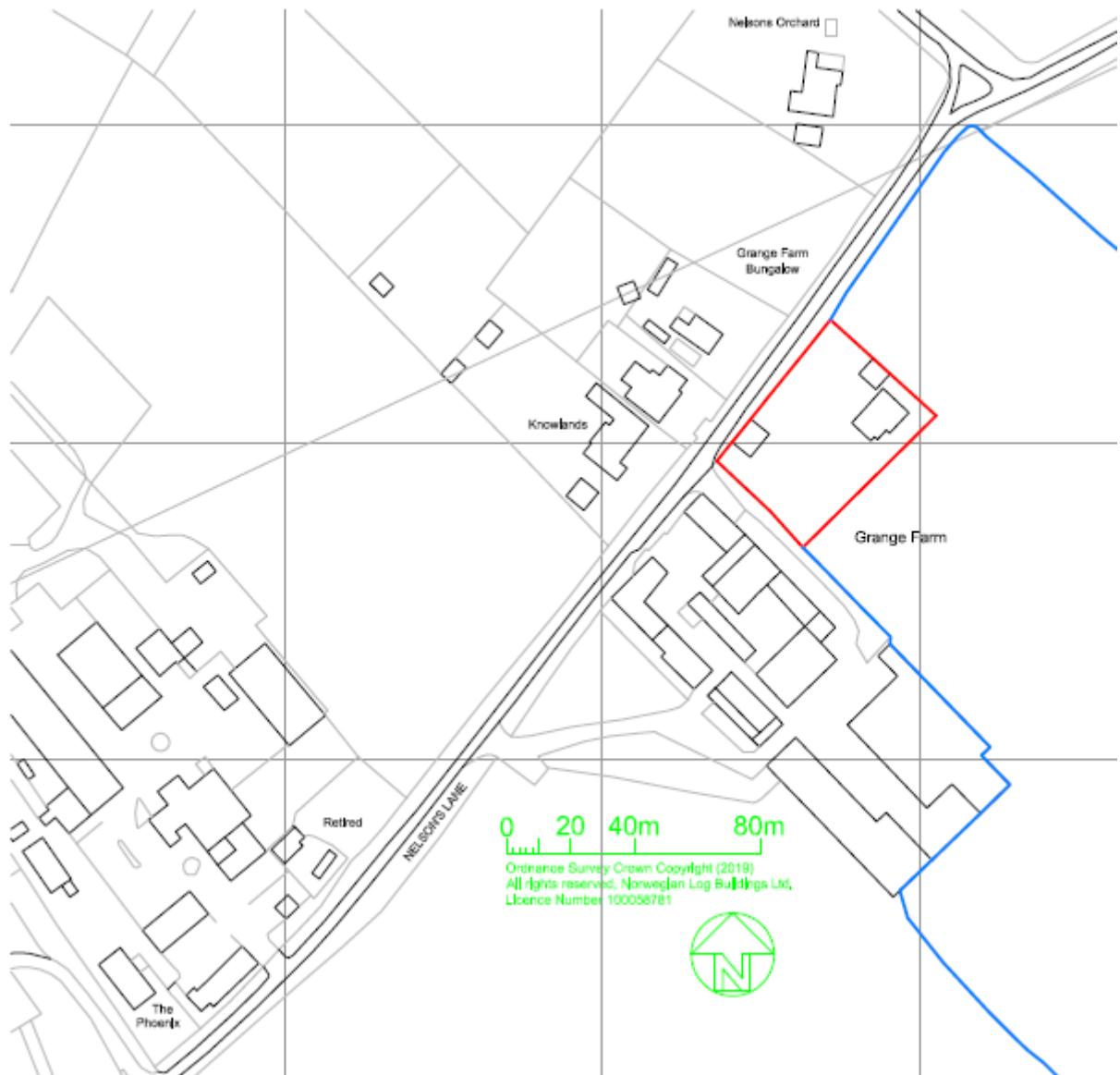
Address: Grange Farm, Nelsons Lane, Hurst, Wokingham, RG10 0RR

Signed



Clare Lawrence
Assistant Director - Place
Date: 19 March 2020

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW





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The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). There is **no time** limit for the submission of appeals in respect of certificates of lawful proposed use/development.

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Schedule would have been lawful on the specified date and, therefore, was not liable to enforcement action under Part 7 of the 1990 Act on that date.

2. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any matters which are materially different from that which is described or which relates to other land may render the owner or occupier liable to enforcement action.

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TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

Notification of Approval of Certificate of Lawful Proposed Use or Development

Mrs Rebecca Lord
Rebecca Lord Planning
Delfryn
Portesbery Road
Camberley
GU15 3TD

Application Number: 170897

Wokingham Borough Council hereby certifies that on 23rd March 2017 (being the date of application for this certificate), and subject to the conditions detailed in the informative below, the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **would have been lawful** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

Reason: The proposed stationing of a mobile home ancillary to the main residential use of the dwelling does not amount to operational development and the use is considered to be incidental to the enjoyment of the main residential dwelling on the site.

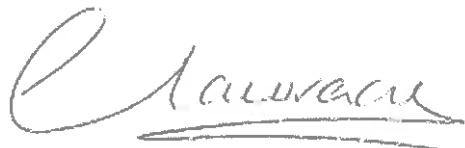
FIRST SCHEDULE

The use of part of the established residential curtilage for the stationing of a mobile home for purposes incidental to the existing dwelling.

SECOND SCHEDULE

Labana Nursery, Doles Lane, Barkham, Wokingham, RG41 4DZ

Signed



Clare Lawrence

Head of Development Management & Regulatory Services

Date: 06/06/2017

On behalf of Wokingham Borough Council, Shute End, Wokingham, Berkshire
RG40 1WR

APPENDIX

There is no time limit for the submission of appeals relating to Certificate of Lawful Proposed Use applications.

Appeal provisions of Sections 195 and 196 of the Town and Country Planning Act 1990, as amended by paragraphs 32 and 33 of Schedule 7 to the Planning and Compensation Act 1991 and paragraph 4 of Schedule 4 to the Planning (Consequential Provisions) Act 1990.

Appeals against refusal or failure to give decision on application

195 - (1) Where an application is made to a local planning authority for a certificate under Section 191 or 192 and -

- (a) the application is refused or is refused in part, or
- (b) the authority do not give notice to the applicant of their decision on the application within such period as may be prescribed by a development order or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the applicant may by notice appeal to the Secretary of State.

(2) On any such appeal, if and so far as the Secretary of State is satisfied -

- (a) in the case of an appeal under subsection (1) (a), that the authority's refusal is not well-founded, or
- (b) in the case of an appeal under subsection (1) (b), that if the authority had refused the application their refusal would not have been well-founded,

he shall grant the appellant a certificate under Section 191 or, as the case may be, 192 accordingly or, in the case of a refusal in part, modify the certificate granted by the authority on the application.

(3) If and so far as the Secretary of State is satisfied that the authority's refusal is or, as the case may be, would have been well-founded, he shall dismiss the appeal.

(4) References in this section to a refusal of an application in part include a modification or substitution of the description in the application of the use, operations or other matter in question.

(5) For the purposes of the application of section 288(10) (b) in relation to an appeal in a case within subsection (1) (b) it shall be assumed that the authority decided to refuse the application in question.

(6) Schedule 6 applies to appeals under this section.

Further provisions as to references and appeals to the Secretary of State

196 - (1) Before determining an appeal to him under Section 195(1), the Secretary of State shall, if either the appellant or the local planning authority so wish, give each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(2) Where the Secretary of State grants a certificate under Section 191 or 192 on such an appeal, he shall give notice to the local planning authority of that fact.

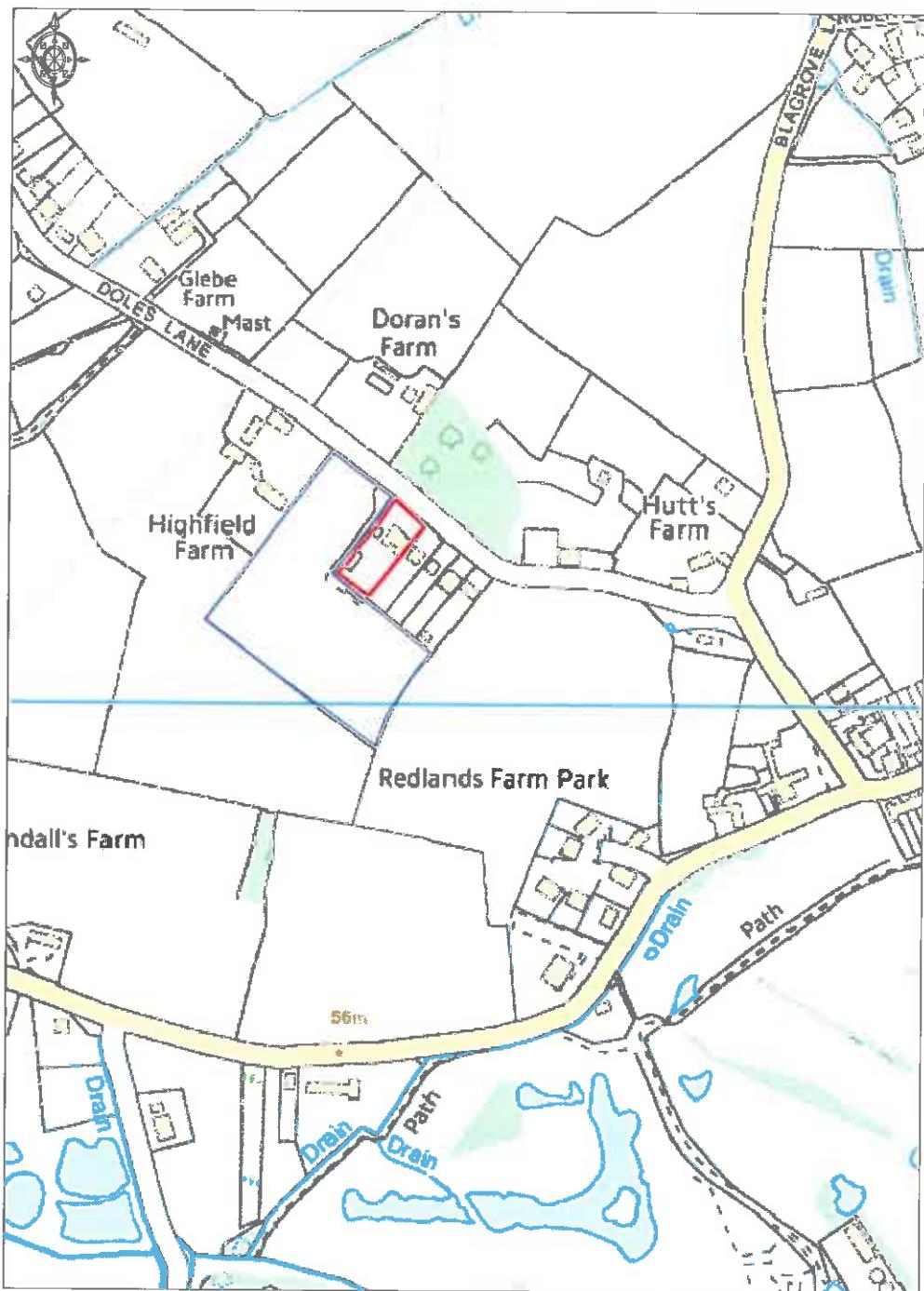
(3) The decision of the Secretary of State on such an appeal shall be final.

(4) The information which may be prescribed as being required to be contained in a register kept under Section 69 shall include information with respect to certificates under Section 191 or 192 granted by the Secretary of State.

(8) Subsection (5) of Section 250 of the Local Government Act 1972 (which authorises a Minister holding an inquiry under that section to make orders with respect to the costs of the parties) shall apply in relation to any proceedings before the Secretary of State on an appeal under Section 195 as if those proceedings were an inquiry held by the Secretary of State under Section 250

Lawful Development Certificate Application
Labana Nursery, Doles Lane, Wokingham, RG41 4DZ

170897



Promap
LANDMARK INFORMATION GROUP

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Licence number 100022432. Plotted Scale - 1:5000

Location Plan
Ref: RL/105/2
Date: 21/03/2017