

Lawful Development Certificate (Existing) – Supporting Statement

70 Brunel Road, Reading, RG30 3JL

1. Introduction

This statement is written in support of an application for a Lawful Development Certificate (Existing) under Section 191 of the Town and Country Planning Act 1990.

The application seeks confirmation of the lawfulness of an existing detached outbuilding located within the rear garden of 70 Brunel Road, Reading, which has been in existence for a period exceeding four years.

2. Description of the Existing Development

The development the subject of this application comprises a single-storey detached outbuilding situated within the residential curtilage of the property.

The outbuilding is characterised as follows:

- Detached structure located within the rear garden
- Approximate footprint of 38 m²
- Single storey with flat roof
- Internal space comprises:
 - Recreational Room
 - WC
 - Storage space

The outbuilding has been used solely for ancillary domestic purposes in connection with the main dwellinghouse and does not form a separate or independent unit of accommodation.

3. Planning Background

A recent householder planning application at the property was refused. Within the decision notice, the Local Planning Authority advised that the existing outbuilding may require formal confirmation of its lawful status and recommended the submission of either a planning application or an application for a Lawful Development Certificate.

This application has therefore been submitted in accordance with that advice.

4. Lawfulness Assessment

The outbuilding constitutes operational development for the purposes of the Town and Country Planning Act 1990.

Section 171B(1) of the Act confirms that no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.

In this instance:

- The outbuilding was substantially completed in or around February 2020
- The structure has remained in the same position, footprint, form and scale since completion
- The outbuilding has been in continuous ancillary domestic use since completion
- No enforcement action has been taken by the Local Planning Authority in respect of the outbuilding

Accordingly, the development is now lawful by virtue of the passage of time and is immune from enforcement action.

5. Evidence in Support

The lawfulness of the development is demonstrated through the submission of the following evidence:

- A Statutory Declaration by the property owner confirming the date of completion and continuous ancillary use
- Dated photographs taken during and shortly following construction
- Historic aerial imagery from Google earth confirming the presence of the completed outbuilding over a period exceeding four years

6. Conclusion

It is demonstrated that the existing outbuilding at 70 Brunel Road was substantially completed in February 2020 and has remained in continuous ancillary domestic use for a period exceeding four years.

The development is therefore lawful under Section 171B(1) of the Town and Country Planning Act 1990, and the Local Planning Authority is respectfully requested to grant a Lawful Development Certificate (Existing).