APPLICATION NO:

CLE/2001/3364

LOCATION:
Pinecopse Nine Mile Ride, Wokingham.

APPLICANT:
Mr R Reed C/O DLP Consultants Ltd

PROPOSAL:
Application for Certificate of Existing Lawful Use of buildings as domestic stables and ancillary storage.

EARLIEST DATE FOR DECISION: **18/03/2001**

APPLICATION WILL HAVE EXPIRED ON:
09/04/2001

CASE OFFICER: **John Leggett**

Application No : CLE/2001/3364

WOKINGHAM DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990, SECTION 191
AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995: ARTICLE 24

Certificate of Lawful Use or Development

The Wokingham District Council hereby certify that on 29 March 2001 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, and edged red, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

The use commenced more than 10 years before the date of this decision.

Signed ..... (Development Control Manager)

On behalf of Wokingham District Council, Shute End, Wokingham, Berkshire RG40 1WH

Date: 18 May 2001

FIRST SCHEDULE

Use of buildings as domestic stables and ancillary storage.

SECOND SCHEDULE

Land edged red on the plan attached hereto of 'Pinecopse', Nine Mile Ride, Wokingham.

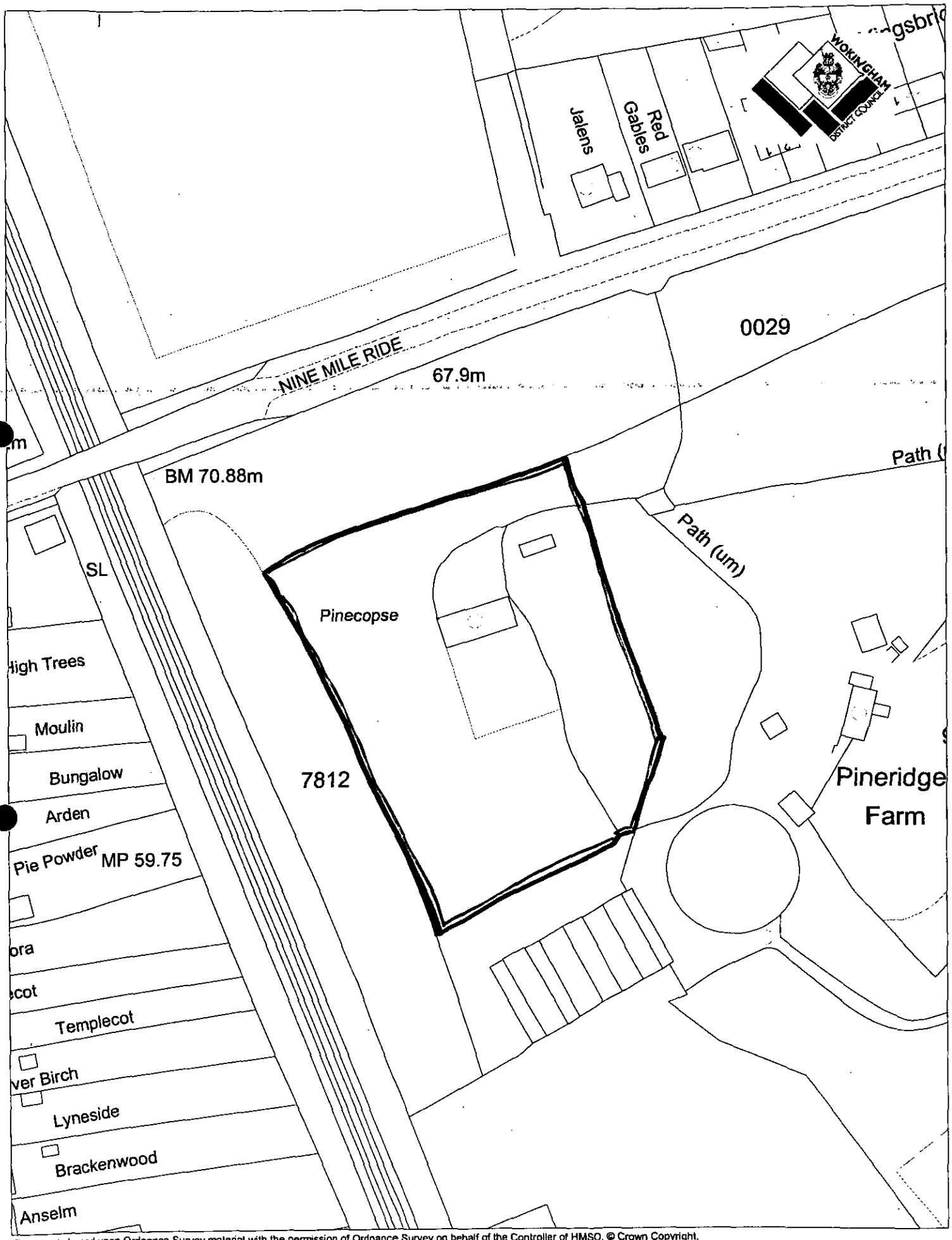
Notes :

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.

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

4. 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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Development Control Section, Environmental Services, Wokingham District Council.

17 May 2001

Scale: 1 : 1250

N W E S

Application No : CLE/2001/3364

WOKINGHAM DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990, SECTION 191 AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995: ARTICLE 24

Certificate of Lawful Use or Development

The Wokingham District Council hereby certify that on 29th March 2001 the use/~~operations/matter~~ described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, edged & coloured red, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

The use commenced more than 10 years before the date of this decision.

Signed ..... (Development Control Manager)

On behalf of Wokingham District Council, Shute End, Wokingham, Berkshire RG40 1WH

Date: ~~10/5~~ 18/5/01

FIRST SCHEDULE

USE OF BUILDINGS AS DOMESTIC STABLES AND ANCILLARY STORAGE.

SECOND SCHEDULE

LAND EDGED RED ON THE PLAN ATTATCHED HERETO OF 'PINECOPSE', NINE MILE RIDE, WOKINGHAM

Applicationo	Name & Address
CLE/2001/3364	Mr & Mrs A C Giles "Pinecot" Soldiers Rise Wokingham Berkshire RG40 3NE

App APPROVED
LETTER SENT
31/5/01

WORK SHEET FOR : John Leggett

Application Number : CLE/2001/3364

Applicant : Mr R Reed C/O DLP Consultants Ltd.

Location : Pinecopse, Nine Mile Ride, , Wokingham.
Proposal : Application for Certificate of Existing Lawful Use of buildings as domestic stables and ancillary storage.

Site Notice Displayed ? :

YES	NO	DATE
✓		

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 12/02/2001

Earliest Date for Decision : 18/03/2001

Latest Consultation Date/Site Notice Expiry Date : 18/03/2001

This application <u>will have expired on</u>: <u>09/04/2001.</u> You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :
2 X NEIGHBOURS – NO OBJECTIONS TO LAWFUL USE OF STABLES.
FINCHAMPSTEAD PARISH COUNCIL – NOT AWARE OF ANY PREVIOUS USE BUT NO OBJECTIONS.

WOKINGHAM WITHOUT PARISH COUNCIL – NO STRICT PLANNING OBJECTIONS

RAILTRACK – NO PLANNING OBJECTIONS IN RELATION TO LAWFUL USE.

ENVIRONMENT AGENCY – NOT AWARE OF ANY PREVIOUS USE BUT HAVE NO OBJECTIONS.

LANDSCAPE + ENV^TAL DESIGN – NO OBJECTIONS TO THE LAWFUL USE

ENV^TAL HEALTH – NO OBJECTIONS TO THE LAWFUL USE OF STABLES

Planning Issues :

<u>CURTILAGE</u> – DEVELOPMENT IS CONSIDERED <u>WITHIN</u>.

<u>RELATION TO DWELLING</u> – DOES RELATE TO PERSONAL USE/ENJOYMENT AND DOES NOT CONTRAVENE P.D ASSESMENT.

RECORD OF SITE VISIT

SITE ADDRESS: Pinecopse Nine Mile Ride Wokingham.

APPLICATION NUMBER: CLE/2001/3364

OFFICER: John Leggett

DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING

4. RELATIONSHIP TO ADJOINING PROPERTIES

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

Application Number CLE/2001/3364
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal

Application Number CLE/2001/3364

Appraisal:

The existing development at Pinecopse, Nine Mile Ride is a detached stables, tack room with changing facilities and communal room and the application is for a continuation of lawful use.

Description
The stable block is a single storey building, approximately 22.5 by 20m, the second floor being a pitched roof with overall height of 4m at the highest point. The application replaces a design similar to the existing with a new brick built facility. Due to its rural location, the nearest property is shielded from viewing this proposal by the landscape and additional buildings, whilst the distance between them (approximately over 40m) negates any problems of overlooking, overbearing or loss of light. To the west, the boundary to neighbouring properties is divided by a main train line and is again of significant distance to not have any adverse impact.

Curtilage
The curtilage of Pinecopse has been denoted as extending to include the area of land the stables in previous applications.

Relation to dwelling
From the information provided and site visit I am satisfied that this stable block is for purposes incidental to the enjoyment of the dwelling house and as such is at present for the personal enjoyment of the occupants in the dwelling house.

In aspect the building is not within 5m of existing dwelling, does not exceed 4m in height and does not exceed 50% of the curtilage.

Relation to other property
The development is not within 20m of any adjacent property or dwelling.

Recommendation: This development is therefore classified by the General Development Order Schedule 2, Part 1 Class E as permitted development.

Memo

To: LEGAL

From: JOHN M LEGGETT - MINERALS AND ENFORCEMENT

CC: [Click **here** and type name]

Date: 12/04/01

Re: PINECOPSE NINE MILE RIDE WOKINGHAM

APPLICATION FOR CERTIFICATE OF LAWFUL USE OF BUILDINGS AS DOMESTIC STABLES AND ANCILLARY STORAGE

I have also been unable to find any evidence to the contradict this application. The development appears to be within the curtilage of the property, relates to personal use/enjoyment of the facilities only (i.e. not for any known business use) and does not contravene any permitted development assessment.

Therefore it is considered that the stable buildings comply with Schedule 2, Part 1, Class E of the general development order.

As such, I recommend that lawful use be granted.

Please do not hesitate to contact me if you have questions.

John Leggett

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which fronts any highway;

(c) it would increase the cubic content of the dwellinghouse by more than 40 cubic metres, in the case of a terrace house, or 50 cubic metres in any other case;

(d) the cubic content of the resulting building would exceed the cubic content of the original dwellinghouse—

(i) in the case of a terrace house by more than 50 cubic metres or 10%, whichever is the greater,

(ii) in any other case, by more than 70 cubic metres or 15%, whichever is the greater, or

(iii) in any case, by more than 115 cubic metres; or

(e) the dwellinghouse is on article 1(5) land.

Class C

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if it would result in a material alteration to the shape of the dwellinghouse.

Class D

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D if—

(a) the ground area (measured externally) of the structure would exceed 3 square metres;

(b) any part of the structure would be more than 3 metres above ground level; or

(c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

Class E

Permitted development

E. The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Development not permitted

E.1 Development is not permitted by Class E if—

(a) it relates to a dwelling or a satellite antenna;

(b) any part of the building or enclosure to be constructed or provided would be nearer to any highway which bounds the curtilage than—

(i) the part of the original dwellinghouse nearest to that highway, or

(ii) any point 20 metres from that highway,

whichever is nearer to the highway;

(c) where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, any part of it would be within 5 metres of any part of the dwellinghouse;

(d) the height of that building or enclosure would exceed—

(i) 4 metres, in the case of a building with a ridged roof; or

(ii) 3 metres, in any other case;

(e) the total area of ground covered by buildings or enclosures within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); or

(f) in the case of any article 1(5) land or land within the curtilage of a listed building, it would consist of the provision, alteration or improvement of a building with a cubic content greater than 10 cubic metres.

Interpretation of Class E

E.2 For the purposes of Class E—

"purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2DX
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

New e-mail address:
wokingham@dlpconsultants.co.uk

Web site:
www.dlpconsultants.co.uk

New office at Bristol

JB/GB/BKS293

29 March 2001

POL
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30 MAR 2001
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FILE:

J M Leggett Esq
Environmental Services Department
Planning Services
Wokingham District Council
P O Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Mr Leggett

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM
APPLICATION CLU/2001/3364

In response to your letter dated 28 March and in confirmation of our telephone conversation of the same date, I am writing to answer your questions as follows:

- The stables are not used for any commercial activity
- The stables are for the personal use of Mr Reed and his family only

I trust the answers to your questions are satisfactory and the Certificate of Lawfulness application can be moved forward to a positive conclusion as quickly as possible.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

cc R Reed Esq, *Pinecopse*

Tel: (0118) 974 6502 (Direct Line)
Fax: (0118) 974 6484
E-mail john.leggett@wokingham.gov.uk
Date: March 28, 2001
My ref: CLE/2001/3364/DLP
Your ref: JB/GB/BKS293

DLP Ltd
Ritz Plaza House
10 Denton Road
Wokingham
RG40 2DX

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir or Madam:

PINECOPSE, NINE MILE RIDE, WOKINGHAM. PLANNING APPLICATION NUMBER CLU/2001/3364

Please can you provide response to the following questions in regard to the above application:

1. Are the stables used for any commercial activity?
2. Are the stables used for personal use?

I would be grateful for the confirmation of these as soon as possible to enable a prompt decision to be made.

Please do not hesitate to contact me if you have any questions.

Yours faithfully,

Mr J M Leggett
Planning Assistant

Cc Development Land and Planning
Mr Reed, Pinecopse Nine Mile Ride

Wynora
Soldiers Rise
St. Sebastians
Wokingham
Berks RG40 3NE
11/3/2001

App CLE/2001/3364
App F/2001/3357

Mrs John Mitchell
Development Control Manager
Environment Services Dept.
Planning Services P.O Box 157.
Shute End. Wokingham.

I enclose a copy of the letter from Christine Gyles and I endorse everything she says in it. Providing that they keep to the plans.

Yours Sincerely
Margaret A. McCarey

DNS

PLANNING SERVICES	HPT
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CS OBS	
16 MAR 2001	
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	FILE:

Tel: 01344 772629

"Pinecot"
Soldiers Rise
Wokingham
Berks
RG40 3NE

11 March 2001

Mr John Mitchell
Development Control Manager
Environment Services Department
Planning Services, PO Box 157
Shute End, Wokingham
Berks RG40 1WR

Site Address: Pinecopse, Nine Mile Ride, Wokingham

1. Application Number: F/2001/3357

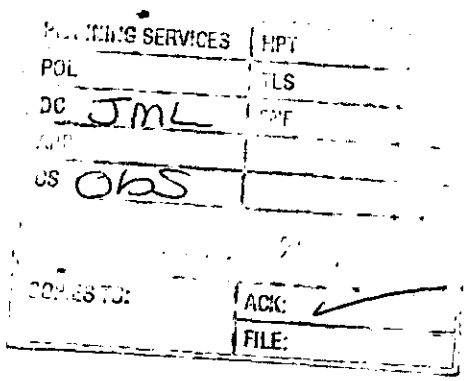
We do not have a problem with the proposal for the erection of a replacement dwelling with garage on the above site, provided the demolitions take place as stated and that the set boundaries are not extended or flaunted in any way.

Also, in the hope that a larger house will alleviate the need for all the unsightly mobile homes / caravans on the site, so that they may also be removed.

2. Application CLE/2001/3364

Neither do we have a problem with the existing domestic stables, once again provided the set boundaries are not extended or flaunted in any way.

However, we question what and where is the ancillary storage. We see from the plans that the old cattery still remains but there is no mention on either of the above plans of the outbuildings that used to be kennels.



We would ask?

- Are these the outbuildings to be used for ancillary storage
- If not, what will they be used for
- Is there a proposal to re-open kennels
- If so, is a new licence required
- If these buildings are to be used for anything but storage, will an application be required

We think overall, as the site is proposed, it will be an improvement. However, should any other activity other than keeping horses or the erection of any further buildings be considered, we should like to have an opportunity to comment.

Yours sincerely

C L Giles

Mr & Mrs A C Giles

WOKINGHAM DISTRICT COUNCIL
ENVIRONMENTAL PROTECTION AND HOUSING

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref:

To: John Leggett
Development Control

Your Ref: CLE/2001/3364

Date. March 7, 2001

PROPOSED: CLU FOR DOMESTIC STABLES AND ANCILLARY STABLES

LOCATION: PINECOPSE, NINE MILE RIDE

These proposals have been evaluated and I have no environmental health objections to the application but enclose the following information:

We have complaints on record regarding the previous use of the site as a licensed dog kennels. For further information regarding when the licensed ceased please contact Neil Motiram on x 6362.

John Mullaney

JOHN MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

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08 MAR 2001	
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TO: **DEVELOPMENT CONTROL**
John Leggett

FROM: Environmental Design

DATE: 14 March 2001

Location:	Pinecopse, Nine Mile Ride, Wokingham Without
Proposal:	Application for Certificate of Existing Lawful Use of buildings as domestic stables and ancillary storage.
Application Number:	CLE/2001/3364

In response to your consultation dated 22 February 2001 for the above application, the landscape comments are as follows:

The new stable block, although relatively low in height, can be seen from Nine Mile Ride behind the existing outbuildings. A woodland did screen the development within the site from Nine Mile Ride, however this was recently felled. The Forestry Commission is currently dealing with this issue. Although some replanting has taken place in this area it does little to soften the impact of the existing dwelling, outbuildings and stable block.

The hedge shown on the drawing alongside Nine Mile Ride consists of Laurel and not native plants as indicated. It would be preferable to have a native hedgerow along this boundary as well as additional tree planting at the front of the site so that the proposal can be better integrated in with the surrounded wooded character of the area.

Catherine Brimble

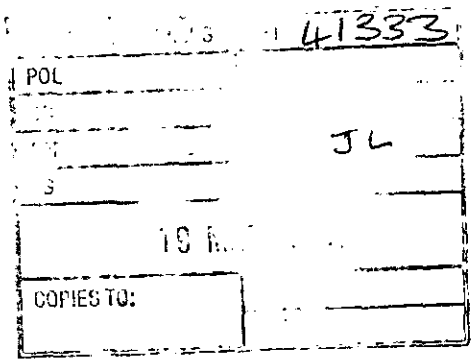
Catherine Brimble
Landscape Architect

Our ref: SP\2001\003263\001
Your ref: CLE/2001/3364

Date: 13th March 2001

ENVIRONMENT AGENCY

FAO: John Leggett



District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN.

Dear Sir

CERTIFICATE OF EXISTING LAWFUL USE OF BUILDINGS AS DOMESTIC STABLES & ANCILLARY STORAGE
PINECOPSE, NINE MILE RIDE, FINCHAMPSTEAD, WOKINGHAM

Thank you for your letter dated 22 February 2001, which was received on 28 February 2001. You are asked to quote the following reference in any correspondence: **SU86NW/2/4.**

The Environment Agency has no records regarding the existing use of the site and has no objection to the proposed development. However, could the following comments be taken into account;

Planning Informatives

The following planning informatives should be attached to any planning permission granted:

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is currently required for any discharge of sewage or trade effluent onto or into ground and for surface runoff into groundwater. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions.
Contact Ian Doyle on 01276 454365 for further details.

Advice To Planning Authority

Waste Regulation : Contact Miranda Wycherley On 01276 454384

According to our records, there is one landfill site within 250 metres of the site, as follows:

Grid reference	Distance from site	Landfill name	Details
SU 814652	220m	Silverstock Bog	Industrial and Commercial

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

In view of the distance from the site and the nature of the material deposited there, it is unlikely that landfill gas will present a risk to this proposal.

Advice To Applicant

Scientific Support: Contact Ian Doyle On 01276 454365

Surface water from any hard standing areas should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof water down-pipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

No soakaways shall be constructed to a depth exceeding 3 metres below existing ground level, and under no circumstances shall the water table be intersected.

Any above ground oil storage tank(s) should be sited on an impervious base and surrounded by a suitable liquid tight bunded compound. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund. Guidelines are available from the Environment Agency.

Decision Notice

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact me on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

CC: DLP Consultants Ltd, Ritz Plaza House, 10 Denton Road, Wokingham, Berkshire, RG40 2DX

RAILTRACK

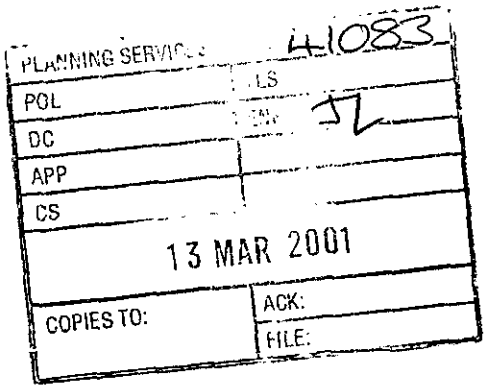
Southern

M HOLDEN Director

9th March 2001

Development Control Manager
Wokingham District Council
PO Box 157
Shute End
Wokingham.
RG40 1WR.

Tel : 020-7902-3183



Y/r CLE/2001/3364
O/r C7/01/530/1/104/AN

Dear Mr Leggett,

TOWN & COUNTRY PLANNING ACT
WOKINGHAM, PINECOPSE, NINE MILE RIDE
LAWFUL USE OF BUILDINGS AS STABLES & STORAGE
APPLICATION No CLE/2001/3364.

I acknowledge receipt of your letter dated 22nd February 2001, in respect of the above application.

I can confirm that Railtrack has no objection in principle to this application subject to Railtrack's boundary fence being both stock proof and tresspass proof. In which case the fence, if not already, will need to be at least a 1.8m high chainlink fence and the applicant should report any damage to Railtrack, in order that remedial repairs are carried out immediately.

Railtrack also reserves the right to make any further comments or conditions considered necessary to ensure the safe operation of the railway, should the need arise.

Yours faithfully,

Alan Nield.

p.p. **B. Purcell.**
Outside Party Engineer.

01344762283

WOKINGHAM WITHOUT PARISH COUNCIL

The Clerk, The Lodge
Pinewood Centre
Old Wokingham Road, Wokingham, Berks RG40 3AQ.
Tel: Crowthorne (01344) 771425
Fax: (01344) 762283

FAX MESSAGE

TO: WDC Planning Dept **DATE:** 13 March 2001

FROM: John Grant. **ATTENTION:** John Leggett.

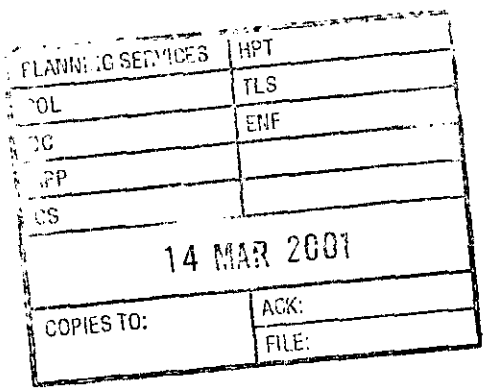
Re Planning Applications for Pinecopse, Nine Mile Ride.

Reference No.'s F/2001/3357 and CLF/2001/3364

Our members will not be able to discuss these until next Monday evening. Can you please extend time to allow any comments to faxed to you Tuesday 20th.

Regards

John Grant.
Clerk.



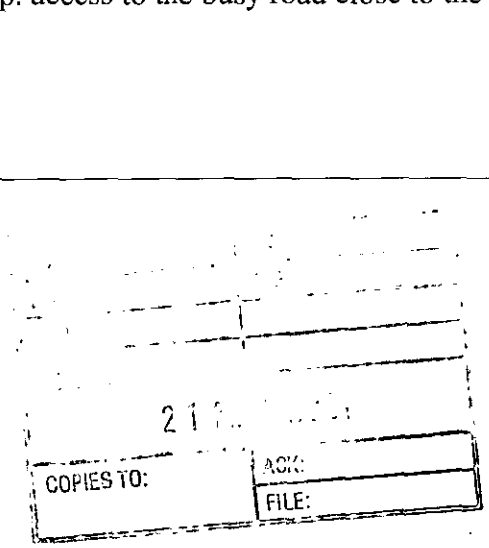
MARTIN DOING APPLICATION. LIAISE

Wokingham Without Parish Council Consultation Sheet

Officer	John Leggett
No	CLE 2001 3364
Proposal	Application for Certificate of Existing Lawful Use of buildings as domestic stables and ancillary storage.
Site	Pinecopse, Nine Mile Ride, Wokingham

Committee's Comments

The Council are opposed to this application unless technically it has to be allowed, because of the history of unpermitted development, and the unsuitability of the site for horses, esp. access to the busy road close to the hump bridge.



Signed :
Clerk to Wokingham Without Parish Council

20 March 2001

Date: 22 February 2001

Your Ref:

My Ref: John Leggett / CLE/2001/3364

PLANNING SERVICES	HPT
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CS	
09 MAR 2001	
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Finchampstead Parish Council
Mrs C S Cole
Memorial Hall
The Village
Finchampstead
RG40 4JU

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

PLEASE QUOTE APPLICATION NUMBER WHEN REPLYING

Dear Sir/Madam

ADJOINING PARISH CONSULTATION

Application Number: CLE/2001/3364

Parish: FINCHAMPSTEAD

Site Address: *Pinecopse, Nine Mile Ride, , Wokingham.*

Proposal: Application for Certificate of Existing Lawful Use of buildings as domestic stables and ancillary storage..

I enclose details of the above application which is **not** within your parish area but is close to the boundary and would be grateful to receive your observations within **21 days** of the date of this letter. I cannot guarantee that comments received after this date will be taken into account in determining the application.

Please quote reference number **CLE/2001/3364** in all communications and any response should be addressed to **John Leggett** the case officer dealing with this application at the above address.

I look forward to hearing from you.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

The Parish Council was not aware of the previous use of this site for stabling horses and express concern about horses entering and leaving the site at the access onto the Nine Mile Ride, which is very close to a railway bridge with blind sight lines.

C. S. Cole
The Clerk

FINCHAMPSTEAD PARISH COUNCIL

1943

For the Council's use only:

12 FEB 2001 * 5564 Application No: .....

Date received: .....

WOKINGHAM DISTRICT COUNCIL

Town and Country Planning Act 1990, Section 191, as amended by Section 10 of the Planning and Compensation Act 1991.

Town and Country Planning General Development (Amendment) Order, 1992.

APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN *EXISTING* USE OR OPERATION OR ACTIVITY IN BREACH OF A PLANNING CONDITION.

---

1. Description of existing use or operation or activity applied for:

Buildings for use as domestic stables and ancillary storage.

---

2. Applicant (in block capitals)

Name: Mr R Reed

Address: Pinecopse, Nine Mile Ride, Finchampstead

.....

Post Code: RG40 3ND

Tel. No: .....

---

3. Agent (if any)

Name: DLP Consultants Ltd

Address: Ritz Plaza House, 10 Denton Road

Wokingham, Berkshire

Post Code: RG40 2DX

Tel. No: 0118 978 9595

4. (1) Nature of applicant's interest in the land, e.g. owner, lessee, occupier.

Owner

(2) If you do not have an interest:

(a) give name(s) and address(es) of anyone you know who has an interest in the land.

N/A

(b) state the nature of their interest (if known).

N/A

(c) state whether they have been informed about this application.

N/A YES/NO

---

5. Address or exact location of the land to which this application relates:

Land at Pinecopse, Nine Mile Ride, Finchampstead.

Describe here and enclose (4) copies of an OS-based plan showing the boundary of the land edged in red.

---

6. This application is for:

*an existing use;

*an existing operation: ✓

*an existing use, operation or activity in breach of a condition;

being a use, operation or activity subsisting on the date of this application.

(*Tick whichever is applicable).

12 FEB 2001* 3564

7. If there is more than one subsisting use of, or operation or activity on the land at the date of this application, describe fully each of them and, where appropriate, show to which part of the land each use, operation or activity relates.

N/A

8. When was the use or activity begun, or the operation substantially completed?

November 2000

9. Under what grounds is the certificate sought?

(Delete those which are not applicable)

(1) ~~The use began more than ten years before the date of this application; or~~

(2) ~~The use, operation or activity in breach of condition began more than ten years before the date of this application; or~~

(3) The use began within the last ten years, as a result of a change of use not requiring planning permission in the last ten years; or

(4) ~~The operations were substantially completed more than four years before the date of this application; or~~

(5) ~~The use as a single dwellinghouse began more than four years before the date of this application.~~

(6) ~~Other - specify (this might include claims that the change of use or operation was not development, or that it benefited from planning permission granted under the Act or by the General Development Order).~~

10. If the certificate is sought for a use, operation or activity in breach of a condition or limitation, specify the condition or limitation which has not been complied with, and attach a copy of the relevant planning permission.

N/A

---

11. Give any additional information you consider necessary to substantiate your claim.

See accompanying letters.

(Continue on a separate sheet if necessary)

---

12. List here all the documents, drawings or plans which accompany this application.

1) Location Plan - BKS/293/1
2) Site Plan - 1516/01B
3) Plans and Elevations - 1516/05

I/We hereby apply for a lawful use or development certificate under Section 191 of the 1990 Act in respect of the existing use, operations or activity described in this application and the documents, drawings and plans which accompany it. I/We enclose the appropriate fee of £.95..00.

Signed: ..... Date: 9.2.01

On behalf of: Mr R Reed

(Insert name of applicant if signed by an Agent).

WARNING: The amended Section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the Council to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.

(1) PINECOPSE BOARDING KENNELS

ADDRESS NINE MILE RIDE PARISH WOK/WITHOUT

PLOT No. (EX PART OF PINERIDGE FARM) ORD. SHEET No. SU 8165/8265 (99 10)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
380/55	MR. S. HAVERS	DETACHED BUNGALOW	12.7.55	APP C/A
457/56	"	BLDG. FOR BOARDING DOGS	10.7.56	APP A
BR10800	PINECOPSE BOARDING KENNELS	NEW KENNEL BLOCK	26.3.79	APP. N/
10776	MR. D. BUNCE	"	5.7.79	N/A C/
20879	"	TIMBER SHED FOR OFFICE	8.3.84	N/A C/A
BR22939	PINECOPSE BOARDING KENNELS	ADDITIONAL CATTERY	19.6.84	APP N/A
BR23035	MR. BUNCE	TIMBER SHED FOR OFFICE	12.7.84	APP N/A
21822	"	ADDITIONAL CATTERY	26.7.84	N/A C/A
26840 }	"		22.1.87	C/A
BRA 1806 }	"	NEW CATTERY	17.11.86	APP
30347 }	"		6.5.88	C/A
BRA 4769 }	"	REPL. KENNEL BLOCK	21.4.88	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 687/94 WILL NOT BE CONFIRMED

DRAINAGE

091074 41040 INVALID N/P

1933

12 FEB 2001 * 3364

(2) PINECOPSE BOARDING KENNELS

ADDRESS NINE MILE RIDE PARISH WOK/WITHOUT

PLOT No. ORD. SHEET No. SU 8165/82 (99 10)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisi
42445	J. BUNCE (35193/39338)	RETAIN MOBILE HOME C/O/USE AGR. LAND TO EQUESTRIAN. * NB. MOBILE HOME = SEE HAVERS PINERIDGE FARM.	30.6.94	30.6.
F/2000/1366	Mr. & Mrs. Reed	Erect replacement dwelling & garage	14.6.00	R

MINISTRY DECISION

SPECIAL ORDERS TPO 687/94 * WILL NOT BE CONFIRMED

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2DX
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

New e-mail address:
wokingham@dlpconsultants.co.uk

JB/GB/BKS293

09 February 2001

M Thorp Esq
Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
WOKINGHAM
RG40 1WR

12.FEB.2001* 3364

Dear Mr Thorp

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM

Further to our telephone conversations in respect of the above site, I enclose for your attention 2 applications, as follows:

- Certificate of Lawfulness regarding existing outbuildings
- Planning application for demolition of existing bungalow and outbuildings, to be replaced by a new single-storey dwelling and detached garage

With regard to the Certificate of Lawfulness application, I enclose for your attention the following:

- 4 copies of completed Certificate of Lawfulness form
- 4 copies of location plan, BKS/293/1
- 4 copies of site plan, 1516/01B
- 4 copies of plans and elevations, 1516/05
- 4 copies each of letters from Messrs Ayres, Bunce and Jennings confirming the existence of stables on the site of the new stables prior to Mr Reed's ownership
- Cheque for £95 in respect of the application fee

It is considered that the stable buildings comply with Schedule 2, Part 1, Class E of the General Development Order. It is also considered that the site lies within the curtilage of the existing dwelling. It is requested, therefore, that the application for a Certificate of Lawfulness to be issued should be granted.

With regard to the replacement dwelling application, I enclose the following:

- 6 copies of completed planning application form
- 1 copy of Section 66 Certificate A
- 6 copies of location plan, BKS/293/1
- 6 copies of garage plans, 1516/03A
- 6 copies of proposed dwelling plans, 1516/06A
- 6 copies of proposed site plan, 1516/07

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There is no fee payable with this application as a fee was paid with the previous application, F/2000/1366, refused 14 June 2000.

As you are aware, the inspector dismissed our appeal against the previous refusal on 1 November 2000. The inspector stated that the proposed dwelling would be "a large, imposing, 5-bedroom house which would...undoubtedly have a greater impact on the rural environment than the existing buildings..." In order to overcome her objections, we have reduced considerably the size and scale of the dwelling, so that the proposed bungalow is roughly the same height and width as the existing. The only increase in floor area is to be located at the rear of the dwelling, where it will be significantly screened from public view. Whilst it is accepted that there will be an increase in footprint/floor area, this will be compensated for by the removal of existing outbuildings, as shown on the plans, and the context of the proposal, which is a very large plot with considerable scope for landscaping to ensure that the visual impact of the new dwelling is not materially greater than the existing dwelling and associated outbuildings.

Consequently, it is considered that the proposal overcomes the objections raised by the inspector and should be granted planning permission.

I trust that the above and the enclosed are satisfactory. However, if you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

encs

cc R Reed Esq
A Day Esq

RECEIVED
19 JAN 2001

25 Fettiplace Road
Marcham
Abingdon
OXON

To whom it may concern,

Re: Mr. R. Reid
Pine Copse Kennels, Nine Mile Ride, Wokingham

I can confirm that at some stage during July of this year I attended at the above property in order to purchase some plant machinery from Mr. Reid. I can confirm that the machinery was housed in some ramshackled stables to the rear of the house.

On a recent visit I see that the old stables have been removed and Mr. Reid is in the process of re-constructing them.

Yours faithfully,

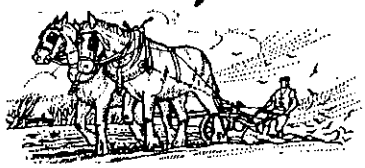
G. Ayres

12.FEB.2001 * 3364

7.01.01

RECEIVED
19 JAN 2001

Pine Ridge Farm



Pineridge Farm, St. Sebastians, Nine Mile Ride, Wokingham, Berkshire RG40 3ND
Tel./Fax: (01344) 771063 Mobile: 0973 539862

To whom it may concern,

My family ran Pinecopse kennels from June 1997 to May 1998.

The property is now owned by Mr R. Reed.

In 1978 I constructed an Isolation kennel block which was later converted to Stables.

Mr. Reed has constructed a brick built stable block on this site.

The adjacent building (open fronted) has been constructed on the site of a commercial green-house erected by my predecesor John Hayes in the 1960s

12.FEB.2001* 3364

JOHN BUNCE

JOHN JENNINGS
FARRIER
54 SLADE RD
STOKEN CHURCH
BUCKINGHAMSHIRE
HP14 3PX

RECEIVED
19 JAN 2001

TO WHOM IT MAY CONCERN

Dear Sir or Madam,

Re Pine Copse Kennels, Nine Mile Ride, Wokingham, Berkshire

In the months of August and September 2000, I visited the above property to shoe various horses at Mr. Reid's stables.

I called again recently to once again shoe the horses. I could see that Mr. Reid had reconstructed the stables, which in my opinion is a great improvement on the previous ones. They are more suitable for the horses to be stabled in (secure and dry), and I might add that not only are they safer for the horses but every one else as well.

Yours faithfully

John Jennings 18-1-01

12.FEB.2001 * 3364

WOKINGHAM D.C. DEVELOPMENT CONTROL

99|100

Start date: 12 FEB 2001	**Map No.** 99 Site 1:74
Officer: JL | Application No. CLE|2001|3364	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

12.FEB.2001 * 3364

Description: (CLU(E)) ~~PROPOSED~~ APPLICATION FOR CERTIFICATE OF EXISTING LAWFULL USE OF BUILDINGS AS DOMESTIC STABLES AND ANCILLARY STORAGE

Location: PINE COPSE NINE MILE RIDE

Parish: WOKINGHAM WITHOUT Ward: WOKINGHAM WITHOUT 22/2

Applicant: MR R REED

Fee Received 95-00 Required ..... Additional ..... Refund .....

(8)

Enforcement Section to be notified ☑ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : ..... Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control .....
Landscape ✓ 22/2.....
Trees .....
Conservation Officer .....
Environmental Health ✓ 22/2.....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (INTERNAL) 22/2.....
Archaeological Site (BABTIE) : .....
Education .....
Social Services .....
Highways 22/2.....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....
Adjacent Parish ✓ 22/2 : Finchampstead.
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco : .....
Environment Agency re Stables. ✓ 22/2.....

Rail Track ✓ 22/2.....
Police Arch. Liaison Officer .....

HERITAGE BODIES

The Georgian Group .....
Ancient Monuments Society .....
Council for British Arch. .....
RCHME .....
Telecommunications (NRPB) : .....
Sport England : .....

OTHERS: Rural Area

.....
.....
..... NO pre-apps. .....

NEIGHBOURS:

..... S/N + See map. ✓ .....
.....
.....
.....
.....
.....
.....
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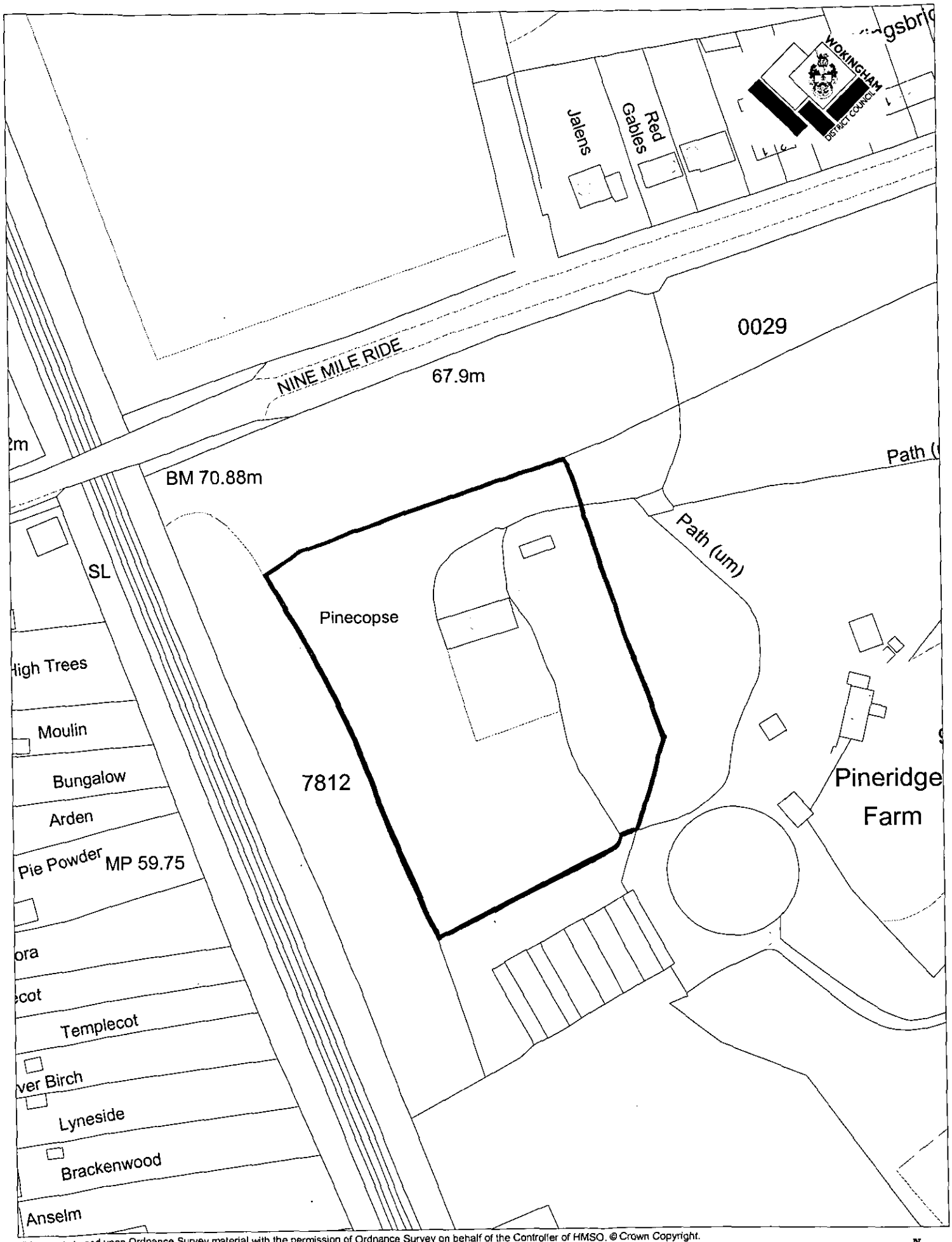

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Development Control Section, Environmental Services, Wokingham District Council.
17 May 2001

Scale: 1 : 1250



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Development Control Section, Environmental Services, Wokingham District Council.
12 April 2001

Scale: 1 : 2500

N
W E
S

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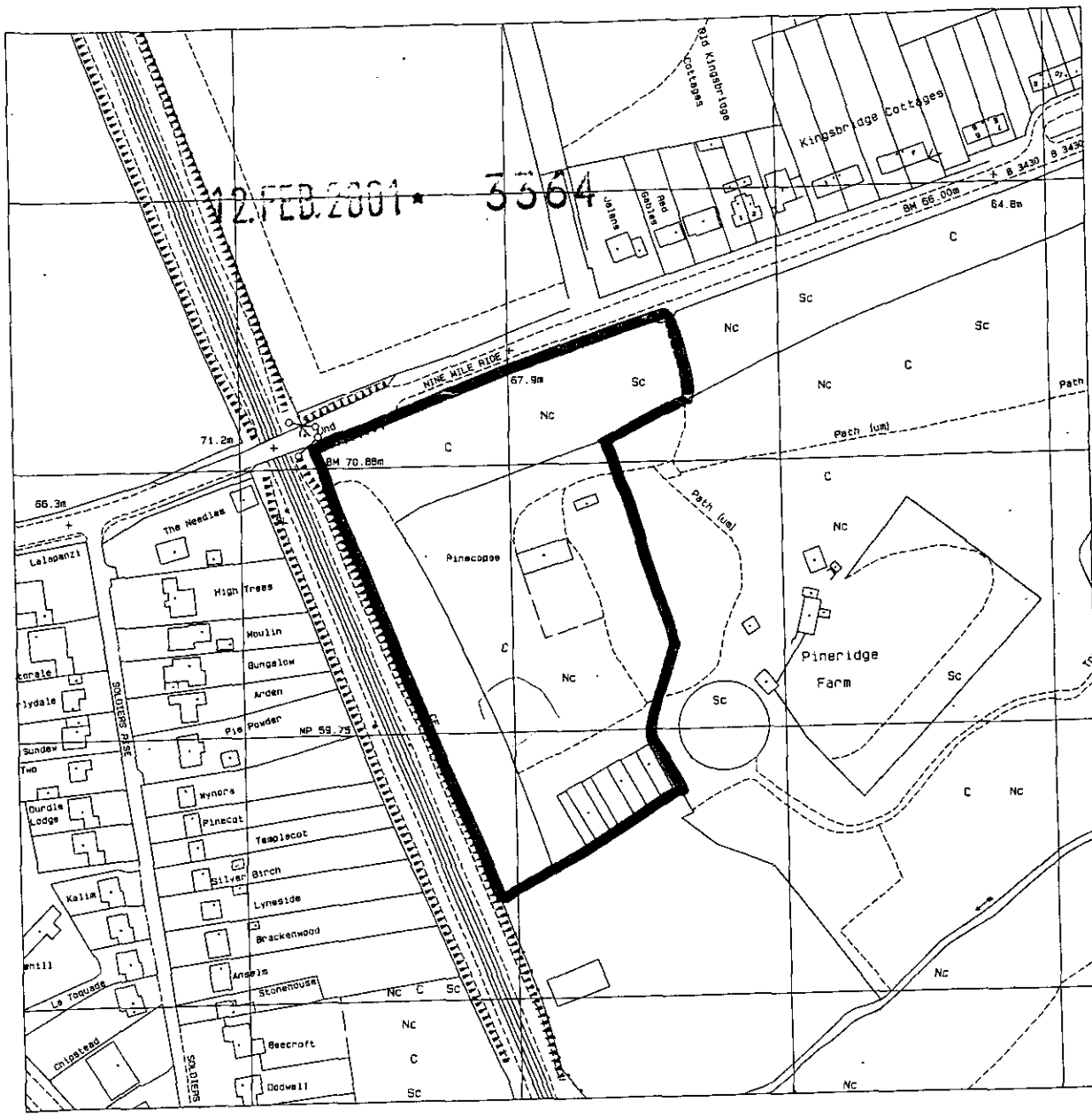
12.FEB.2001 * 5564



CLIENT

Mr R Reed

PROJECT

Pinecopse, Nine Mile Ride, Finchampstead

DEVELOPMENT LAND & PLANNING CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKS., RG40 2DX
TELEPHONE: (0118) 9789595 FACSIMILE: (0118) 9786551
Offices also at Bedford and Sheffield

Date January 2001	Rev	Drawn By
Scale 1:2500	OS Ref	Checked
Drawing no. BKS/293/1		

DRAWING TITLE

Location Plan