

Supporting Statement

Certificate of Lawful Existing Use - Use of land for the siting of mobile homes and launderette portacabin and operational development including staff amenity building, amenity building and staff gazebo building and associated pathways, hardstandings and drainage

Sheeplands Farm, Goffs Barn, Wargrave Road, Wargrave RG10 8DJ

Introduction

This Statement is submitted in support of the accompanying application for a Certificate of Lawful use to seek confirmation of the lawfulness of the use of land at Sheeplands Farm for the siting of mobile homes and associated operational development. The application is made on behalf of Hall Hunter Partnership who are the operators of the fruit farming business at Sheeplands Farm.

The application is submitted following an email dated 6th August 2024 from Helen Maynard of Wokingham Borough Council which requested that a certificate application is submitted to regularise the development.

Statutory Provisions

Section 191 of the Town and Country Planning Act provides that any person wishes to ascertain whether an existing use of land or operations carried out is lawful they may make an application for that purpose to the local planning authority specifying the land and describing the use, operations or other matter.

Section 115 of the Levelling Up and Regeneration Act 2023 came into force on 25 April 2024 and changed the period for all breaches of planning control to 10 years. The Act includes transitional provisions which provide that, where operational development was substantially completed before the 25 April 2024, the 4 year period will continue to apply.

This application seeks confirmation that the use of the land at Sheeplands Farm has taken place for 10 years on the date of this application and that the associated operational development was substantially complete for a period of 4 years up to 25 April 2024. As such the development covered in this application would be exempt from enforcement, and therefore deemed lawful.

If the Council are satisfied on the balance of probabilities that the development has been in place in excess of the time limits for enforcement action to be taken it may grant a certificate confirming the lawfulness of the development. The applicant is required to submit sufficient factual information/evidence for a local planning authority to decide the application.



Figure.1 –Plan showing numbering of mobile homes and location of shop, laundry and gym /games room (Play Room)

Relevant Planning History

150522 - Proposed change of use of land for the siting of four mobile homes for occupation by agricultural workers – Dismissed on appeal 27th June 2016

The officer report relating to this application referred to the presence of 60 temporary mobile homes for staff. This report was dated 7th December 2015.

Description of the Development

The development on the land the subject of this application comprises the following:

- 63 mobile homes which accommodate staff employed on the farm by Hall Hunter Partnership
- Mobile home used as a shop for staff residing on site
- Staff amenity building accommodating gym/games room
- Portacabin containing a staff laundry
- Gazebo structure in staff garden area
- Parking for mobile home occupants

See plan in Figure.2 below for location of the amenity building, launderette, shop and gazebo.

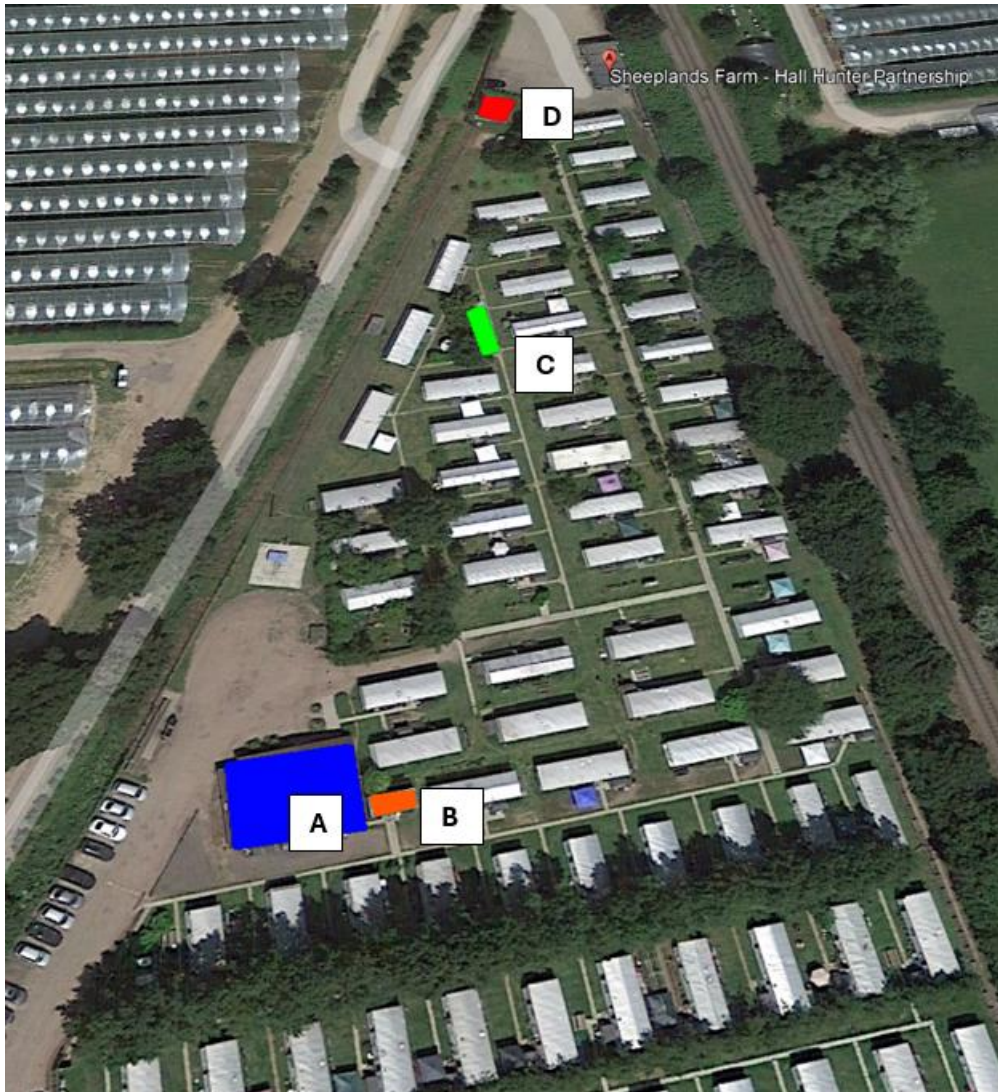


Figure.2 – Location of staff amenity building A (blue), launderette portacabin B (orange), shop C (green) and gazebo D (red) (source Google Earth)

Evidence Provided

The following evidence is submitted with the application to demonstrate that the land outlined in red in Figure.3 below has been used continuously for the siting of mobile homes for over 10 years before the date of this application and that the associated operational development, in the form of drainage, hardstandings and footpaths, has been complete for in excess of 4 years before 25th April 2024.

The submitted evidence is as follows:

- Photographs (see **Appendix.1**)
- Aerial photographs dated January 2004, June 2009, June 2013, March 2017, April 2020, July 2021,

- Caravan Occupation list 3rd September 2017
- Fire Drill record sheet 31st May 2018
- Campsite Inspection Sheet 28th May 2018
- Fire Drill report 28th February 2020
- Fire Drill report 29th January 2021
- Caravan Occupation list 4th February 2021
- Fire Drill report 30th May 2022
- Caravan Occupation list 24th August 2023
- Fire Drill report 25th August 2023
- Fire Drill report 21st June 2024

Analysis of Evidence Provided

Aerial Photographs -

January 2004 - This photograph is dated January 2004 and shows that the majority of the red line site area was in use for the siting of 31 mobile homes with associated paths. The site shop is in place.

June 2009 - This photograph shows that the site had expanded to the south through the addition of a further 12 mobile homes to the southern edge of the site and the arrangement of the mobile homes on the remainder of the site has been altered. In total there were 53 mobile homes on the land at the time. A staff amenity polytunnel is evident for the first time and the shop remains in place. Parking has also been formed to the western side of the site.

June 2013 - A further row of 11 mobile homes had been added to the site by this date bringing the total to 64. The staff amenity polytunnel building is evident in the photograph as well as the site shop. The launderette portacabin is evident and the parking area had been enlarged at this time.

March 2017 - 64 mobile homes remained on the site at this time. The parking remains unchanged and the staff amenity building and shop are evident. The position of the launderette portacabin had been changed by this date.

April 2020 - A new staff amenity building is evident on the site which replaced the former polytunnel structure in March 2018. The gazebo is also shown on the site for the first time (this was constructed Spring 2018). In addition, by this time a further row of 11 mobile homes had been added to the southern boundary of the site (these are not within the red line land and will be subject to a planning application for their retention).

The submitted aerial photographs are clear and show that the red line land was in use for the siting of mobile homes between January 2004 and April 2020, a period in excess of 10 years. The Council may view the photographs on Google Earth to verify. Inspection of the site today will show that the land remains in use for the siting of mobile homes.

Camp Site Inspection sheets – These list the mobile homes on the site at the time of the inspections in May 2018 and September 2024.

Fire Drill Reports – These listed the number of occupants of the mobile homes at the time of the fire drills in May 2018 (219 staff), February 2020 (51 staff), January 2021, May 2022 (367 staff) and June 2024 (410 staff). This documentation demonstrates that the mobile homes were on the land and occupied on the dates which the fire drills took place.

Records Held by Council

It is also clear from the officer report relating to application CLE/2010/1310 that there were mobile homes present on the site at the time that this application was considered in September 2010. The report refers to the evidence submitted with the application stating that mobile homes were first brought onto the red line site area in summer 2003. The report also noted that an aerial photograph taken in 2003 shows mobile homes on the red line land.

Conclusions

The evidence provided with this application is unambiguous and demonstrates that, on the balance of probabilities, the red line land has been used for the siting of mobile homes for a period exceeding 10 years and the associated operational development has been in place for well in excess of 4 years. The Council is therefore requested to grant the application.

APPENDIX 1- PHOTOGRAPHS



Photo.1 – Typical mobile home and paths within the site



Photo.2 – towing hitch on mobile home



Photo.3 – Site mobile shop



Photo.4 – Staff amenity building



Photo.5 – Interior of staff amenity building



Photo.6 – Portacabin used as launderette



Photo.7 – Staff gazebo



Photo.8 – Parking area