APPLICATION NO:

VAR/2001/3362

LOCATION:

Southcourt Cottage 80a Reading Road, Finchampstead Wokingham.

APPLICANT:

~~**Mr Springer**~~ **C/O S J Simpson**
MR SPENCER

PROPOSAL:

Proposed ~~variation to~~ REMOVAL OF **condition 03 of consent 31887 to allow occupation of dwelling by *persons employed in jobs other than* agricultural.**

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

APPLICATION WILL HAVE EXPIRED ON:
09/04/2001

CASE OFFICER: **Martin Durkan**

REFUSED

(MD)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Spencer
C/O S J Simpson
Hollybush House
Part Lane
SWALLOWFIELD
Berkshire RG7 1TD

Application Number: VAR/2001/3362

Parish: **FINCHAMPSTEAD**

Location: **Southcourt Cottage, 80a Reading Road, Finchampstead, Wokingham**

Proposal: **Proposed removal of condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. It has not been demonstrated to the satisfaction of the Local Planning Authority that there is no existing demand for dwellings for agricultural workers in the locality. As such, the proposed removal of the agricultural occupancy condition would be contrary to Policy SC16 of the South East Area Local Plan and Policy WCC6 of the Wokingham District Local Plan Deposit Draft (as amended).

John Mitchell

John Mitchell
Development Control Manager
Date: 01/05/2001

Notice checked by: _____

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

Received by Wokingham District Council

Application No: VAR/2001/3362

Proposal:
Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Location:
Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this notice for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Martin Durkan P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 18/03/2001. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

22 February 2001

WORK SHEET FOR : Martin Durkan

Application Number : VAR/2001/3362

Applicant : Mr ~~Springer~~ SPENCER C/O S J Simpson.

Location : Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.

Proposal : Proposed ~~variation to~~ REMOVAL OF condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Site Notice Displayed ? :	YES	NO	DATE
	✓		13/03/01

Date of Neighbour Notifications : .....

Date of Site Visit : 13/03/01

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 :

1) FINCHAMPSTEAD PARISH COUNCIL – OBJECTS: WHOLE SITE SHOULD BE USED FOR AGRICULTURAL PURPOSES; UNSATISFACTORY ACCESS.

2) ADJOINING RESIDENT – WOULD UNDERMINE PLANNING PROCESS; IS ASSOCIATED WITH THE UNAUTHORISED USES OF THE SITE TO THE REAR.

Planning Issues :

<u>SITE DESIGNATION:</u>

SEALP – RURAL AREA (STV2), ASLI (Sc3), AREA OF SPORADIC DEVELOPMENT (STV2)

WDLP – COUNTRYSIDE (WCC1), ASLI (WLL2)

<u>MAIN ISSUE:</u>

EXISTING NEED FOR DWELLINGS FOR AGRICULTURAL WORKERS IN THE LOCALITY (POLICY SC16 – SEALP) (POLICY WCC6 – WDLP)

Application Number: VAR/2001/3362

Appraisal:

The application concerns a single-storey dwelling on a backland site at the rear of 78 and 80 Reading Road. It is served by a long access road located between 78 and 82 Reading Road. The access also serves a BT telephone exchange building directly opposite the dwelling and another site to the east that contains a variety of B1 and B8 uses. The latter site originally accommodated a poultry farm and a horticultural business.

In November 1989 an appeal against the Council's decision to refuse planning permission for the erection of a bungalow on the site of no.80a was upheld. A condition was attached restricting occupation to a person employed in agriculture. The inspector opined that the Council had not provided any substantial evidence to support its view that there was no justifiable need for an agricultural dwelling associated with the poultry farm.

According to the present owner of the site, the appellant commenced the development by laying foundations for the dwelling but did no further work. By early 1993, the poultry business had closed (and, presumably, the horticultural business). The present owner subsequently acquired the whole site and proceeded to complete the construction of the dwelling. It is currently occupied in breach of the agricultural occupancy condition. This application is for the removal of that condition.

Circular 11/95, paragraph 105 states that: *"Where an agricultural occupancy condition has been imposed it will not be appropriate to remove it on a subsequent application unless it is shown that the existing need for dwellings for agricultural workers **in the locality** no longer warrants reserving the house for that purpose."*

PPG7 at 121 states that: *Applications for the removal of occupancy conditions should be considered on the basis of realistic assessments of the existing need for them bearing in mind that it is the need for a dwelling for someone, solely, mainly or last working in agriculture **in an area as a whole** and not just the particular holding that is relevant."*

The applicant has been requested to confirm whether there has been any recent attempt to market the property for sale or rent to persons employed, or last employed, in the locality in agriculture, at a price that reflects the agricultural occupancy condition. No response has been received and, in the absence of any evidence of a lack of demand for such accommodation, it is recommended that the application should be refused.

Recommendation: ~~Approval~~. **Refusal.** ✓

Application Number VAR/2001/3362

Reasons for Refusal

No	Non Std Reasons for Refusal
1.	*It has not been demonstrated to the satisfaction of the local planning authority that there is no existing demand for dwellings for agricultural workers in the locality. As such, the proposed removal of the agricultural occupancy condition would be contrary to Policy SC16 of the South East Area Local Plan and Policy WCC6 of the Wokingham District Local Plan Deposit Draft (as amended).*

Pam VAR/2001/3362
Could you please amend the applicant's name and the proposal.
Thanks,
martin

RECOMMENDATION AND REASONS AGREED.....
(Development Control Manager)

Date.....

RECORD OF SITE VISIT

SITE ADDRESS: Southcourt Cottage
80a Reading Road Finchampstead
Wokingham.

APPLICATION NUMBER:
VAR/2001/3362

OFFICER: Martin Durkan

DATE OF SITE VISIT: 13/03/01

1 SITE/STATUTORY NOTICE DISPLAYED ? YES

2. DESCRIPTION OF SURROUNDINGS
RIBBON DEVELOPMENT ALONG BOTH SIDES OF READING ROAD. TELEPHONE EXCHANGE OPPOSITE SITE. B1 & B8 USES TO EAST. COUNTRYSIDE BEYOND.

3. DESCRIPTION OF SITE/BUILDING
SINGLE STOREY DWELLING SERVED BY AN ACCESS ROAD OFF A327 READING ROAD.

4. RELATIONSHIP TO ADJOINING PROPERTIES
NONE IMMEDIATELY ADJOINING PROPERTIES

5. SITE CONSTRAINTS

TREES NONE

ACCESS/PARKING EXISTING ACCESS, PARKING ON SITE

LEVELS EVEN

BOUNDARY TREATMENT 2M HIGH WALL AROUND DWELLING

OTHERS

Tel: (0118) 974 6446

Date:

My ref: VAR/2001/3362

CONFIDENTIAL

Councillor M Long
Foxfield
Wick Hill Lane
Finchampstead
RG40 3PY

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 Councillor

Application Number: VAR/2001/3362
Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.
Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

I write to let you know that the above mentioned application has been recommended for ~~APPROVAL:~~ ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Martin Durkan** on **(0118) 974 6446**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 27TH APRIL 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Martin Durkan** Application Number: **VAR/2001/3362**
Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.
Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor M Long

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6446

Date:

My ref: VAR/2001/3362

CONFIDENTIAL

Councillor G Cockroft
113a Nine Mile Ride
Finchampstead
RG40 4HX

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 Councillor

Application Number: VAR/2001/3362
Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.
Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

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If you have any questions please do not hesitate to contact **Martin Durkan** on **(0118) 974 6446.** If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 27TH APRIL 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Martin Durkan** Application Number: **VAR/2001/3362**
Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.
Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor G Cockroft

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

LISTING FORM

Case officer: **Martin Durkan** Application Number: **VAR/2001/3362**

Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.

Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Transfer: Yes ☐ No ☒

Reason for Transfer:

OK

Signed: _____ Date: 17/April 2001

Councillor G Cockroft

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

LISTING FORM

Case officer: **Martin Durkan** Application Number: **VAR/2001/3362**

Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.

Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural.

Transfer: Yes ☒ No ☐

Reason for Transfer:

Signed: _____ Date: 18.4.01

Councillor M Long

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel. (0118) 974 6442 (Direct Line)
Fax. (0118) 974 6484
Email. Martin.Durkan@wokingham.gov.uk
Date March 23, 2001
My ref. MD/DC/3362

S J Simpson
Hollybush House
Part Lane
Swallowfield
Berkshire
RG7 1TD

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

Dear Sir

RE: SOUTHCOURT COTTAGE, 80A READING ROAD, FINCHAMPSTEAD
PLANNING APPLICATION NO. VAR/2001/3362

I refer to your planning application for the removal of condition 3 attached to planning permission no. 31887, which limits the occupation of the above dwelling to persons employed, or last employed, in the locality in agriculture.

Before I am able to deal with the application further, I should be grateful if you could advise me whether there has been any recent attempt to market the property for sale or rent to persons employed, or last employed, in the locality in agriculture, at a price that reflects the agricultural occupancy restriction. If there has, could you please furnish documentary evidence of such marketing to support your application.

I should be grateful if you could reply within the next 10 days in order that your application may be processed promptly.

I look forward to hearing from you on this matter.

Yours faithfully

MD

MARTIN DURKAN
Planning Assistant

Ian Jordan

From: WebComments@wokingham.gov.uk
Sent: 20 April 2001 13:56
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

****

Obs

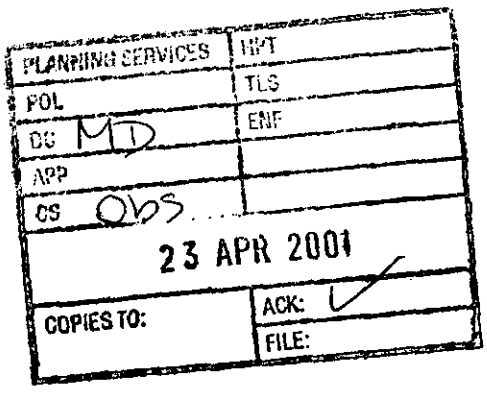
MD

NatureofEmail: Object
ApplicationNumber: VAR/2001/3362
Correspondent_FullName: Mr Stephen Saunders
Correspondent_StreetAddress: 86 Reading Road
Correspondent_Address2: Finchampstead
Correspondent_Town: Wokingham
Correspondent_County: Berkshire
Correspondent_PostCode: RG40 4RA
Correspondent_Telephone: 01977 592636
Correspondent_Email: steve.2.saunders@bt.com

Comments:

This application was not notified to me by post and the notice only displayed recently, after the expiry date.

I am concerned that this application is connected with others that relate to businesses that have no planning permission. Therefore this application must not be allowed if the businesses, which are also objected to, are to go.



Pines Fell,
78, Reading Road,
Finchampstead,
Wokingham,
Berks
RG40 4RA

12th March, 2001

Yr Ref: Martin Durkan VAR/2001/3362

PLANNING SERVICES | APT
POL | TLS
DC MD | ENF
APP |
CS 065 |
14 MAR 2001
COPIES TO: | ACK:
FILE:

Environmental Services Department,
Planning Services,
Wokingham District Council,
PO Box 157
Shute End,
WOKINGHAM, RG40 1WR

For the attention of Martin Durkan

Dear Sirs,

80a Reading Road, Finchampstead
Proposed variation of condition 03 of consent 31887

I wish to object to planning application VAR/2001/3362.

1. The original application by the previous occupant of the site, now known as 80a Reading Road, Finchampstead, to erect a dwelling on the site was refused by the District Council for reasons which are well known to you and which do not need to be repeated here. However, an argument put forward on appeal by the then occupier was that he wished to keep farm animals on the site and it was necessary to have staff living on the site to provide supervision of their needs for 24 hours a day. Permission was granted on appeal but in order that the permission should not be used as a back-door method to circumvent the original refusal by Wokingham District Council, the condition that the dwelling should only be used by a specified list of agricultural and related workers was imposed. The then occupier put down the foundations for the dwelling but proceeded no further, either in the building work or in his proposal to import farm animals to the site. Indeed he started a number of non-agricultural activities, details of which are, no doubt, still on your files.

2. When the current occupier of the site took control, he immediately completed the dwelling for his own use in the full knowledge that he did not meet the employment criteria specified in the planning permission. Should the current application to vary the conditions of occupation for the dwelling be granted, it will make a complete mockery of the planning process.

3. Further, I do not think that the matter of the conditions of occupation of the dwelling can reasonably be considered in isolation from the activity on the remainder of the site. As the District Council is well aware, there are a number of businesses in operation on the site, none of which have received planning permission. Some of those businesses are run by the current occupier of the site and some by others as his tenants. For some of the businesses there has not been any application for planning permission, for others there have been retrospective applications, all of which have been refused, and some of those refusals are now the subject of appeals. There must be a strong presumption that the dwelling at 80a Reading Road in addition to being illegally occupied is also being used as the base for all those illegal operations.

4. I strongly urge the District Council to refuse the current application and to take all the necessary steps to bring all the illegal operations on the site to an end in the very near future.

Yours faithfully,

W. Hall

W. Hall (Mrs)

FROM: Martin Durkan

DATE: 22 February 2001

DELEGATED

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: VAR/2001/3362

Proposal: Proposed variation to condition 03 of consent 31887 to allow occupation of dwelling by persons employed in jobs other than agricultural..

Site Address: Southcourt Cottage 80a, Reading Road, Finchampstead, Wokingham.

Applicant: Mr Springer C/O S J Simpson.

Your observations are required in respect of this application **by 18/03/2001** .

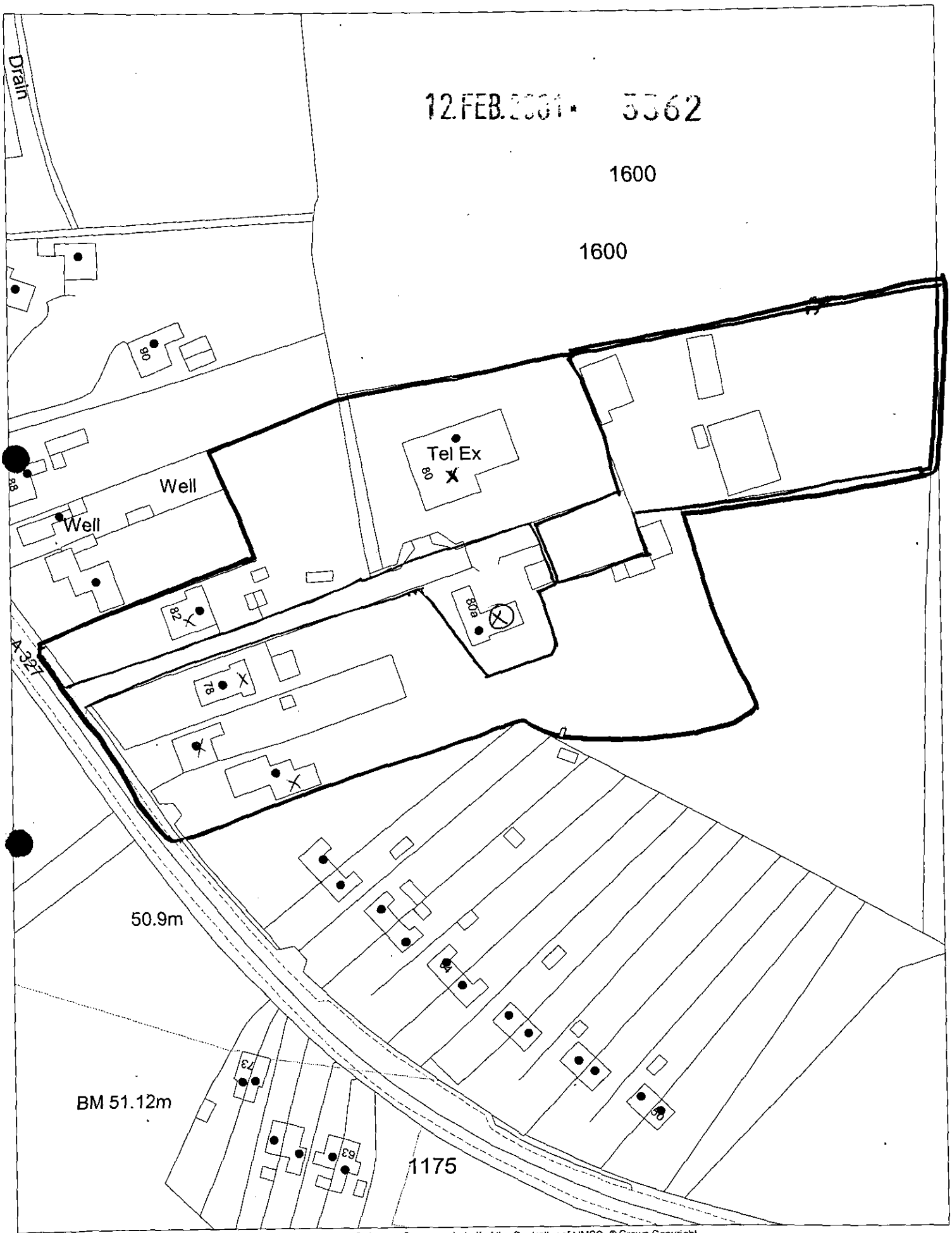
The Parish Council has already indicated that the change of use of this site for purposes other than agriculture would detrimentally affect the setting and landscape qualities of this rural area and cannot therefore support an application for the housing of persons employed otherwise than in agriculture. Objection also that the proposal would contribute to the use of an access which is considered in poor condition and at a dangerous point onto the busy A327.

PLANNING	
POL	
DC	
APP	
CS	
09 MAR 2001	
COPIES TO:	ACK:
	FILE:

SIGNED: C.S.C.

DATE: 8 - 3 - 01

Clerk To Finchampstead Parish/Town Council.



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Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.
15 February 2001

Scale: 1 : 1250

1792

MD

I have today displayed the site notice(s) in a prominent position on the land/ buildings to which the application number VAR/2001/3362 relates.

Address of site 80 A READING RD

FINCHAMPSTEAD

Signed

Date 26/3/01

PLEASE USE YOUR

Postage
will be paid
by licensee

Do not affix Postage Stamps if posted in
Gt. Britian, Channel Islands, N Ireland
or the Isle of Man

Business reply service
License no. RG147

Planning Services
Environmental Services Department
Wokingham District Council
Council Offices
Shute End
Wokingham
Berkshire RG40 1BR

WOKINGHAM D.C. DEVELOPMENT CONTROL

(42) PRE-APP (40) ATTACHED

Start date: 12 FEB 2001	Map No. 130 Site 0.15
Officer: MD / Application No. VAR 2001 3362	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

12.FEB.2001* 3362

Description:
(VAR) PROPOSED VARIATION TO CONDITION 3 OF CONSENT 31887 TO ALLOW OCCUPATION OF DWELLING BY PERSONS EMPLOYED IN JOBS OTHER THAN AGRICULTURAL

Location: SOUTH COURT COTTAGE, READING ROAD

Parish: FINCHAMPSTEAD Ward: Finchampstead South

Applicant: MR R. SPENCER ~~SPENCER~~

cheque not signed.

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

Enforcement Section (6) 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	shown		
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 .....
Trees .....
Conservation Officer .....
Environmental Health .....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (INTERNAL) .....
Archaeological Site (BABTIE) : .....
Education .....
Social Services .....
Highways .....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....
Adjacent Parish : .....
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco : .....
Environment Agency .....

Rail Track .....
Police Arch. Liaison Officer .....

HERITAGE BODIES

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

OTHERS: (Rural Area Area of Special Landscape Importance)

.....

Pre-app attached – pls return to Jan if not relevant to this applicatio

NEIGHBOURS:

S/N + See map

Planning Inspectorate
Department of the Environment
Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321
Direct Line 0272-218 927
Switchboard 0272-218811
GTN 1374

D/15/LVH/P

Stuarts Halifax Planning Services
Clock House
51 Updown Hill
WINDLESHAM
Surrey
GU20 6DL

WOKINGHAM DISTRICT COUNCIL
RECEIVED
-9 NOV 1989
MPP
DISTRICT SECRETARY

Your reference
APP/MKL
Our reference
T/APP/H0330/A/89/120826/P4
Date
8 NOV 1989

Gentlemen

12 FEB 2001 3362

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MKL FARM PRODUCTS
APPLICATION NO: 31887 (F)

1. I have been appointed by the Secretary of State for the Environment to determine the above appeal against the decision of the Wokingham District Council to refuse planning permission for the erection of a bungalow and detached garage on land at the rear of 78 Reading Road, Finchampstead. I have considered the written representations made by you, the Council, Finchampstead Parish Council and an interested person. I have also considered those representations made directly by an interested person to the Council which have been forwarded to me. I inspected the site on 14 August 1989.

2. From my inspection of the site and its surroundings and from the representations made, I consider the main issues in this case are whether the proposed dwelling would be acceptable on agricultural grounds, having regard to the approved policies, and whether the project would harm the rural character of the area.

3. The appeal site lies on the east side of the Reading Road (A327). Access is gained by a metalled track, serving 2 frontage bungalows and a telephone exchange. Beyond the appeal site and, also served by this track are the appellants' poultry unit and another horticultural site. There is open countryside beyond these 2 uses.

4. Policies H3, 5 and EN4 of the Replacement Structure Plan for Berkshire, approved in 1988, are ones of restraint on inappropriate development outside settlements. Policy EN1 allows for exceptions to these restrictive policies, providing the development is essential for purposes associated with either agricultural uses or forestry.

5. The Council's case is that the proposal conflicts with recently adopted policies and that no justifiable need has been established. You believe the dwelling would meet the criteria of Policy EN1(iii).

6. There is agreement that the poultry unit is viable. The Council have not, in my opinion, provided any substantial evidence to support its view that there is no justifiable need for an agricultural dwelling associated with this unit. The fact that it has been operated for some time, from an unconnected dwelling some distance away, is not sufficient justification for withholding permission. I am mindful of the advice in Circular 24/73 and the agricultural appraisal carried out by ADAS. Intensive poultry units, using controlled environmental conditions, require frequent close supervision, often at unsocial hours. I intend to allow the appeal. In view of the recently adopted restraint policies, which are consistent with national

advice, and in line with Circular 1/85, I will impose a restrictive condition concerning occupancy. Since materials have not been indicated, I will, in the interests of visual amenity impose a relevant condition.

7. The site is occupied by a not particularly attractive single storey building and a caravan used to provide facilities for persons working at the associated poultry unit. Both would be removed if the appeal were successful. Although the site is outside the defined boundary of Finchampstead, it is sited between the residential development fronting Reading Road to the West; the telephone exchange to the North; and the 2 rural businesses to the East. The latter 3 enterprises effectively screen the site from the open countryside. I consider that the site, although outside the settlement, is not part of the open countryside.

8. The proposed single storey dwelling with its low profiled roof would be no more visually intrusive than the existing building, whilst the site is well screened. It is backland development, however this can be acceptable if, as in this case, access is adequate and residents' amenities are protected by virtue of the retention of acceptable space between the dwellings. I conclude that granting of permission would not, in this case, materially harm the objectives of the adopted policies which seek to protect the countryside from inappropriate development.

9. I have taken into account all other representations, none are of such strength as to outweigh the considerations leading to my decision.

10. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a bungalow and detached garage on land at the rear of 78 Reading Road, Finchampstead in accordance with the terms of the application (No 31887 (F)) dated 8 September 1988 and the plans submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun before the expiration of 5 years from the date of this letter;

2. Samples of materials shall be submitted to, and agreed by, the Local Planning Authority prior to the commencement of any development.

3. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 290 of the Town and Country Planning Act 1971, as amended, or in forestry, or a dependent of such a person residing with him or her, or a widow or widower of such a person.

11. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

12.FEB.2001 3562

12. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 23 of the Town and Country Planning Act 1971.

I am Gentlemen
Your obedient Servant

J G Woodcock

I G WOODCOCK DipTP MRTPI
Inspector

12 FEB 2001 5562

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

12 FEB 2001 5562

1.	APPLICANT'S NAME	MR R SPENCER
	ADDRESS	SOUTHCOURT COTTAGE READING ROAD FINCHAMPSTEAD
	POST CODE	BERKS PHONE
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	S J SIMPSON
	ADDRESS	MOLLYBUSH HOUSE PART LANE, SWALLOWFIELD
	POST CODE	RG7 1TD PHONE 01189885146
3. On the plans show the SITE outlined in RED *Show also OTHER land in the applicant's* ownership or control in BLUE.	SITE LOCATION	SOUTHCOURT COTTAGE READING ROAD FINCHAMPSTEAD
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		RELAXATION OF OCCUPANCY CONDITION
5. Give the area in hectares or part of a hectare	AREA OF SITE	N/A
6. State the applicant's interest in the land *e.g. owner, prospective purchaser, lessee*	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	SITE & LOCATION PLANS

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?

Tick the boxes(x)

CHANGE OF USE	☐	REDEVELOPMENT	☐
ERECTION OF NEW BUILDING	☐	ALTERATION or EXTENSION	☐

9. WHAT TYPE OF APPLICATION IS THIS ?
Tick one box only

OUTLINE PERMISSION	☐	See question 10	
FULL PERMISSION	☐		
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10	
TEMPORARY PERMISSION	☐	State period required	
RELAXATION OF CONDITIONS	☑	State relevant application number	31887F
		Conditions to be relaxed APPEAL	10/3

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?

		SITING	☐
EXTERNAL APPEARANCE	☐	DESIGN	☐
MEANS OF ACCESS	☐	LANDSCAPING	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S)
e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

N/A

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? YES/NO

If yes, show existing route(s) and any proposed alternatives on the plans

N/A

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED? YES/NO

If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

15. HOW WILL THE SITE BE ENCLOSED?
Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

16. HOW WILL SURFACE WATER BE DISPOSED OF?

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

N/A

19. HAS PROVISION BEEN MADE FOR THE DISABLED?
See notes for applicants

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED		TO BE RETAINED		TO BE LOST	
HOUSE	/	*	/	*	/	
BUNGALOW	/	*	/	*	/	*
FLAT/MAISONETTE	/	*	/	*	/	*
OTHER	/	*	/	*	/	*

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? YES/NO

If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS, THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? YES/NO

If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION
The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED [signature] ON BEHALF OF R. SPENCER DATE 8/2/01

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769c

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS				
A2	*FINANCIAL AND PROFESSIONAL* SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
(c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL				
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL				

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing		
Proposed		

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?

Existing Staff	Transferred Staff	New Staff	Total

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

New buildings, major alterations and enlargement of existing buildings, and many changes in the use of buildings and land need planning permission.
The Town and Country Planning Acts impose a duty on Local Authorities to control these changes, and this means that a balance has to be found between the need and pressure for change, and the desire to protect the character of settlements and the countryside.
The merits of each application are, therefore, carefully examined.

WHAT ELSE MAY YOU HAVE TO DO ?

Listed Building Consent:	for works to a Listed Building; or for demolition works on land within the curtilage of a Listed Building or within a Conservation Area.
Advertisement Consent:	for the display of advertisements or signs
Building Regulation Approval:	for most new building or construction work.

Special forms are available for these types of applications.

You should also check whether there are any other regulations with which you may need to comply.

WHAT HAPPENS TO THE APPLICATION ?

It will first be checked to see if it is complete and if it is, it will be registered.

Consultations will be carried out with public and other bodies, such as the Highway Authority, or Local Parish Councils.

Publicity may be given to allow local people the opportunity to comment on your proposals.

The application will be considered in relation to the Council's planning policies and guidelines, the past history of decisions on that site or in the locality, other standards (such as parking, or visibility at road junctions), and any other material considerations.

The site will be visited by a Planning Officer You may be asked to submit more information, or to amend your application.

The application will then be considered either by a Planning Committee or Sub Committee (made up of Councillors) or by the Chief Officer responsible for planning matters. Objections to an application will be taken into consideration by the Committee or the Chief Officer.

Shortly after the application has been determined, you will receive a Decision Notice.

HOW LONG WILL IT TAKE ?

An application will generally be determined within eight weeks although a longer period may sometimes be required for a complicated application.

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

Your application may be approved subject to certain conditions. These could impose restictions on the use of land or buildings, or require further details to be approved at a later stage, (e.g. materials or landscaping).
You may appeal against the conditions, but this opens the entire permission to review by the Secretary of State.

Your application may be refused. The reason will be listed on the Decision Notice.

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

You have the right to appeal against the refusal to the Secretary of State, but you have to do that within six months. Appeals can be dealt with by written representations by both sides, or by a Public Inquiry.
You may ask the Planning Officer whether an amended application would be more likely to receive planning permission.

DATA PROTECTION ACT 1984

'Information contained in this form is likely to be personal data within the terms of the Data Protection Act 1984, and as such will be held by the Council on computer (such as the PLANAPS applications processing system) and may be used by the Council only for purposes registered under the terms of the Data Protection Act.'

1789/a

SECTION 66 CERTIFICATE

Application No. 12.FEB.2001* 3362

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

● I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

● I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

(b) Insert description of steps taken.

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

● I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b) .....

.....

● Notice of the application as attached to this Certificate, has been published in

the (c) .....

on (d) .....

1789/b

CERTIFICATE D

I certify that

- I/The applicant cannot issue a certificate in accordance with paragraph (a) of Section 66 of the Act in respect of the accompanying application.

- I/The applicant have/has taken all reasonable steps open to me/him/her to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of application was the owner (a) of any part of the land to which the application relates, but have/has been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

- Notice of the application as attached to this Certificate, has been published in

the (c) . . . . . .

on (d) . . . . . .

OR

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

- None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- I have/The applicant has given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served

Signed . . . . . .

On behalf of . Mr. R. SPENCER . . . . . .

Date . 8/2/01 . . . . . .

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

(1) ADDRESS R/O 78-80 READING ROAD SOUTHCOURT COTTAGE PARISH LINCHAMPST

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
BR 6192	MR. W. KENWOOD	AGR. BLDG.	14.3.77	APP
06120	"	O/L HOUSE	14.4.77	Re
BR 18222	"	13 LIVESTOCK PENS	18.3.82	APP
BR 22146	"	TURKEY REARING BLDG.	2.3.84	APP
21024	"	"	8.3.84	Cl
31887 APPEAL	MKL FARM PRODUCTS	DET. BUNGALOW & G.	22.12.88	Re
BRA 8483	SNOW 80A "	"	5.6.90	APP
40307	MR W. KENWOOD	AGR. BLDGS. TO B8 STORAGE	11.1.93	Re
40308	W. KENWOOD RETRO	BLDG. FOR USE AS AS ELECTRICAL CONTRACTORS BASE	21.12.92	Re
40783 APPEAL	"	REDUNDANT AGR. BUILDING TO B1 USE	18.5.93	Cl

DATE OF COMPLETION

MINISTRY DECISION 31887 — APPEAL GRANTED — 15.11.89

~~SPECIAL ORDERS~~ 40783 - APPEAL AGAINST CONDS. 3/5/6 - GRANTED } 23.3.94

DRAINAGE 40783 - APPEAL " " 7 - DISMISSED }

12 FEB 2001 * 5562

1933

(2)

ADDRESS R/O 78-80 READING ROAD PARISH LINCHAMPST.

PLOT No. ORD. SHEET No.

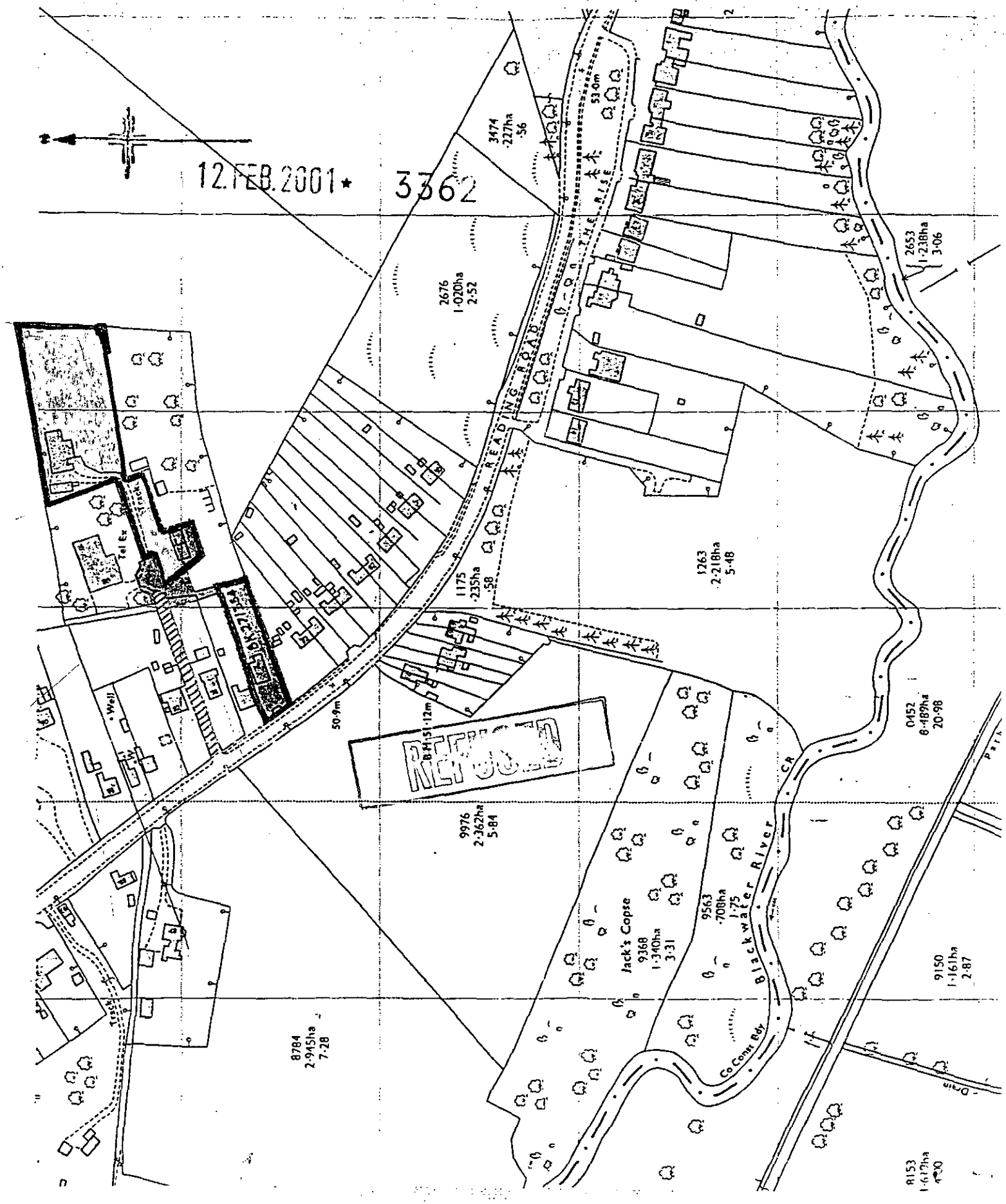
BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
41836	W. KENWOOD	3 REDUNDANT AGR. BLDGS B1 - DEMOLISH REMAINDER	29.11.93	Re

Bowles & Co MINISTRY DECISION 41836 - APPEAL DISMISSED - 23.3.94

SPECIAL ORDERS PD-ENQ. - MANUFACTURE MEAT & POULTRY PRODUCTS - C/O/USE - 9-12

GPD Enq - Premises for Prepar. & Manufacture of Meat & Poultry Products & Agr. C. of U of Land at Rear 19/11


12.FEB.2001*
3362
READING ROAD
THE RISE
Tel Ex
Track
Well
50·9m
53·0m
3474
·227ha
·56
2676
1·020ha
2·52
1175
·235ha
·58
1263
2·218ha
5·48
2653
1·238ha
3·06
0452
8·489ha
20·98
9976
2·362ha
5·84
Jack's Copse
9368
1·340ha
3·31
9563
·708ha
1·75
Blackwater River
CR
Co Const Bdy
9150
1·161ha
2·87
8784
2·945ha
7·28
Drain

1:2500