



WOKINGHAM
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS

TOWN AND COUNTRY PLANNING ACT 1990:
SECTION 191 AND 192

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

Michael de Courcy
De Courcy Town Planning
48 Woodbury Avenue
Petersfield
Hampshire
GU32 2EB

NOTIFICATION OF SPLIT DECISION OF CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT

Application Number: 242918
Applicant Name: Hall Hunter Partnership
Site Address: Sheeplands Farm, Goffs Barn, Wargrave
Road, Wargrave, RG10 8DJ
Proposal: Application for a certificate of existing lawful
development for the use of land for the
stationing of 64no. mobile homes for use as
habitable accommodation by farm staff, staff
shop, staff launderette portacabin and staff
parking, and operational development
including staff amenity building, staff gazebo
building and associated pathways,
hardstanding and drainage.
Date of Decision: 23 January 2025

Wokingham Borough Council hereby certify that on 25 November 2024 (being the date of application for this certificate) that the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking and operational development including staff amenity building, staff gazebo building and associated pathways and drainage, as described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, and edged red on the attached plan **would not have been lawful** within the meaning of Section 191/192 of the Town and Country Planning Act 1990 (as amended) or section 26H (2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).

Wokingham Borough Council hereby certify that on 25 November 2024 (being the date of application for this certificate) that the hardstanding constructed to the south of the site and the footpaths in the northern section of the site shown in green on the attached plan **would have been lawful** within the meaning of Section 191/192 of the Town and Country Planning Act 1990 (as amended) or section 26H (2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).

The above recommendations are justified by the following reasons:

1. The relevant test for Lawful Use is the 'balance of probability'. Based on the evidence provided and the Local Planning Authority's own information, it is considered to have not been demonstrated that the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking has been occurring for a consecutive period of ten years i.e. since 25 November 2014.

With regards to the staff amenity building, staff gazebo building and associated drainage and southern pathways, being ancillary to the use of the site, it has not been demonstrated that they were substantially complete/constructed on site 10 years prior to the submission of the application.

However, on the balance of probabilities, the hardstanding constructed to the south of the site and the footpaths in the northern section of the site shown in green on the attached plan have been in situ for a period in excess of 10 years.

FIRST SCHEDULE

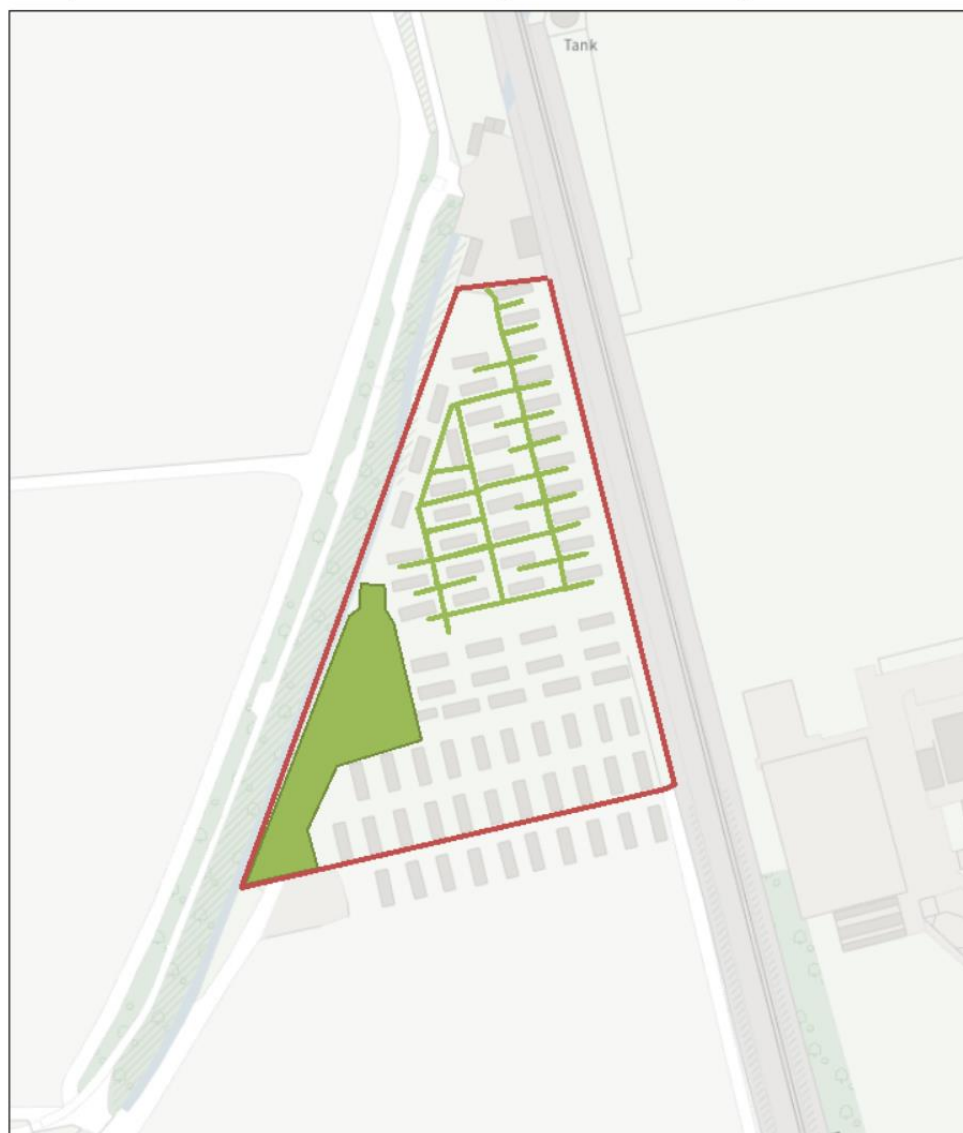
Proposal: Application for a certificate of existing lawful development for the use of land for the stationing of 64no. mobile homes for use as habitable accommodation by farm staff, staff shop, staff launderette portacabin and staff parking, and operational development including staff amenity building, staff gazebo building and associated pathways, hardstanding and drainage.

SECOND SCHEDULE

Address: Sheeplands Farm, Goffs Barn, Wargrave Road, Wargrave, Wokingham, RG10 8DJ

PLAN

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



23/01/2025, 11:33:09



Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 23 January 2025

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



WOKINGHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192

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

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

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

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

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

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service as set out on the [.gov.uk](https://www.gov.uk) website which contains information and guides on the appeal process. Alternatively you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Planning Inspectorate website](https://www.planninginspectorate.gov.uk). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.