

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242193
Site Address:	Glasspool Farm, Part Lane, Riseley, Wokingham, RG7 1RU
Expiry Date:	22 October 2024
Site Visit Date:	12 September 2024
Proposal: Prior approval submission for proposed conversion of 2 no. agricultural buildings (Buildings A and B) to form 10 no. dwellings with associated works including partial demolition.	

PLANNING CONSTRAINTS/STATUS

Contaminated Land Consultation Zone
Local Authorities
Archaeological Sites
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Borough Parishes
Scale and Location of Development Proposals
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Borough Wards
Landfill Gas Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
PRoW Within WB Consultation Zone
Ordinary Watercourses Consultation Zone
Archaeological Sites Consultation Zone
Ordinary Watercourse
Great Crested Newt Consultation Zone Householder
JCEB Areas of Search for Sand and Gravel
JCEB Mineral Safeguarding Areas
Great Crested Newt Consultation Zone Minor

PLANNING POLICY/LEGISLATION

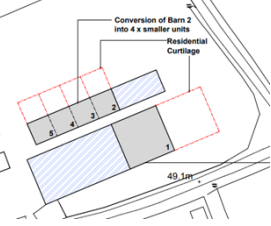
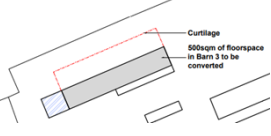
Town and Country Planning Act 1990 (as amended)

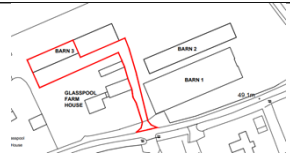
Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
Section 57	Planning permission is needed for all development of land.
Section 187a	Enforcement for breach of conditions

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Section 7	Prior approval applications: time periods for decision
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Article 3	In conjunction with Schedule 2, Part 3 Class Q grants planning permission for the change of use of buildings on agricultural units and former agricultural buildings to dwellinghouses
Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3

PLANNING HISTORY			
Application No.	Description	Decision & Date	Location (where applicable)
TP/2006/67 44	Change of use of agricultural land to use for storage / distribution of wood chips (retrospective)	Approved 14/03/2006	
152333	Application for prior approval for proposed change of use of three agricultural buildings to dwellinghouses (Use Class C3)	Prior approval approved 14/10/2015	
160121	Outline application for the erection of 4no dwellings (all matters reserved)	Refused 16/04/2016	
180706	Outline application for the proposed erection of 3 no. new dwellings (all matters reserved)	Refused 01/05/2018	
181989	Application for prior approval for the proposed change of use of an existing agricultural building and the land within its curtilage to 5 no. dwelling houses	Prior approval approved 07/09/2018	
193385	Prior approval submission for proposed part conversion of 2 no. barns to form 5 no. dwellings.	Prior Approval Refusal 28/01/2020	
193386	Prior approval submission for proposed part conversion of barn to flexible use.	Prior Approval Refusal 28/01/2020	
200243	Prior approval submission for the conversion of 2 no agricultural buildings to provide 5 no. dwelling houses.	Prior Approval-approved 26/02/2020	

200371	Prior approval (Class R) submission for the proposed change of use of 1no. agricultural building to an office use building with ancillary parking.	Prior Approval – approved 15/05/2020	
213273	Full application for the proposed erection of one 5 no. bedroom detached dwellinghouse and detached garage following demolition of existing farmhouse and associated outbuildings.	Refused 03/02/2022	
214052	Full application for the proposed erection of one 4no. bedroom dwelling.	Refused 07/02/2022	
223623	Application for the prior approval of the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8.00m, for which the maximum height would be 4.00m and the height of the eaves 2.40m.	Prior Approval- approved 23/01/2023	
230260	Prior approval submission for proposed part conversion of 3 no. agricultural barns to form 5 no. dwellings with associated works including partial demolition.	Prior Approval- refused 24/03/2023	
230850	Householder application for the proposed raising of the roof with the insertion of 1no. front dormer window and 2no. rear roof lights to create habitable accommodation. Proposed single storey side/rear extension with roof lights and single-storey front extension to create a porch following demolition of existing roof, ground floor utility and bathroom, and demolition of chimney on eastern elevation and chimney on northern elevation and changes to fenestration.	Withdrawn 04/08/2023	
232273	Change of use of land to residential for the proposed erection of 1 no. detached dwelling and garage following demolition of the existing garage and agricultural outbuilding. (Part retrospective).	Approved 17/05/2024	

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No objection subject to pre-commencement conditions relating to Asbestos and Land contamination

WBC Drainage – No objection subject to conditions relating to a drainage strategy for foul water.

WBC Highways – No objection subject to conditions relating to cycle parking.

WBC CIL - As there is no increase in floorspace, the existing may be offset against the proposed providing that it can be evidenced that the existing floorspace has been in its lawful use for a minimum of 6 continuous months of the 36 months prior

External

Berkshire Archaeology – Area has archaeological potential and likely to be archaeological implications however this is a prior approval application.

Thames Water – No objection with regard to waste water network and sewage treatment works infrastructure capacity. Informative recommended.

REPRESENTATIONS

Parish/Town Council

Out of scale with the surroundings
Excessive traffic on single track road
Lack of local amenities
Lack of employment opportunities
Poor sewerage systems

Ward Member(s)

No comments received

Neighbours

A number of objections have been received in relation to the application, the content is summarised below:

- Increased volume of traffic dangerous
- Duress on sewers
- Lack of amenities e.g. school, GP, shops
- Change to character of the area
- Single track road
- Urbanisation of the area
- Buildings have never been used for farming
- No mains drainage
- 3-5 houses would be acceptable
- More entrances onto the road than Glasspool farm originally had
- Impact on listed buildings
- High density development

	No public transport <i>It is noted that a number of comments on this application relate to application reference 242180 in a neighbouring building. Comments relating to the change of use to a hotel have not been considered in the determination of this application.</i> <i>This application is a separate to application 242180 and is determined in accordance with a different part of the Town and Country Planning (General Permitted Development) Order (England) 2015 and its own merits.</i>
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PART Q.1 APPRAISAL				
Town and Country Planning Act 1990 (as amended)			Yes	No
1	s.55	Does it constitute development?	✓	
2	s.191	Would it be contrary to an enforcement notice?		✓
3	s.187a Art.3 (4)	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)			Yes	No
4	Art.3 (5)	Are the building operations involved in the construction of the original building lawful?	✓	
5	Art.4	Is there an 'Article 4 Direction' in effect for the site?		✓
6	Sch.2 Q. (a)	Does it consist of a change of use from (i) a building that is part of an established agricultural unit and any land within that buildings curtilage, or (ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage to a dwelling house? The site history shows that the building was accepted as being in agricultural use as part of an established agricultural unit in the 2015 application 152333. Whilst the building is currently not in use, clearly no change has occurred since this application. This position was also taken in applications 181989; 200243 and 230260 and from the site visit there is little change or reason to dispute this.	✓	
7	Sch.2 Q. (b)	Does it consist of development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a)? No extension of buildings A or B are proposed.		✓
8	Sch.2 Q. (c)	Does it consist of development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a)?	✓	

	Part of Building B was part of prior approval 200243 (relying on 152333). Although the legislation relating to Class Q has since been updated, at the time of this application, was considered that any works reasonably necessary to carry out the conversion and would not relate to structural elements. Part of Building A was part of prior approval 193386 and the other part was part of prior approval 230260. Application 193386 was for a Class R conversion and required operational development in order to convert the building e.g. formation of a wall on the open sided area of the barn. Class Q allows for building operations reasonably necessary to convert the building which a new wall would fall within. However, application 230260 in part relates to the same building (barn 3) and insufficient information was provided to ascertain the structural suitability of the current structure to adapt to proposed changes without significant remedial and alteration works to the current structure. A structural report was submitted with this application (Scott White and Hookins December 2022). The Applicant has submitted a Structural Engineering Inspection Report by Gurney Consulting Engineers dated July 2024. It concludes that it will, in their opinion, be feasible to convert the existing barns into dwelling houses without wholesale reconstruction of the primary structural frames. The walls, roof and ground floor slabs would require upgrading to achieve the necessary thermal and watertight envelopes commensurate with building regulations for habitable accommodation. On this basis, it is considered that both the buildings are suitable for conversion and the building operations required would not amount to substantial rebuilding or reconstruction of the existing structures.					
	<table><tr><th>Building A</th><th>Building B</th></tr><tr><td> 12 Sep 2024 13:58:41 Trowe's Lane</td><td> 12 Sep 2024 14:01:11 Trowe's Lane</td></tr></table>	Building A	Building B	 12 Sep 2024 13:58:41 Trowe's Lane	 12 Sep 2024 14:01:11 Trowe's Lane	
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9	Q.1(a)	Was the site part of an established agricultural unit— (i) (i) on 24th July 2023, or (ii) (ii) where the site became part of an established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins?	✓	
10	Q.1(b)	In the case of a site that was (but is no longer) part of an established agricultural unit (i) was the site part of an established agricultural unit on 24th July 2023? (ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, was the site part of an established agricultural unit for a period of at least 10 years before the date development under Class Q begins? (ii) since ceasing to be part of an established agricultural unit, was the site used for a non-agricultural purpose?	N/A	
11	Q.1(c)	Would the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceed 150 square meters?		✓
12	Q.1(d)	Would the development under Class Q (together with any previous development under Class Q) within the original limits of an established agricultural unit result in (i) (i) The cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouse) of the Schedule to the Use Classes Order exceed 10? (ii) (ii) The cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouse) of the Schedule to the Use Classes Order exceed 1,000 square metres? Prior approval 200243 was not completed within 3 years of the date of Prior approval (26 February 2020) therefore has expired.		✓
13	Q.1(e)	Is the site occupied under an agricultural tenancy (unless the express consent of both the landlord and the tenant has been obtained)? There is no agricultural tenancy		✓
14	Q.1(f)	Less than 1 year before the date development begins, has (i) (i) an agricultural tenancy over the site been terminated, and	N/A	

		(ii) (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use? There is no agricultural tenancy		
15	Q.1(g)	Has development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) been carried out on the established agricultural unit during the period which is 10 years before the date of development under Class Q begins? No works have been undertaken A(a) or B(A) of Part 6		✓
16	Q.1(h)	Would the development result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than? (i) the extension of the bulding allowed by paragraph Q.1 (i) (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i)? No extensions are proposed.		✓ ✓
17	Q.1(i)	Would the development under Class Q(b) results in an extension that— (i) (i) has more than one storey? (ii) (ii) is sited anywhere other than to the rear of the building? (iii) (iii) extends beyond the rear wall of the existing building by more than 4 metres? (iv) (iv) has eaves the height of which exceed the height of the eaves of the existing building? (v) (v) is higher than whichever is the lower of- (aa) the highest part of the roof of the existing building, or (bb) a height of 4 metres above the ground? (vi) extends beyond a wall that forms a side or principal elevation of the existing building, or (vii) would be sited on land that, before the development under Class Q(b) is not covered by a hard surface that was provided on the land by virtue of any development, and- (aa) the hard surface was provided on the land on or before 24 th July 2023, or (bb) where the hard surface was provided on the land after 24 th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins? No extensions are proposed.		✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓
18	Q.1(j)	Would the development under Class Q(c) consist of building operations other than- (i) the installation or replacement of-		

		(aa) windows, doors, roofs or exterior walls or, (bb) water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwellinghouse, and (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i)? See above	✓	✓																																																	
19	Q.1(k)	Is the site is on article 2(3) land?		✓																																																	
20	Q.1(l)	Is the site is, or does it form part of— (i) a site of special scientific interest; (ii) a safety hazard area; (iii) a military explosives storage area?		✓																																																	
21	Q.1(m)	Is the site, or does it contain, a scheduled monument?		✓																																																	
22	Q.1(n)	Is the building a listed building?		✓																																																	
23	Q.1(o)	Would the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015(3) as read with the notes dated 19th May 2016 which apply to it? All dwellings have 3 double bedrooms with 95sqm floorspace <table><caption>Table 1 - Minimum gross internal floor areas and storage (m²)</caption><thead><tr><th>Number of bedrooms(b)</th><th>Number of bed spaces (persons)</th><th>1 storey dwellings</th><th>2 storey dwellings</th><th>3 storey dwellings</th><th>Built-in storage</th></tr></thead><tbody><tr><td rowspan="3">1b</td><td>1p</td><td>39 (37) *</td><td></td><td></td><td>1.0</td></tr><tr><td>2p</td><td>50</td><td>58</td><td></td><td>1.5</td></tr><tr><td>3p</td><td>61</td><td>70</td><td></td><td></td></tr><tr><td rowspan="2">2b</td><td>4p</td><td>70</td><td>79</td><td></td><td>2.0</td></tr><tr><td>4p</td><td>74</td><td>84</td><td>90</td><td></td></tr><tr><td rowspan="3">3b</td><td>5p</td><td>86</td><td>93</td><td>99</td><td>2.5</td></tr><tr><td>6p</td><td>95</td><td>102</td><td>108</td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></tbody></table>	Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage	1b	1p	39 (37) *			1.0	2p	50	58		1.5	3p	61	70			2b	4p	70	79		2.0	4p	74	84	90		3b	5p	86	93	99	2.5	6p	95	102	108							✓	
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24	Q.1(p)	Does the building have suitable existing access to a public highway?	✓																																																		

PART Q.2 APPRAISAL

Q.1 (1)

Where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

Transport and highways impacts of the development

It is noted that comments have been submitted regarding the traffic impact on Part Lane. Nonetheless, the traffic generated by a net increase of ten dwellings, when taking into consideration the agricultural use, is not considered to result in detriment to

highway safety. Whilst concerns regarding the narrow width of Part Lane are noted, it is not considered the level of traffic generated would be substantial to the extent a reason for refusal could be substantiated. Regard should also be had to the fact a previous prior approval for a change of use to residential has already been established. On this basis, the Highways Officer does not object to the proposal.

Noise impacts of the development

It is considered that a residential use would be unlikely to generate high levels of noise. Taking into account the noise generated by an agricultural use, no objection is raised in this respect.

Contamination risks on the site

Section 78A (2) of Part 2A of the Environmental Protection Act 1990(a) states that 'contaminated land' is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that (a) that significant harm is being caused or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.

The proposed development is located within the buffer zone of a former landfill site and within a contaminated land consultation zone. This is shown below in figures 1 and 2 below:

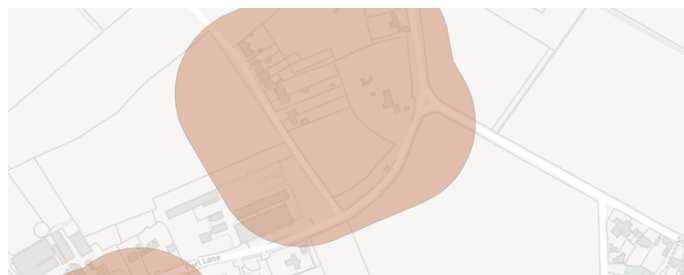


Figure 1 - Potentially contaminated land



Figure 2 - Landfill gas consultation zone

As there is a potential risk of ground gas on the site of the proposed use, the LPA would have expected the applicant to submit a ground gas risk Assessment which would assess the risk of gas ingress on the proposed hotel by way of a desk study. The LPA would further expect a preliminary land contamination assessment, particularly as the proposal seeks permission for a C1 use. Such studies have not been provided, nor acknowledgement that the land is adjacent to a former landfill site and gas risk area.

The Council's Environmental Health Officer has advised that contamination information could be secured by planning condition for both gas risk and potential contamination.

Flooding risks on the site

The site is within Flood Zone 1 according to the Environment Agency Flood maps and therefore at low risk from flooding. Given that there would be no increase in the footprint of the building and there is already hard standing in place, it is not considered additional flood risk would occur as a result of the change of use. It is noted that comments submitted and the Drainage Officer response highlight the issue of foul drainage. However, this is not an aspect that can be considered through the prior approval process and therefore no weight is afforded to this.

Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order

The buildings are located a short distance from an established access onto Part Lane. As such it is considered the site and location of the buildings adjoining Part Lane, which comprises various residential dwellings is not impractical. Further, Glasspool farm is was not a working farm at the time of the site visit and appears redundant therefore there are no intensive farming or other activities that could affect the desirability of the site for residential use.

The design or external appearance of the building

The buildings are proposed to be clad and whilst they would be utilitarian in appearance this would be broken up by the insertion of windows. Given the rural character of the area, no objection is raised in terms of the external appearance.

The provision of adequate natural light in all habitable rooms of the dwellinghouses

The submitted plans indicate the position of the windows openings would allow for the provision of natural light to the habitable rooms across the ten dwellings, therefore no objections are raised on this aspect.

The provisions of paragraph W:

Paragraph W sets out the provisions to comply with in terms of the submission, determination and decision of a prior approval application. It is considered that all relevant aspects have been complied with.

The other conditions are noted **Q.2 (2) Q.2 (3) Q.2 (4)**.

Community Infrastructure Levy: Whilst the proposal would be for residential development, there would be net increase in floor space and therefore it would not be liable to pay the Community Infrastructure Levy (CIL).

Thames Basin Heaths Special Protection Area:

The site is within 5 km of The Thames Basin Heath Special Protection Area and the proposal is for a net increase of five residential units resulting in a requirement to mitigate the impact. Given that the GPDO grants planning permission for development subject to the provisions of regulations 73-76 of the Conservation of Habitats and Species Regulations 2010, then the onus is on the applicant to proceed in accordance with the Habitats Regulations. On this basis, an informative regarding this is considered necessary.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Conditions agreed:	Not required
Recommendation:	Prior Approval Required and Approved
Date:	30 September 2024
Earliest date for decision:	18 September 2024

Recommendation agreed by: (Authorised Officer)	
Date:	22.10.24