WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Miss S Scott
Rose Cottage Stables
Binfield Road
WOKINGHAM
Berkshire
RG40 5PP

Application Number: TP/2003/9912

Parish: **HURST**

Location: **Rose Cottage Stables, Binfield Road, Wokingham**

Proposal: **Temporary permission for siting of mobile home. Retrospective.**

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, the reasons for which are specified hereunder.

Reasons

1. The site is in the countryside. From the information submitted, the Local Planning Authority is not satisfied that the development is justified as an exception to approved policies. The development has a detrimental effect on the character and appearance of the area. The proposal is therefore contrary to Berkshire Structure Plan Policy C2, Loddon Area Local Plan Policies LTV2 and LC17, Wokingham District Local Plan (as agreed to be further modified) Policies WCC1 and WCC6, PPG7 and to Draft PPS7.

2. The Local Planning Authority is not satisfied that the additional traffic generated by the development will not have a detrimental effect on highway safety due to sub-standard visibility at the access onto Binfield Road. The proposal is therefore potentially contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan (as agreed to be further modified) Policy WT7.

Informatives

1. The applicant is advised that it may be possible to overcome reason for refusal No. 2 by the submission of additional information.

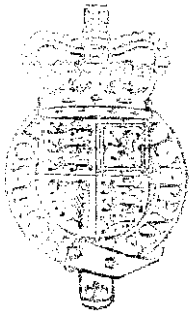
2. This refusal is in respect of the Site Location Plan received on 13 October 2003. Also Site Layout Plan to scale 1:500 and plan showing floor plan and elevations of mobile home received by the Local Planning Authority on 24 September 2003.

T. G Watson

Trevor Watson
Development Control Manager
Date: 26/11/2003

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.



Appeal Decision

Site visit made on 12 October 2004

by Bridget M Campbell BA(Hons) MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date
- 3 NOV 2004

Appeal A: APP/X0360/C/04/1151480
Land at Rose Cottage Stud, Binfield Road, Hurst Berks RG40 5PP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Miss S Scott against an enforcement notice issued by Wokingham District Council.
- The Council's reference is 00222/E.
- The notice was issued on 7 May 2004.
- The breach of planning control as alleged in the notice is without planning permission the change of use of the Land from equestrian/livery use to equestrian/livery use together with use for the stationing of a mobile home for human habitation.
- The requirements of the notice are to:
  (i) stop using the Land for the stationing of a mobile home for human habitation.
  (ii) remove from the Land the mobile home.
- The period for compliance with the requirements is 4 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The enforcement notice is quashed.

Appeal B: APP/X0360/A/04/1149203
Land at Rose Cottage Stud, Binfield Road, Hurst Berks RG40 5PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Miss S Scott against the decision of Wokingham District Council.
- The application Ref TP/2003/9912, dated 1 August 2003, was refused by notice dated 26 November 2003.
- The development proposed is a mobile home for security of horses, goods, machinery, tack and stallion.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

Appeal B

1. The Council's decision notice on the application the subject of appeal B, incorrectly gives the address of the appeal site as Rose Cottage Stables which is a different property along the same road. The correct address is Rose Cottage Stud. In addition, the Council has confirmed that it does not wish to pursue the second reason for refusal relating to highway safety, there is no highway objection to the proposal.

2. For clarification, the mobile home, the subject of the application is in position on the site and is being lived in. The application is thus for the siting of the mobile home for residential use and the Appellant has asked for a temporary permission for a period of 5 years. I shall determine the appeal on this basis.

Appeal A

3. The allegation in the notice seeks to attack the stationing of a residential mobile home on the site as a material change of use. The plan attached to the notice does not identify the position of the caravan but simply identifies the whole of Rose Cottage Stud, the appeal premises. At my visit, I saw that there are two mobile homes on the property, both of which are in residential use. Whilst the Council's written appeal statement makes clear which of the two mobile homes it is concerned with, there is nothing within the four corners of the notice to identify which home is attacked and neither do the requirements specify which mobile home is to be removed. The enforcement notice is a legal document which should be clear on its face. The recipient should know what the matters are that are being attacked and the steps that are required to be taken to remedy the breach. I find the notice to be defective in that both the allegation and the requirements are unclear because there are two mobile homes present on the site.

4. One of the homes has clearly been in position for a long time and the evidence from the Appellant suggests that it has been on site and lived in for more than 10 years before the enforcement notice was served. If that is the case, then no enforcement action could be taken against the use which the notice seeks to attack, that is a material change from a single primary use of equestrian/livery use to a mixed use of equestrian/livery use and for the stationing of a mobile home for human habitation. This is because of the 10 year time limit set out in s171B(3) of the Act. However, no appeal has been made under ground (d) that at the date when the enforcement notice was issued it was too late to take enforcement action and it is not for me to formally determine whether the use of one mobile home on the site is lawful.

5. I have considered whether it would be possible to correct the notice using my powers under s176 of the Act. Whilst the allegation might be altered to address the introduction of a second mobile home for residential occupation, this raises the question of whether the introduction of a second unit would result in a material change of use given that one might have become lawful over the passage of time. If no material change of use were involved, then no breach of planning control would have occurred. In my view, if I were to make a judgement on such matters it would go beyond my remit and would be likely to result in prejudice to one or other of the parties. It would, therefore, exceed my powers under s176 to correct it. The notice is void because of uncertainty in the matters it seeks to attack and in its requirements and it is not correctable without causing injustice. It will be quashed.

Appeal B

6. Notwithstanding the matter raised above as to whether the introduction of a second mobile home would result in a further material change of use requiring planning permission if one mobile home on the site is lawful; I have a planning appeal to determine against the Council's refusal of planning permission and it is not for me to make a decision as to whether or not express planning permission is necessary on an appeal under s78. There are separate procedures available for such determinations. For the purposes of this appeal I shall assume that one mobile home in the position of the first unit can remain on the site as

there is nothing to suggest that it is not lawful or that the Council intends to take action to secure removal.

7. The main issue in this case is whether there is an essential need for a second mobile home on the site, having regard to national and local countryside planning policies, and the effect on the character and appearance of the rural area.

8. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the Wokingham District Local Plan 2004. The policies of the Development Plan follow national guidance in Planning Policy Statement 7 *Sustainable Development in Rural Areas* (PPS7) by seeking to protect the countryside from unnecessary development (SP policy C2 and LP policy WCC1). Nonetheless, provision is made in Local Plan policy WCC6 for new dwellings for agricultural and forestry workers and the accompanying text to the policy at para.2.37 recognises that there may be other uses in rural areas that require a continuous presence on the site. However, this policy and Annex A of PPS7 require proposals to be thoroughly scrutinised to ensure that there is an essential need for the dwelling and this includes satisfying functional and financial tests. Where, as in this case, a temporary dwelling is required for a new business, PPS7 requires clear evidence that the enterprise has been planned on a sound financial basis.

9. Looking at these policy tests, the Appellant has recently set up her own livery business on the appeal site having had the equestrian premises returned to her from previous tenants, and I have no doubt that it is her firm intention to develop the enterprise. I can understand that there might be an occasional need to be present on the site outside normal working hours to deal with sick animals and can also understand the concern about security, although PPS7 says that whilst the protection of livestock from theft or injury by intruders may contribute to the need for a dwelling, it will not, by itself, be sufficient to justify one. To satisfy the functional test, however, it is necessary to establish that it is essential for the proper functioning of the enterprise for a worker to be available most times day and night. In my view insufficient evidence has been provided to satisfactorily demonstrate that this is the case.

10. In addition, both national and local policy says that there should be no other existing dwelling on the unit or in the area suitable and available for the worker concerned. There is already a mobile home on the site, occupied independently of the equestrian business by the Appellant's brother in law. The evidence from the Appellant is that that unit is to be vacated shortly. The mobile home is old and in a poor condition but if its use for residential purposes is lawful, it may be that it could be replaced by a newer model without planning permission although that is not a matter for me to formally determine. If that were to be the case, then I consider that there would be no justification for a second mobile home on the site despite the secluded position of the original unit. In any event no evidence has been submitted to show that there is no other suitable accommodation nearby that would fulfil the need.

11. Nothing has been submitted to demonstrate that the enterprise has been planned on a sound financial basis.

12. Drawing together my findings, I conclude that the tests in PPG7 and in Local Plan policy WCC6 have not been satisfied and that an essential need for a second mobile home on the site has not been demonstrated. The Appellant says that the unit is situated a good distance from the road but in my opinion, it occupies an exposed position on the site where it

appears as an incongruous structure in the rural scene, notwithstanding its proximity to the stable buildings. Moreover, I found that the mobile home can be seen from the road over the boundary hedge and it is also visible from a footpath to the north. I have taken into account the suggestion that screen planting could be provided by way of a condition but this would not justify harmful development in the countryside and could be similarly advanced as an argument for all manner of inappropriate proposals.

13. On the main issue I conclude that the second mobile home has not been demonstrated to be essential to the needs of the enterprise as required by national and local policy and that it damages the character and appearance of the countryside.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act as amended since injustice would be caused were I to do so. The enforcement notice is void for uncertainty and will be quashed. In these circumstances the appeal under ground (a) as set out in section 174(2) of the 1990 Act as amended and the application for planning permission deemed to have been made under section 177(5) of the 1990 Act as amended do not fall to be considered.

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal against the Council's refusal of planning permission should be dismissed.

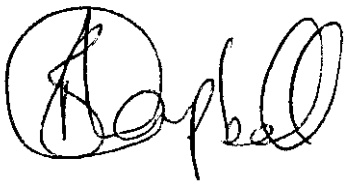
Formal Decision

Appeal A: APP/X0360/C/04/1151480

16. I direct that the enforcement notice be quashed.

Appeal B: APP/X0360/A/04/1149203

17. I dismiss the appeal.



INSPECTOR

Date: 30 October 2003

To: Case Officer

We have received Revised Plans for the following planning application:

Application Number: TP/2003/9912

Location: Rose Cottage Stables, Binfield Road, , Wokingham.

Proposal: Temporary permission for siting of mobile home. Retrospective.

Applicant: Miss S Scott .

Case Officer: Angela Odell

The new plans show the following: Alterations to red and blue lines. Location plan to scale 1:2500.

Comments are required by 09/11/2003.

Should you have any queries regarding this application please contact the case officer Angela Odell on (0118) 974 6445.

(RING ONE)

REVISED PLANS | ADDITIONAL PLANS | MINOR AMENDMENTS | DETAILS TO COMPLY WITH CONDITIONS

App. No. TP/2003/9912. Date Rec. 13.10.03

Location: Rose Cottage Stables, Brinfield Road.

Parish: Hunt.

Applicant: Mrs S Scott.

Description of attached plans: Alterations to red and blue lines.

Drawing No's: Site Location plan to scale 1/2500.

CONSULTEES

Copies of plans will automatically be sent to Woodley Library, Part 1 Reg., Parish Council, Ward Councillors and the Case Officer unless specified.

Please tick which of the following you wish consulted.

Landscape & Trees	
Urb. Design & Conservation	
Highways	
Dinton Pastures	
Environmental Health	

OTHER INTERNAL / EXTERNAL CONSULTEES (EXCLUDING NEIGHBOURS)

A full set of plans will be sent to all consultees unless particular drawings No's are specified in the spaces above.

NEIGHBOURS: 10 days.

Date for Responses

FURTHER ACTION

Re-advertise App. ~~Y~~ / N (Delete as required)

Redate Application ~~Y~~ / N From:

New Site Notice ~~Y~~ / N

Revised Proposal Description:

CASE OFFICER AD.

Consultations Sent by Admin. on 30.10.03

Yellow - Case Officer Copy
Green - Part One Copy

To:
Policy And Plans Section

PSD

From: Angela Odell

Date: 02 October 2003

Application Number: TP/2003/9912

Proposal: Temporary permission for siting of mobile home. Retrospective..

Site Address:
Rose Cottage Stables, Binfield Road, , Wokingham.

Applicant:
Miss S Scott .

Your observations are required in respect of this application within **7 days** of the above date.

Re our discussion.

I think the policy framework is reasonably clear.

Please note that PPS 7. is only emerging guidance.

P/p.

9912 24SEP03

Rose Cottage Stables
Binfield Road
Wokingham
Berks
RG40 5PP.

20th September 2003

Your Ref. TP/2003/9912

To whom it may concern.

1/ Section 66 was incorrect the site is not an agricultural holding it is an equestrian property and has been for the past 11 years. Section 66 now rectified.

2/ Please find 6 copies of scale drawing of the mobile home already on site.

3/ Drawings show all sides with windows & doors & layout of 1 bedroom 1 bathroom 1 Kitchen & 1 living room space

4/ Statement of Needs for Mobile Home Attached.

It is not possible to give a financial statement for the past 3 years as the property has been let for the past nine years.

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Firstly I would like to point out that the mobile home is not for me to live in as I already live at Rose Cottage Stables with my son.

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I have applied for temporary planning permission for 5 years so that I can put a yard manager on the site with a large dog to provide 24 hour security and provide instant maintenance when fences get broken or things like automatic water bowls get kicked off the wall causing flooding of other stables, and there is a need for care of sick horses with colic or other such problems.

We need to give our clients confidence that their horses are being looked after properly otherwise they tend to go somewhere else.

There has been another mobile home on the site for the past 10 1/2 years. It is situated behind the barn out of sight and has been lived in by my x brother in law. This site has not been suitable because you can not see the comings & goings of visitors to the site whatever time of day or night, and he goes out to work. I am hoping that he will soon find a house to live in because the old Mobile home is falling apart & needs to be scrapped.

The area is rapidly changing and becoming some concern because of the number of burnt out vehicles being dumped along the Binfield Road and land at Stokes Farm being used all the time for fly tipping.

Our neighbours just 1 field away off the Forest Road woke up on a Sunday morning to find their field full of Travellers, this sort of confrontation I would like to avoid.

For all these reasons I strongly feel the need for a mobile home in full sight with a yard manager for security & protection of the property and our clients horses.

Yours Sincerely

S. M Scott.

HURST

VP3

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987-8927
Switchboard 0117-987-8000
Fax No 0117-987-8769
GTN 1374-8927

Miss S M Scott
Rose Cottage Stables
Binfield Road
WOKINGHAM
Berks RG11 5SD

Your reference:
42460 5/4/94
Our reference:
T/APP/H0330/A/94/243156/P8
Date:
22 FEB 1995

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPLICATION NO:- 42460

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. This is against the decision of the Wokingham District Council to refuse planning permission for change of use of part of barn to living accommodation for groom at Rose Cottage Stables, Binfield Road, Wokingham, Berkshire. I have considered the written representations made by you and by the council and also those made by the Parish Council and interested persons. I inspected the site on 17 January 1995.

2. The development has already taken place. Consequently I treat your application as having been made under Section 73A of the Act as one for planning permission for development already carried out.

3. The location is one which it is not disputed is in open countryside where development is strictly controlled to protect the character and appearance of the countryside. The relevant development plan policies have been set out by the council, and Section 54A of the Act requires determinations to be made in accordance with the development plan unless material circumstances indicate otherwise. It seems therefore that there is one main issue in your case - is your conversion of part of the barn in accordance with the development plan, and if not, are there material circumstances which outweigh the provisions of the plan?

4. Approved County Structure Plan policy EN1 says there will normally be a presumption against development outside the existing built-up areas of towns and villages. Exceptions may be permitted for development in 11 categories which are then listed. I will not go through them all, but (iii), development essential to the use of land for agriculture or forestry, is not in my opinion relevant as the keeping of horses is not considered to be agriculture unless the horses

are actually used as farm animals, which is not the case here. Exception (iv) is conversions of existing buildings no longer required for agricultural or their original purposes to appropriate small scale uses of a kind whose impact is acceptable in the countryside, where such buildings are neither unsightly nor obtrusive elements in the landscape. I look at this later. The remaining exceptions are in my view not relevant to your case.

5. The Loddon Area Local Plan is not yet adopted but policy LTV2 AND LC20 largely reiterate EN1 of the Structure Plan though LC20 goes into greater detail about the conversion of redundant buildings in rural areas to dwellings. These will generally be appropriate if, and I summarise, there is no conflict with other policies, the building is structurally suitable, conversion doesn't detract from the building's scale and character, the existing building is not unsightly, there is no adverse effect on the countryside or nearby properties, there are no highway objections, utilities are adequate and the scheme includes landscaping. The local plan also contains policy LC17 about the provision of dwellings on equestrian centres. Your stables are not an equestrian centre but for your own enjoyment, and although LC17 does not specifically mention it, it seems to apply to new dwellings, not conversions of existing buildings. I do not consider policy LC17 relevant to the case before me.

6. Since the approval of the Structure Plan, and the inquiry into the Loddon Area Local Plan, a revised version of the government guidance relating to the Countryside and the Rural Economy has been published, (PPG7). Relating to conversions of rural buildings, Appendix D of PPG7 says it should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes. Redundancy is therefore no longer an issue, and the council refers to adopted policy SC20 of the South East Area Local Plan, similar to policy LC20 but with references to redundancy deleted in accordance with PPG7.

7. I now turn to assess your conversion of part of the barn against the policies and guidance I have set out above. First there is no suggestion that conversion of part of the barn to living accommodation was intended when it was built as permitted development in 1988. As far as policy EN1 exception (iv) is concerned, the accommodation in my opinion is a small scale use, clearly ancillary to the main use of the barn for horses, their food, bedding, transport and other equipment. The impact of the external changes by way of windows is minimal, the access already exists and any additional domestic activity outside would I consider be minor compared with the activities involved in looking after the horses. There is no suggestion that the building is unsightly or obtrusive.

8. As to those parts of policy LC20 which are additional to those of EN1, I do not see any conflict with other policies, I have no information that the building is not structurally

suitable, there are no adverse effects on nearby properties (indeed, some nearby occupiers have welcomed the security your presence gives to the ends of their gardens), there are no highway objections and the relevant utilities are available. There are no landscaping details apart from indications of parking places but given that the use is within a stabling complex I do not see this omission as significant.

9. The council is concerned that you have not converted a building but part of one, and by implication the policies relating to 'buildings' do not apply. However in this particular case it seems to me that almost any conversion of the whole of the barn, which might be acceptable in principle, would have a greater impact on the countryside than the works you have done. I consider that the policies are relevant to your appeal and that your change of use is in accordance with the development plan. I shall therefore allow your appeal subject to conditions.

10. The council has suggested two conditions in the event of my allowing your appeal - restricting the use of the accommodation and no further external changes or expansion of the accommodation within the barn. I consider it important that no further external alterations take place that could change the appearance of this rural type building, and that the accommodation is not further extended into the barn area which might result in pressure to erect additional horse related buildings to replace the space lost.

11. Regarding the occupancy condition, the application specifically refers to accommodation for a groom. Given the relationship between the accommodation and the barn, I cannot see it being occupied by any person other than one closely connected with the care of horses. Also whilst it is usually necessary to ensure that a newly built dwelling in the countryside is tied to an agricultural or similar occupation if it is to be allowed as an exception to policies restricting new dwellings in such areas, such conditions are not in my opinion always necessary in the case of conversions. I shall rely on the description of the application as being sufficient to ensure that the council has control over possible future changes in occupancy, and I shall not require their suggested condition.

12. I have taken account of all other matters put to me. I have noted the council's concern that allowing your appeal could lead to pressure for a separate dwellinghouse but this in my opinion would need to be considered against other policies that are much more restrictive than those regarding conversions. I have already dealt with possible pressure to increase horse related buildings as a result of the loss of potential barn accommodation. These and all other matters have in my view insufficient weight to alter my conclusion.

13. For the above reasons and in exercise of powers transferred to me, I hereby allow your appeal and grant

planning permission for change of use of part of barn to living accommodation for groom at Rose Cottage Stables, Binfield Road, Wokingham, Berkshire in accordance with the terms of the application (No.42460) dated 1 February 1994 and the plans submitted therewith, subject to the condition that notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order) no external alterations or extension to the living accommodation within the barn shall take place without first applying for and obtaining planning permission from the council.

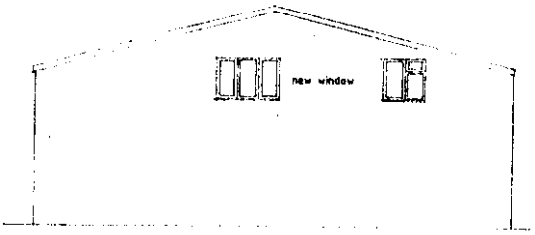
14. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully

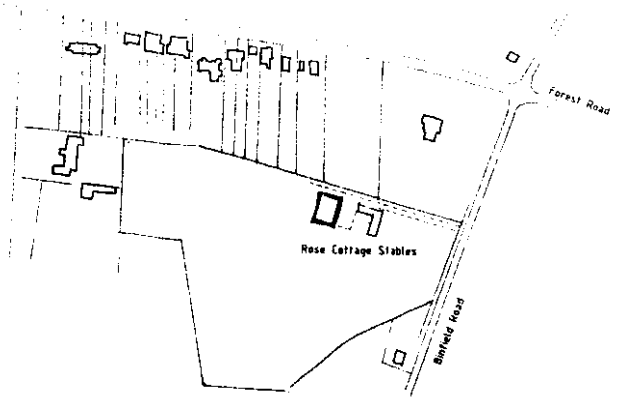
M. J. Thomson

M J THOMSON BA(Hons) DipTP
Inspector

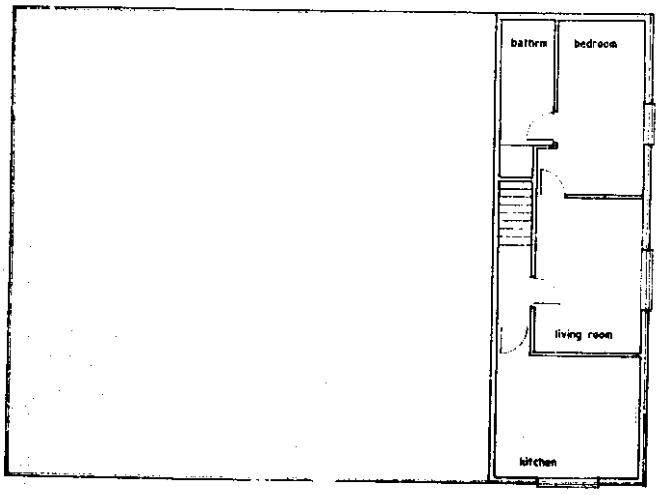
42460



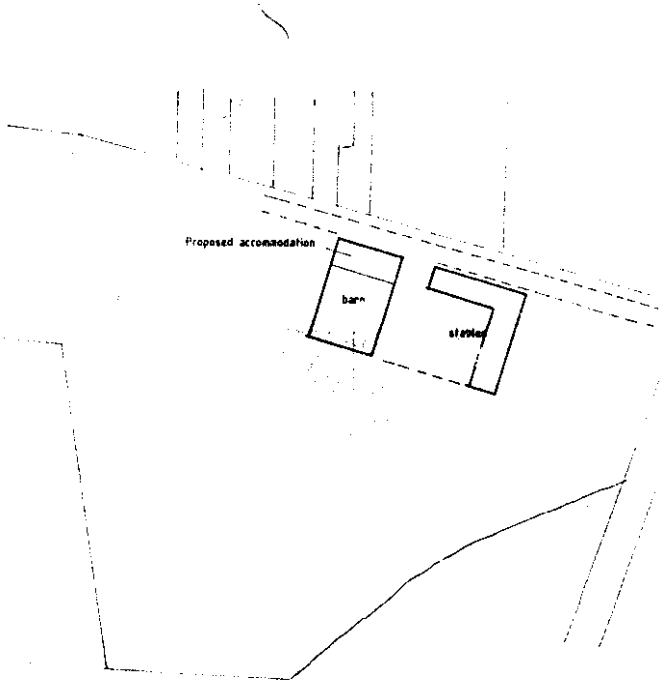
North elevation



Location plan 1 : 1250



First floor plan



Site plan

Building Services (Bracknell)

5 Latimer Bracknell Berks RG12 4LG
Telephone 0344 56494

Job 498
Date Jan 94
Client Ms. S. S

9 CONNECT non - shatter

9912 24 SEP 03

Rose Cottage Stables
Binfield Road
Wokingham
Berks
RG40 5PP.

20th September 2003

Your Ref. TP/2003/9912

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Yours Sincerely

S. M Scott.


9526
Track
9612
Path (um)
Drain
Pond
Path (um)
Issues
Issues
7200
8400
482800E
9500
482900E
0005
0096
Stokes Cottage
Drain
67.5m
0005
Stoke's Farm
BM 70.33m
70.9m
RINFIELD ROAD

WORK SHEET FOR : Angela Odell

Application Number : TP/2003/9912

Applicant : Miss S Scott .

Location : Rose Cottage Stables, Binfield Road, , Wokingham.

Proposal : Temporary permission for siting of mobile home. Retrospective.

Site Notice Displayed ? : YES [ ] NO [ ] DATE [ ]

Date of Neighbour Notifications : .....

Date of Site Visit : 8.10.03

Date Registered : 24/09/2003

Earliest Date for Decision : 25/10/2003

Latest Consultation Date/Site Notice Expiry Date : 25/10/2003

This application will have expired on: 19/11/2003. 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 : CPRE : Considers acceptable providing the mobile home is not used at a later date as an excuse for a larger detached house on the site.

- Thames Water : No objection.
- Highway officer : Advises the visibility from the access onto Binfield Road is substandard. Request additional information on the traffic generated as a result of the proposal.
- Environmental Health officer : No objection

~~**Planning Issues :**~~

- Hurst P.C. : Can see no reason for the siting of a second mobile home on the premises. Therefore object and request the Council seek its early removal.

Application Number: TP/2003/9912

Appraisal :

See attached report

Recomendation : Approval: ☐ **Refusal:** ☑
(tick appropriate box)

TP/2003/9912 – Appraisal

Relevant planning history

Application F/2000/1896 for the erection of 8 stables and tackroom for livery use plus garage for ancillary vehicles (retrospective) was allowed on 18.10.00.

Proposal

Is retrospectively for the stationing of a mobile home 8.5m long and 3m wide sited behind the manege. The applicant explains the following: that the mobile home is not for herself as she already lives at Rose Cottage stables with her son (about 1km. away). Rose Cottage stud has been let to 2 different tenants for the past 9 years, but unsuccessfully. The tenants have explained that they found it difficult to get liveries because they did not live on site and were unable to offer 24 hour care and there had been a number of burglaries/thefts. Application is so that a yard manager can live on the site to provide 24 hours security and care. She also explains that there has been another mobile home on the site for the past 10 ½ years that is lived in by her ex-brother-in-law, but that this is not suitable as it is not sited so that comings and goings can be monitored.

Principle of proposal

Policy WCC6 only allows dwellings (including mobile homes) for agricultural and forestry workers if there is an established existing functional need and that there is no other existing accommodation in the area that is suitable and available. PG7 Annex I paragraph 14, which covers temporary agricultural dwellings, explains that

(a) clear evidence is needed of firm intention and ability to develop the enterprise concerned,

(b) functional need,

(c) clear evidence that the proposed enterprise has been planned on a sound financial basis,

(d) the functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned, and

(e) normal planning requirements are satisfied.

Draft PPS7 paragraph 11 explains that new houses in the countryside will require special justification, including for rural based enterprises, and refers to Annex A. Annex A paragraph 12 refers to temporary agricultural dwellings. This essentially re-iterates the advice in Annex I of PPG7. Paragraph 15 covers other rural enterprises.

Regarding criterion (a) of Annex I of PPG7, the applicant has submitted no business plan to demonstrate a firm intention and ability to develop the enterprise concerned. Regarding criterion A of Policy WWC6 and criterion (b) of Annex 1 of PPG7, the applicant has not submitted evidence that a *full-time* worker is needed for the livery enterprise, and this is questionable whether this need will be satisfied, given that it is DIY livery that is advertised. The applicant has also not submitted any business plan to show that the enterprise is likely to become viable within the near future, as required by

paragraph 14 (c) of Annex I of PPG7 or working towards the requirements of criterion (B) of Policy WCC6. For these reasons consider that the proposal is not justified as an exception under the above policies/Guidance.
Regarding criterion C of Policy WCC6 and paragraph 14 (d) of Annex I of PPG7, although the applicant lives about 1km. away, this is on a separate and unconnected site where conversion of part of barn to form a living unit was allowed without an occupancy condition. Therefore consider that this is not a critical determining point. Paragraph 8 of Annex I of PPG7 explains that security need by itself is not sufficient to justify a dwelling.

The mobile home is grouped with the existing stables/barn, but is on open land and is clearly visible.

No significant adverse effect on any existing residential properties.

Highway Issues
Highway officer has advised that the visibility from the access onto Binfield Road is substandard, and requires additional information on the existing and proposed traffic generation as a result of the proposal. However, as the development is considered unacceptable, consider that this can be dealt with by a 'holding' reason for refusal with informative.

Recommendation: refusal

Application Number TP/2003/9912
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1.			The site is in the countryside. From the information submitted, the LPA is not satisfied that the ~~proposed~~ development is ~~or justified~~ justified as an ~~departure from~~ exception to ~~policy~~ the approved policies. The development has a detrimental effect on the character and appearance of the area. The proposal is therefore contrary to BSP Policy C2, LALP policies LTV2 & LC17, ~~and~~ to WDLP (as agreed to be further modified) policies WCC1 & WCC6, to PPG7 and to Draft PPS7.
2.			The LPA is not satisfied that the additional traffic generated by the development will not have a detrimental effect on highway safety due to sub-standard visibility at the access onto Binfield Road. The proposal is therefore potentially contrary to BSP Policy LD5, LALP Policy LT5 and to WDLP (as agreed to be further modified) Policy WT7.
			This ~~approval~~/refusal is in respect of the Site Location Plan ~~& Plan No's~~ received on 13.10.03, Also site layout plan to scale 1:500 and plan showing floor plan and elevations of mobile home received by the LPA on 24.09.03.

Informative for approvals
N16
LODDON AREA LOCAL PLAN POLICIES:
SOUTH-EAST AREA LOCAL PLAN POLICIES:
WOKINGHAM DISTRICT LOCAL PLAN POLICIES:
GREEN BELT LOCAL PLAN POLICIES:
BERKSHIRE STRUCTURE PLAN POLICIES:
MINERALS LOCAL PLAN POLICIES:

RECOMMENDATION AND CONDITIONS/REASONS AGREED: _____
(Development Control Manager)

Date: 20/11/03.

If any of the consultee's have requested a copy of the decision notice please list them below;

Enforcement officer

Informative

The applicant is advised that it may be possible to overcome reason for refusal No. 2 by the submission of additional information.

RECORD OF SITE VISIT

SITE ADDRESS: Rose Cottage Stables
Binfield Road Wokingham.

APPLICATION NUMBER: TP/2003/9912

OFFICER: Angela Odell

DATE OF SITE VISIT: 8.10.03

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING Paddocks with barn & stables building & mobile home stationed on roadside.

4. RELATIONSHIP TO ADJOINING PROPERTIES No residential properties directly effected.

5. SITE CONSTRAINTS

TREES ✓

ACCESS/PARKING from Binfield Rd to

LEVELS Flat

BOUNDARY TREATMENT Open fence to rear (close boarded fence behind stables/barn.

OTHERS

Sign up on Binfield Rd saying 'DIY stables'. & some horses in barn & fields.

1789/a

SECTION 66 CERTIFICATE

WOKINGHAM UNITARY
Aiming for Excellence

Application No. 9912 9912 24SEP03

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

CERTIFICATE A

I certify that: [illegible]

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.

- 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) .....

.....

(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).

- 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.

OR

● 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) . . . . . .

. . . . . .

(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).

● Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

on (d) . . . . . .

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 . . . . . .

Date . . . . . .

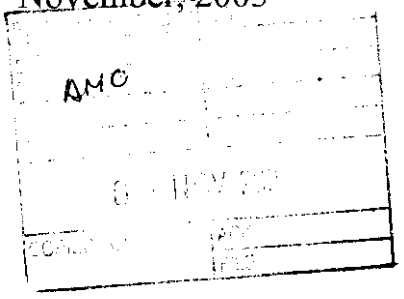
TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

ST. NICHOLAS HURST PARISH COUNCIL

Clerk: Mr. R. Wardle, D.M.A., F.C.I.S., M.C.M.I.
Glenrocques, 52 Altwood Road, Maidenhead, Berkshire, SL6 4PZ
Telephone/Fax: (01628) 628485

74256

4th November, 2003



Development Control Manager,
Wokingham District Council,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham, RG40 1WR

For the attention of Angela Odell

Dear Miss Odell,

Application No. TP/2003/9912

I refer to the above-mentioned Application by Miss S. Scott of Rose Cottage Stables, Binfield Road, Wokingham: temporary permission for siting of mobile home. Retrospective Revised plans.

My Council continue to object to the proposal for the reasons already given.

Yours sincerely,

Clerk

ST. NICHOLAS HURST PARISH COUNCIL

Clerk: Mr. R. Wardle, D.M.A., F.C.I.S., M.C.M.I.
Glenrocques, 52 Altwood Road, Maidenhead, Berkshire, SL6 4PZ
Telephone/Fax: (01628) 628485

22nd October, 2003

Development Control Manager,
Wokingham District Council,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham, RG40 1WR

For the attention of Angela Odell

Dear Miss Odell,

Application No. TP/2003/9912

I refer to the above-mentioned Application by Miss S. Scott of Rose Cottage Stables, Binfield Road, Wokingham: temporary permission for siting of mobile home, retrospective.

My Council can see no reason for the siting of a second mobile home at the premises, therefore, object to the proposal and request the Council to seek its early removal.

Yours sincerely,

Clerk

Angela Odell

From: John Mullaney
Sent: 20 October 2003 12:29
To: Angela Odell
Subject: "Rose Cottage Stables", Binfield Road, WOKINGHAM, Berkshire TP/2003/9912

I have no objection to the proposal.

John Mullaney
Principal Environmental Health Officer
Environmental Protection and Housing
Wokingham District Council
Tel. 0118 974 6766
Fax. 0118 974 6401
john.mullaney@wokingham.gov.uk
www.wokingham.gov.uk

LISTING FORM

Case officer: **Angela Odell** Application Number: **TP/2003/9912**

Rose Cottage Stables, Binfield Road, , Wokingham.

Temporary permission for siting of mobile home. Retrospective.

I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

Should the officers recommendation be in accordance with my views I am happy for the application to be determined under delegated powers. YES/NO

Signed: _____ Date: 12.10.03

Councillor Drake

Note: The unnecessary listing of applications has a detrimental effect on the sections ability to meet Government imposed performance targets.

Angie, I rely on you for this. No justification in my view!

Annette

PLANNING APPLICATION COMMENTS SHEET

FOR TP/2003/9912. (Case Officer:Angela Odell)

PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
Aiming for Excellence

THINGS WE CAN TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
DESIGN, APPEARANCE AND LAYOUT.
HIGHWAY SAFETY.
RESIDENTIAL AMENITY (loss of attractive features within the locality; e.g. parks or woodland).
LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

THINGS WE CAN'T TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk
(Please remember to include your postal address in any comments made by E-mail)

COMMENTS ON APPLICATION: TP/2003/9912

YOUR NAME: Dr.S.P.Wilford

YOUR ADDRESS: ***(Please check these details & amend if incorrect)***
Dr S P Wilford 17 Copse Drive
Wokingham
Berks
RG41 1NA

PLEASE RETURN YOUR COMPLETED FORM TO:

Environmental Services Department,
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

YOUR E-MAIL ADDRESS: _____ (this is optional but wherever possible we will respond to you via e-mail saving on costs and reducing the use of paper)

I WISH TO (tick relevant box): OBJECT TO THE APPLICATION ☐
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☑

Comments: Wokingham District CPRE has studied this application and finds it acceptable provided that the presence of a mobile home is not used at a later date as an excuse for a large detached house on the same site.

Continue over the page if more room required

INVESTOR IN PEOPLE

FAO Angel Odell
Wokingham District Council
P.O Box 157
Shute End
WOKINGHAM
Berkshire
RG40 1WR

Our Ref. **22977**
Your Ref. TP/2003/9912
Date. 07 October 2003

73597

AO

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACT 1990

Change of Use / Minor Changes

ROSE COTTAGE STABLES BINFIELD ROAD
WOKINGHAM
RG405PP

I refer to your consultation received in this office on 07/10/2003

SEWERAGE

Thames Water, would advise that with regards to sewerage infrastructure we would not have any objection to the above planning application.

WATER

With regard to water supply, this comes within the area covered by the Three Valleys Water Company.
For your information the address to write to is:-
Three Valleys Water Company
P.O. Box 48, Bishops Rise, Hatfield, Herts, AL10 9AL
Tel:- (01707) 268111

Yours faithfully,

Development Control Department

Thames Water, Development Control, Asset Investment Unit, Maple Lodge
Denham Way, Rickmansworth, Herts, WD3 9SQ Tel: 01923 898072

RWE GROUP

HIGHWAYS CONSULTATION SHEET

From: Angela Odell **Date:** 02 October 2003

Application Number: TP/2003/9912

Proposal: Temporary permission for siting of mobile home. Retrospective.

Parish: HURST PARISH

Site Address:
Rose Cottage Stables, Binfield Road, , Wokingham.

Applicant:
Miss S Scott .

Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Site visit carried out: ☐ **No** ☑ **Yes - Date & Time:** 7/10/03

The visibility from the access onto Binfield Road is substandard.

Please see highways have additional information on the existing traffic generation and the proposed traffic generation as a result of the proposal.

Signed: _____ **Print name:** AO 7/10/03

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 7 October, 2003
My ref. AO/TP/2003/9912

Miss S Scott
Rose Cottage Stables
Binfield Road
WOKINGHAM
RG40 5PP

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) 977 8909
DX: 33506 – Wokingham

Dear Miss Scott

PLANNING APPLICATION TP/2003/9912
TEMPORARY PERMISSION FOR SITING OF MOBILE HOME (RETROSPECTIVE) AT ROSE COTTAGE STABLES, BINFIELD ROAD, WOKINGHAM

I refer to the above application. Please submit revised location plans showing the site of the mobile home and its immediate curtilage plus access to Binfield Road in red and the rest of the land owned by you in blue.

It is important that the revised plans are submitted to me within two weeks, i.e. by 22 October, to ensure that the application is not determined on the basis of the current unsatisfactory submission. Should you have any difficulty in meeting this deadline or should you wish to discuss the revised plans please contact me immediately.

Yours sincerely

AO

MRS A ODELL
Planning Officer

Application Number: TP/2003/9912

Case Officer : AO

Valid Date : 24.9.03

Map No :

Site Area : 3.37

Received Date: 04/08/2003

Subject to SAI: ☐ Yes ☑ No

Level : Delegated Application

Description : ~~Proposed application of~~ Temporary permission for siting of mobile home. Retrospective.

Location : Rose Cottage Stables, Binfield Road, , Wokingham.

Parish : SA Ward : HUR 2.10.03 B

Applicant : Miss S Scott .

Application Cat: 0

Fee Required: £220.00 Fee Received: £220.00 (9)

Additional: ..... or Refund: .....

Enforcement Section to be notified ☑ JH (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS			
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED	Agric holdings cert - has notice been served?	✓ 20/8	
ELEVATION PLANS	None	✓ 20/8	
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED			
OTHER	– Countryside - volume required (metric) – Statement required justifying need for home + financial statement (details for 3 yrs, showing profit in final year) + evidence no existing alternative accommodation in area.	✓ 20/8	

✓

Is the site in a Conservation Area: ☐ Yes ☐ No If "Yes" which one _____

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS 2.10.03 JB

Building Control

Heritage (Harold Sanders)

Landscape

Trees

(Environmental Health) ✓

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

(Policy & Plans) ✓

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

(Highways) ✓

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency

Railtrack

Police Arch Officer

(Thames Water) ✓ (CPRE) ✓

HERITAGE BODIES

Victorian Society
The Georgian Group
Ancient Monuments Society
Council for British Arch
RCHME
NRPB (Telecommunications)
Sport England
Society for Proct' of Ancient Bldgs
English Heritage

OTHERS

Rural Area
Countryside
Green Gap & wedges

NEIGHBOURS

S/N + See map

No relevant pre-apps

Organisation_Name	Building_Name	address1	Postcode
	STOKES COTTAGE	STOKES COTTAGEBINFIELD ROADWOKINGHAM	RG40 5PR
	ROSE STUD	ROSE STUDBINFIELD ROADWOKINGHAM	RG405PP

Copy of letter for buildings with no address Point.

**********FILE COPY**********

Tel: (0118) 974 6445

Date: 02 October 2003

My ref: TP/2003/9912

WOKINGHAM UNITARY
Aiming for Excellence

Councillor Drake
Walden Acres
Wokingham Road
Hurst
RG10 0RU

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: TP/2003/9912
Rose Cottage Stables, Binfield Road, , Wokingham.
Temporary permission for siting of mobile home.
Retrospective.

I write to let you know that the above mentioned application has been received.

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you might wish for the application to be listed for consideration by the Development Control Committee. This form must be received no later than 28 days from the date of this letter.

If you have concerns about the proposals I would strongly encourage you to discuss these with the case officer Angela Odell on (0118) 974 6445 . It may well be that your concerns can be overcome therefore removing the need for this application to be listed.

Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM

Case officer: **Angela Odell** Application Number: **TP/2003/9912**
Rose Cottage Stables, Binfield Road, , Wokingham.
Temporary permission for siting of mobile home. Retrospective.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

Should the officers recommendation be in accordance with my views I am happy for the application to be determined under delegated powers. YES/NO

Signed: _____ Date: _____

Councillor Drake

Note: The unnecessary listing of applications has a detrimental effect on the sections ability to meet Government imposed performance targets.

**********FILE COPY**********

Received by Wokingham District Council

Application No: TP/2003/9912

Proposal:
Temporary permission for siting of mobile home. Retrospective.

Location:
Rose Cottage Stables, Binfield Road, , 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 - Friday**

WOODLEY LIBRARY HEADLEY ROAD WOODLEY 9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this

to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 25/10/2003. 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 be possible for an individual reply to be issued to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

**Trevor Watson
Development Control Manager**

02 October 2003

9912 24 SEP 03

Tel. 0118 974 6429

Fax. 0118 974 6484

Email. Carol.Hurst@wokingham.gov.uk

Date. August 20, 2003

My ref. TP/2003/9912

Your ref.

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

Mrs S Scott
Rose Cottage Stables
Binfield Road
Wokingham
Berks
RG40 5PP

Dear Miss Scott,

ROSE COTTAGE STUD, MOBILE HOME

I am returning your application as it is invalid and the following additional information is required.

On the Section 66 it says the site is an agricultural holding, has notice been served on any tenants? If not please put none.

Please supply 6 copies of scale drawings of the proposed mobile home showing all elevations and a floor plan.

As this is development in the countryside we require the volume of the proposed mobile home. See attached notes.

Please provide a statement to justify the need for a mobile home, also a financial statement giving details for 3 years and showing a profit in the final year. Also evidence that there is no existing alternative accommodation in the area.

Yours sincerely

Carol Hurst

Senior Technical Officer

Tel: (0118) 974 6447 (Direct Line)
Fax: (0118) 974 6484
Email:
Date: 11 July 2003
My ref: RFS/6481/03/JH
Your ref: [Click here and type recipients reference]

9912 24 SEP 03

9912

WOKINGHAM UNITARY
Aiming for Excellence

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

Ms S Scott
Rose Cottage Stables
Binfield Road
Hurst
Wokingham
Berks

04 AUG 2003

Dear Ms Scott

SITING OF CARAVAN AT ROSE COTTAGE STUD, BINFIELD ROAD, HURST.

I write to confirm our conversation at the above stated site on 9th July 2003.

Having researched the site history I can confirm that the siting of the new caravan (mobile home) that you identified to me, requires the benefit of planning permission and no such permission exists.

You are requested to either remove the caravan within 28 days of the date of this letter or submit a retrospective planning application for its retention, within the same time scale.

I have enclosed the relevant forms for your use. Submission of an application does not necessarily mean permission will be granted. If you do not comply with this request consideration will be given to taking formal enforcement action to rectify the breach of planning control.

Yours sincerely

Mr J Hedley
Planning Enforcement Officer

Enclosure: Planning Application Forms

9912 24 SEP 03

Rose Cottage Stables
Binfield Road
Wokingham
Berks
RG40 5PP.

20th September 2003

Your Ref. TP/2003/9912

To whom it may concern.

1/ Section 66 was incorrect the site is not an agricultural holding it is an equestrian property and has been for the past 11 years. Section 66 now rectified.

2/ Please find 6 copies of scale drawing of the mobile home already on site.

3/ Drawings show all sides with windows & doors & layout of 1 bedroom 1 bathroom 1 kitchen & 1 living room space

4/ Statement of Needs for Mobile Home Attatched.

It is not possible to give a financial statement for the past 3 years as the property has been let for the past nine years.

Statement To Justify The Need For A Mobile Home At Rose Cottage Stud.

Firstly I would like to point out that the mobile home is not for me to live in as I already live at Rose Cottage Stables with my son.

Rose Cottage stud has been let to 2 different tennants for the past 9 years.
The previous tennants left the site at the end of July this year (2003). They also left a long string of unpaid bills. They said that they had found it difficult to get liveries because they did not live on site & were unable to give 24 hour care. They had also suffered a number of burglaries / thefts. Horse trailers have been taken from the site along with items of tack, saddles worth £500 each and machinery such as grass mowers and wheelbarrows. There was even one occasion when rugs were taken off horses backs whilst in the field.

I have applied for temporary planning permission for 5 years so that I can put a yard manager on the site with a large dog to provide 24 hour security and provide instant maintenance when fences get broken or things like automatic water bowls get kicked off the wall causing flooding of other stables, and there is a need for care of sick horses with colic or other such problems.

We need to give our clients confidence that their horses are being looked after properly otherwise they tend to go somewhere else.

There has been another mobile home on the site for the past 10 ½ years. It is situated behind the barn out of sight and has been lived in by my ex brother in law This site has not been suitable because you can not see the comings & goings of visitors to the site whatever time of day or night and he goes out to work. I am hoping that he will soon find a house to live in because the old Mobile home is falling apart & needs to be scrapped.

The area is rapidly changing and becoming some concern because of the number of burnt out vehicles being dumped along the Binfield Road and land at Stokes Farm being used all the time for fly tipping.

Our neighbours just 1 field away off the Forest Road woke up on a Sunday morning to find their field full of Travellers, this sort of confrontation I would like to avoid.

For all these reasons I strongly feel the need for a mobile home in full sight with a yard manager for security & protection of the property and our clients horses.

Yours Sincerely

S. M Scott

1933

ROSE COTTAGE STABLES

E

ADDRESS ACCESS OFF BINFIELD ROAD PARISH HURST

PLOT No. ORD. SHEET No. SU-8270 62

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
30665	MR. T. THOMAS	STABLES & BARN	14.7.88	Ref
36852	"	ALL WEATHER RIDING SURFACE	20.3.91	Ref
41979 APPEAL	MISS. S. SCOTT	LIGHTING ALL WEATHER SURFACE	23.6.94	Ref.
42460 APPEAL	S SCOTT	PART BARN TO RES.	21.6.94	Ref
F/2000/1896	Mr. S. Scott	Erect 8 stables & tackroom for livery + garage for anc. vehicles	18.10.00	App
TP/2003/9912	Miss S. Scott	Mobile Home (Retro)		

MINISTRY DECISION 36852 - APPEAL ALLOWED - 27.1.92 42460 - APPEAL ALLOWED - 22.2.95

~~SPECIAL ORDERS~~ 41979 - APPEAL DISMISSED - 24.3.95

ENF NOTICE ISSUED - 27.6.9 - LIGHTING FOR ALL WEATHER SURFACE

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 Officerresponsible 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.'

1769a

WOKINGHAM DISTRICT COUNCIL

PLANNING APPLICATION PART 1

WOKINGHAM UNITARY
Aiming for Excellence

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

9912 24 SEP 03

1. APPLICANT'S NAME: Miss Stephanie Scott
ADDRESS: Rose Cottage Stables, Binfield Road, Wokingham, Berks
POST CODE: RG40 5PP PHONE: 01344 860566
AGENT'S NAME: None

2. If the applicant has an agent, all correspondence will be sent to the agent
ADDRESS:
POST CODE: PHONE:

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: Rose Cottage Stud

4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.
28' Mobile Home For Security of Horses, Goods, Machinery, Tack & Stallion. Retrospective

5. Give the area in hectares or part of a hectare
AREA OF SITE: 3.23

6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee
OWNERSHIP: Owner

7. List all the plans and drawings submitted with the application
PLANS/DRAWINGS: 6 Showing Whole Property, 6 Showing More Detail

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?
Tick the boxes(x)

CHANGE OF USE		REDEVELOPMENT	
ERECTION OF NEW BUILDING	X	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	X	State period required 5 Yrs
RELAXATION OF CONDITIONS		State relevant application number Conditions to be relaxed

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.

Livery Yard For 22 Horses

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

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.

Mobile Home

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.

Post & Rail Stable Yd Existing

16. HOW WILL SURFACE WATER BE DISPOSED OF?

N/A

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

As Existing
Long Drive off Highway with Parking for at least 2 vehicles

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

N/A

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	1 / 2	*	/	*	/	*

* 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.

£220.00

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 DATE 1st August 2003

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".

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: Retained in existing use	Existing floor space: Lost by change of use or demolition	Proposed additional floorspace created by: New building	Proposed additional floorspace created by: 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				
B1 (c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B-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".