

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242737
Site Address:	Misting Meadows, Park Lane, Finchampstead, Wokingham, RG40 4PT
Expiry Date:	30 December 2024
Site Visit Date:	26/11/2024
Proposal: Prior approval submission for proposed change of use from agricultural land to a flexible use consisting of vehicle repairs and storage.	

PLANNING CONSTRAINTS/STATUS

- Bat Roost Habitat Suitability
- Borough Parishes
- Scale and Location of Development Proposals
- Great Crested Newt Consultation Zone
- Tree Preservation Orders
- Thames Basin Heaths SPA Mitigation Zones
- 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
-----------	--

Article 3	In conjunction with Schedule 2, Part 3 Class R grants planning permission for the change of use of agricultural buildings to a flexible commercial use
-----------	--

Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3
-----------	---

PLANNING HISTORY

Application No.	Description	Decision & Date
242052	Householder application for the proposed erection of three outbuildings forming residential annexe, garden room, and garage & store, following demolition of existing outbuilding and removal of existing ancillary mobile home.	Refused, 07/11/2024

080752	Proposed single storey rear extension plus first floor rear dormer extension to enlarge first floor plus erection of first floor front gable roof.	Approved, 30/04/2008
0/153/68	Replacement dwelling	05/09/1968
71/70	Erection of bungalow and garage.	Approved
34768	Sitting of a mobile home.	Approved, 23/01/1990

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received.
WBC Drainage – No objections.
WBC Highways – No objections.

External

None consulted.

REPRESENTATIONS

Parish/Town Council	Barkham Parish Council – No comments. Finchampstead Parish Council – No comments.
Ward Member(s)	No comments received
Neighbours	No comments received

PART R.2 APPRAISAL

This application seeks prior approval for a proposed change of use from agricultural land to a flexible use consisting of vehicle repairs and storage.

Under Schedule 2, Part 3, Class R of the General Permitted Development Order (GPDO), permitted development rights apply to the change of use of agricultural buildings and any land within its curtilage to a flexible use. Class R is titled "*agricultural buildings to a flexible commercial use*". The proposal does not involve the change of use of a building and only refers to land. The submitted red line plan does not include an agricultural building.

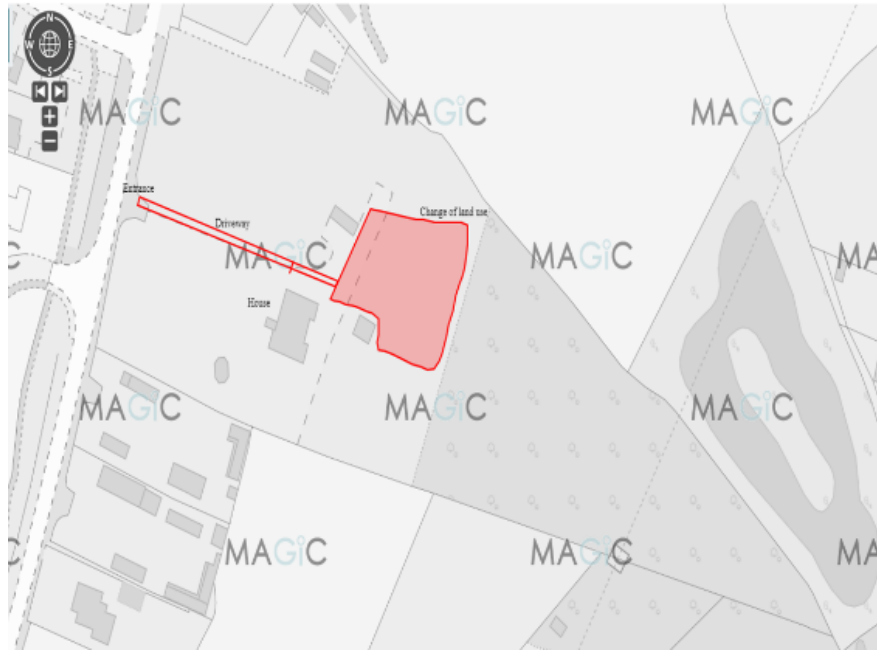


Figure 1 – Submitted red line boundary site plan.



Figure 2 – Aerial imagery of the application site, confirming that, as shown in Figure 1, no agricultural buildings are present within the red line boundary.

As the scheme does not involve the change of use of a building, it cannot be considered permitted development under Class R of Schedule 2, Part 3 of the General Permitted Development Order (GPDO). Consequently, prior approval is not available. The proposal is therefore ineligible for consideration under the remaining conditions or limitations of Class R and the requirements within paragraph W and X. A full planning application would be necessary to assess the proposal further.

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:	N/A
Recommendation:	Prior Approval required but no available.
Date:	28 January 2025
Earliest date for decision:	25 November 2024

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	28.01.2025