MS LTD
SOUTHPORT U.K Tel 0704-26866 Fax.0704-25814
LONDON OFFICE Tel.071-377-1777 Fax.071-247-8181

APPLICATION NO:
F/2000/2080

LOCATION:
Woodlands House Wargrave Road, Remenham Henley-On-Thames.

APPLICANT:
Mr Berggren C/O John Andrews Associates

PROPOSAL:
Proposed erection of barn for agricultural use.

EARLIEST DATE FOR DECISION: **31/08/2000**

APPLICATION WILL HAVE EXPIRED ON:
22/09/2000

CASE OFFICER: **Nicola Lake**

Appeal Decision

Site visit made on 5 November 2001

by R E Hurley CEng MICE MIHT

an Inspector appointed by the Secretary of State for Transport, Local Government and the Regions

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

15 NOV 2001

Appeal Ref: APP/X0360/A/01/1070364
Woodlands House Farm, Wargrave Road, Remenham

- 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 Mr P Berggren against the decision of Wokingham District Council.
- The application ref. F/2000/2080, dated 5 June 2000, was refused by notice dated 29 January 2001.
- The development proposed is erection of barn.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Main Issues

1. I consider the main issues in this appeal to be the effects of the proposal on: (i), the open character of the Green Belt and (ii), the risks of flooding in the surrounding area.

Planning Policy

2. The site is situated in the Green Belt and the flood plain of the River Thames. Policy C4 of the Berkshire Structure Plan, adopted November 1995, expresses a presumption against inappropriate development in the Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open. Policy EN3 indicates that development should not be located in areas liable to flood if it would be likely to: (i) inhibit the capacity of the flood plain to store flood water; or (ii) impede the flow of flood water; or (iii) increase the risks to life or property arising from flooding.

3. Policy 1 of the Green Belt Local Plan for Berkshire, adopted April 1985, indicates that planning permission will not be given, save in very special circumstances, for a new building in the Green Belt other than for a list of uses set out in the policy. Policy 12 indicates that the erection of farm buildings will normally be permitted provided that: (A), their design, siting, materials and appearance in the landscape are appropriate to a countryside setting and would not prejudice the open or countryside character of the Green Belt; (B), they do not contribute to the overdevelopment of the agricultural unit on which they are situated; and, (C), there is a proven agricultural need for the building.

4. The Inspector's Report into objections to the Wokingham District Local Plan is expected late in 2001. Policy WOS3 of the emerging Local Plan sets out the Council's development control principles. Policies WGB1 and WIC16 reflect Structure Plan Policies C4 and EN3 respectively.

5. The proposed barn, about 24.1m x 8.2m x 7.5m high, would be situated within a large field, near some woodland, that forms part of substantial area of open countryside. It would stand near a small group of single storey timber buildings, which are served by a long unmade track that connects to the A321, Wargrave Road. The barn would have timber horizontal weatherboarding walls with a clay tiled, hipped, roof. Its appearance would be similar to many barns located in open countryside. The Agricultural Report shows that the barn would have three main uses. The storage of hay for cattle and sale as well as the secure storage of farm implements and hazardous substances.

First Main Issue

6. The proposed development, the erection of a building for agricultural purposes, is one of the exceptions set out in Structure Plan Policy C4, Policy 1 of the Green Belt Local Plan for Berkshire, Policy WGB1 of the emerging Local Plan and paragraph 3.4 of Planning Policy Guidance Note 2. The proposal would be an appropriate form of development in the Green Belt. Even so, I must consider its effects on the open character of this part of the Green Belt and the purposes of the Green Belt.

7. The barn would not be visually prominent from the A321, Wargrave Road, having regard to the distances it would stand from that road and the degree of screening by the mature trees and hedge growing on the site boundary with the A321. It would be glimpsed through the hedge when it is not in leaf and the gap in the hedge through which the track to the existing buildings runs. Whilst the barn is a high building, this would be necessary in order to store the hay and large pieces of agricultural machinery. I find that the proposed barn would be seen as an agricultural building in the countryside that would not cause undue harm to the rural character and appearance of the area. Its reduction of the openness of this part of the Green Belt would be minimal. As the Agricultural Appraisal indicates it would help to retain the surrounding land in agricultural and related uses, one of the objectives for the use of Green Belt land set out in paragraph 1.6 of Planning Policy Guidance Note 2. It would not be contrary to any of the purposes of including land in the Green Belt.

Second Main Issue

8. In their letter, dated 5 September 2000, the Environment Agency indicated to the Council, that their objection could be overcome by designing the proposed barn as a floodable structure. The Appellant has confirmed that he is prepared to modify the construction of the barn to reflect the Agency's requirements. This could be covered by conditions.

9. Even if the building were designed to be floodable, in accordance with the Environment Agency's requirements, the Council make the following objections to the proposal. The storage of bales of hay and straw inside the building would prevent the flood water from entering and leaving the barn freely. The hay and straw would not be protected from rain and damp. Some of the larger pieces of equipment would stand in the flood water, where they would reduce the storage capacity of the flood plain and be liable to damage. If the hazardous substances were not stored in sealed airtight containers, they could be released into the flowing flood waters and lead to the contamination of a wide area of land.

10. There is a risk that hay, straw and larger pieces of equipment stored in the building would reduce the capacity of the flood plain to store flood water or impede the flow of flood water. However, I consider that the flood measures recommended by the Environment Agency would reduce these risks to an acceptable level. It is highly unlikely that the barn would

materially increase the risks to life or property in the surrounding area liable to flooding. The damage to the hay, straw and the equipment by flood waters would be likely to be significantly less than that caused by leaving them outside. They would also be more secure in the bard. It seems to me that hazardous substances could be stored on shelves or in positions above the level of flood waters as well as being stored in sealed airtight containers. Whilst I note the Council's concerns about the effects of the proposal on flooding I do not consider that they are sufficient to warrant withholding planning permission in this case.

Conditions

11. The Council has suggested three conditions. Nos. 2 and 3 are necessary for the reasons given previously.

Conclusions

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

13. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a barn at Woodlands House Farm, Wargrave Road, Remenham in accordance with the terms of the application ref. F/2000/2080, dated 5 June 2000, and the plans submitted therewith, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    2) No development shall take place until details of the slab level of the proposed barn and the existing ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    3) No development shall take place until details of a scheme to enable the entry and egress of flood waters from the barn, hereby approved, have been submitted to and approved in writing by the local planning authority. The barn shall not be brought into use until the building has been completed entirely in accordance with the approved scheme. All openings in the walls and openings under doors shall thereafter be retained and kept clear of obstructions at all times.

Information

14. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

15. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

16. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted

conditionally or if the authority fails to give notice of its decision within the prescribed period.

17. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

Roy Hurley

Inspector

(NL)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Berggren
C/O John Andrews Associates
The Lodge
66 St Leonard's Road
Windsor
Berkshire
SL4 3BY

Application Number: F/2000/2080

Parish: **REMENHAM**

Location: **Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.**

Proposal: **Proposed erection of barn for agricultural use.**

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.

Reason
1. The proposed development by reason of its size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, to policies 1 and 12 of the Green Belt Local Plan for Berkshire and to policies WOS3 and WGB1 of the Wokingham District Local Plan.

Reason
2. The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The development would be at direct risk of flooding, and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to policy EN3 of the Berkshire Structure Plan and to policy WIC16 of the Wokingham District Local Plan.

Informative

1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policies C4 and EN3.

Green Belt Local Plan Policies 1 and 12.

Deposit Draft Wokingham District Local Plan Policies WOS3, WGB1 and WIC16.

John Mitchell
Development Control Manager
Date: 29/01/2001

Notice checked by: _____

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

49036

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728881
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8881

PLANNING SERVICES	PFT
PCL	TLS
DC	BW
APP	

23 OCT 2001

COPIES TO:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2080

Our Ref: APP/X0360/A/01/1070364

Date: 22 October 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR P BERGGREN
SITE AT WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM, HENLEY-ON-THAMES

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeal is

Mr Roy Hurley CEng MICE MIHT

The Inspector will visit the appeal site at 15:30 on 5/11/2001. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, we will let you know.

Yours faithfully

Miss Tarja Mannikko

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728881
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8881

49076
DC
24 OCT 2001
COPIES TO:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2080
Our Ref: APP/X0360/A/01/1070364
Date: 23 October 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR P BERGGREN
SITE AT WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM, HENLEY-ON-THAMES

CHANGE OF ARRANGEMENTS

I am writing to inform you that the time of the site visit has changed.

The Inspector will visit the appeal site at **11:00** on 5/11/2001. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

Yours faithfully

Tarja Mannikko

Miss Tarja Mannikko

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D

2080

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

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Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-6079

DG 46513

PLANNING SERVICES
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08 AUG 2001
COPIES TO:
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2080
Our Ref: APP/X0360/A/01/1070364
Date: 7 August 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR P BERGGREN
SITE AT WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM, HENLEY-ON-THAMES

Flooding is given as a reason for refusing this proposal. The Inspector will therefore require information about your reasons for coming to this view in order to determine the appeal.

In your appeal statement, or in a separate document from the Environment Agency, please give full your full reasons for considering the site subject to flooding and the effects which are envisaged if the proposed development were to be allowed.

Please include the following information, where it is relevant to your reasoning:

1. Past Flooding

- Is the site identified on the Environment Agency's Section 105 Flood Map?
- If not, why do you consider the development would be liable to flood?
- If so, give dates of the flood events, with their respective rainfall intensities and return periods and plans or photographs showing the extent of flooding on and around the site. Please give the depths of floodwater on the site for these events.
- What is the source of the flood water e.g. river or the sea?

2. Recent Changes

- Have there been any recent changes which would affect the flood risk in the area, e.g. other developments, changes in ground levels, flood banks or flood channels?

3. The Proposal

- What would be the effect of the proposed development, e.g. would it obstruct the flow of floodwater and/or occupy flood storage capacity? Please give the areas and volumes concerned.

- Can the effects of flow obstruction or loss of storage be quantified in terms of increased water levels in the catchment? If so, what would the effects be?

- Are any mitigation measures proposed? If so, why are they considered inadequate?

- Is any flood defence structure proposed? If so, please give details.

4. The Views of the Environment Agency

- What are the views of the Environment Agency? Include any relevant EA policies and an explanation of their status.

I have sent a copy of this letter to the appellant's agent.

Yours faithfully

Simon Campbell

Mr S P Campbell

WS7(BPR)

ADDRESS [illegible] LODGE ADJ. DELPHIS COTTAGE SOUTHSIDE WHITE HILL

PARISH REMENHAM

PLOT No. OFF WARGRAVE ROAD

ORD. SHEET No. SU 4682 N.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
437/49	Mr. J. Horlick	New bathroom & drainage building of kit & bedroom	12.10.49	APP APP
3R 8176	Mr. J.A. Friend	dem. of existing ext. &	28.3.78	APP N/A ~~N/A~~ ~~APP~~
08081	Mr. J.A. Friend	Terrace 2/storey dem. S/s/wing building		
19334	"	"	6.5.83	N/A C/A
6R21167	"	2/ST. LT, CHIMNEY, GARAGE ER.	2.8.83	APP N/A
40468	"	RELAY. COND. 3 ON 19334 (RE-ERECTION OF GARAGE)	6.2.93	C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

Received by Wokingham District Council

Application No: F/2000/2080

Proposal:
Proposed erection of barn for agricultural use.

Location:
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Nicola Lake P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 31/08/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

07 August 2000

ADDRESS WOODLANDS HOUSE SOUTHSIDE WHITE HILL PARISH REMENHAM E

PLOT No. ORD. SHEET No SU 7682 N°

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
Pb/270/61	Mr. J. J. Horlick	Addition	15.6.61	APP PI
20296	MR. & MRS. E. HALEHAN	STABLING FOR 5 HORSES	20.10.83	N/A CLA

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

ADDRESS WOODLANDS HOUSE BUNGALOW & COTTAGE WHITE HILL PARISH REMENHAM

SOUTH SIDE

PLOT No. ORD. SHEET No SU 7682 N°

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
437/49	Mr J. Horlick BUNGALOW & COTTAGE	New bathroom + drainage	12.10.49.	APP AP
441/56	" "	BUNGALOW/Addition	11.6.56.	APP PD

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

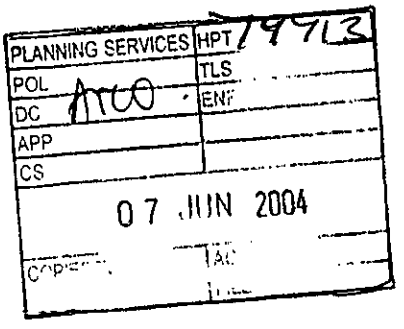
091074

ENVIRONMENT AGENCY

Our Ref : FM/2004/001589-1/2
Your Ref : F/2000/2080

Date : 02 June 2004

District Planning Officer
Wokingham District Council
Council Offices
PO Box 157 Shute End
Wokingham
Berkshire
RG40 1WR



Dear Sir/Madam

PROPOSED ERECTION OF AGRICULTURAL BARN
WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM
CONDITION - FLOODABLE OPENINGS

Thank you for your letter dated 30 April 2004, received on 4 May 2004. The Environment Agency has the following comments:

I note the provision of 1m wide floodable openings in the walls as shown in dwg no. 00/WHF/4. The Environment Agency's original response to this application dated 5 September 2000 requested that the barn be constructed with:

- openings on all walls extending from the existing ground level up to the 1947 flood water level of 32.88m above Ordnance Datum (Newlyn), to facilitate entry and egress of flood water. The openings shall be a minimum width of 1.0m and there shall be one opening in every 5.0m run of wall on all sides.

The submitted drawing does not show the ground level (to OS datum) at the site, and I am therefore unable to determine whether the proposed openings are of a sufficient height. The frequency of openings is acceptable, provided these are to be constructed in all walls.

If you have any further queries please do not hesitate to contact me on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

SARAH PAXMAN
Development Planning Officer

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

Date: 30 April 2004

To: Case Officer

We have received Details to Comply with Conditions for the following planning application:

Application Number: F/2000/2080

Location: Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.

Proposal: Proposed erection of barn for agricultural use.

Applicant: Mr Berggren C/O John Andrews Associates.

Case Officer: ANGELA ODELL

The new plans show the following: Plans to comply with condition 3.

Comments are required by 14/05/2004.

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. F/2000/2080. Date Rec. 21.4.04

Location: Woodlands House, Wargrave Road

Parish: Remenham.

Applicant: Mr. Berggren.

Description of attached plans: 1.

Drawing No's: Plans to comply with condition 3.

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)

Environment Agency

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

NEIGHBOURS: 2 weeks.

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 30.04.04.

Yellow - Case Officer Copy
Green - Part One Copy

(RING ONE)

REVISED PLANS	ADDITIONAL PLANS	MINOR AMENDMENTS	DETAILS TO COMPLY WITH CONDITIONS

App. No. F/2000/2080. Date Rec. 21.6.04

Location: Woodlands Lane, Wargrave Road

Parish: Remenham.

Applicant: Mr. Berggren.

Description of attached plans:

Drawing No's: Plans to comply with condition 3.

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)

Environment Agency

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

NEIGHBOURS: 2 weeks.

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 30.06.04.

Yellow - Case Officer Copy
Green - Part One Copy

materially increase the risks to life or property in the surrounding area liable to flooding. The damage to the hay, straw and the equipment by flood waters would be likely to be significantly less than that caused by leaving them outside. They would also be more secure in the bard. It seems to me that hazardous substances could be stored on shelves or in positions above the level of flood waters as well as being stored in sealed airtight containers. Whilst I note the Council's concerns about the effects of the proposal on flooding I do not consider that they are sufficient to warrant withholding planning permission in this case.

Conditions

11. The Council has suggested three conditions. Nos. 2 and 3 are necessary for the reasons given previously.

Conclusions

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

13. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a barn at Woodlands House Farm, Wargrave Road, Remenham in accordance with the terms of the application ref. F/2000/2080, dated 5 June 2000, and the plans submitted therewith, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    2) No development shall take place until details of the slab level of the proposed barn and the existing ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    3) No development shall take place until details of a scheme to enable the entry and egress of flood waters from the barn, hereby approved, have been submitted to and approved in writing by the local planning authority. The barn shall not be brought into use until the building has been completed entirely in accordance with the approved scheme. All openings in the walls and openings under doors shall thereafter be retained and kept clear of obstructions at all times.

Information

14. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

15. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

16. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted

A.F.C. *Agricultural and Environmental Consultants LTD*

28. JUL. 2000* 2080

NEW BUILDING(non livestock) APPRAISAL

FOR WOODLANDS HOUSE FARM

Wargrave road, Remenham, Berkshire

Mr. Per Berggren.

Report prepared by Nigel Church B.Sc.(Hons) Cbiol MiBiol

A.F.C Agricultural and Environmental Consultants LTD

Homestead Farmhouse,

Ripple,

Deal, Kent.

CT14 8JG

Telephone 01304 366729

FAX 01304 382145

1. INTRODUCTION

1.1 Instructions

A.F.C (Agricultural and Environmental Consultants LTD) have been instructed by John Andrews Associates and Mr. Per Berggren to prepare an independent New Building appraisal of the proposed new storage building at Woodlands House Farm, Wargrave Road, Remenham, Berkshire. This appraisal is provided in connection with a Planning application to Wokingham District Council for the building.

1.2 Qualifications and experience

I am Nigel Church Senior Consultant in A.F.C Agricultural and Environmental Consultants Limited). A.F.C. is an International Consulting firm consisting of a team of Agricultural and Environmental experts with many years experience in a wide range of land based industries. I was formally a Senior Consultant with ADAS Consulting and the Ministry of Agriculture Fisheries and food for 12 years. I hold a B.Sc. (Hons) degree in Animal Science from the University of London. I am a Chartered Biologist and an elected Member of the Institute of Biology for services rendered to agriculture. Whilst working both for ADAS and for the Ministry of Agriculture I specialized in animal welfare, animal housing and animal husbandry related issues. In addition I carried out many business appraisals and advised a variety of farm businesses .I have also spent the last 7 years studying the construction of livestock housing and environment (Ph.D. student at the University of Nottingham.)

As a Senior Consultant in A.F.C I am internationally responsible for welfare, husbandry and environmental issues related to livestock production. I have gained wide experience in a large number of farm and cattle businesses many involving both intensive and extensive livestock . I advise on a range of topics including production, marketing, husbandry, housing and litigation. Whilst at MAFF I advised Her Majesty's Government on Welfare issues relating to both intensive and free-range livestock and assisted the State Veterinary Service in the interpretation of welfare policy.

I have been assisted in the preparation of this report by Helen Comfort Head of the Environment team at A.F.C. Helen has a B.Sc.(Hons) Degree in Environmental Science from Wye College and has many years experience of farming and the environment. She is actively involved in the implementation of environmental policy at Woodlands House Farm.

1.3 Scope of the report.

Within the scope of this report I will briefly outline the use for the proposed farm building at Woodlands House Farm with reference to the storage of Hay for the cattle enterprise and for sale, for the safe storage of farm implements and substances covered by the Control of Substances Hazardous to Health regulations (COSHH Regulations). I will examine whether the new building is essential for agriculture and will consider any environmental factors relevant to the new building.

2. NEW BUILDING APPAISAL

2.1 The Farming business

Land and buildings

The applicants currently farm a total of around 60 acres. This is made up of around 25 to 30 acres of grass for grazing and hay production and about 30 acres of woodland, roads and parkland around the house. The pasture forms the active area of the farm and it is contained in one large block, which borders the main Wargrave Road. This land has its own entrance and is completely separate from the main house, which is on the other side of the woodland. The applicants have owned the land for many years. They have actively farmed it for most of that time and have in the past operated as agricultural contractors although this business has now ceased.

In addition to the proposed building the current buildings on site together with their uses are as follows.

Straw storage shed approximately 8 metres by metres by 4 metres. This is used for the storage of fodder and bedding straw for the cattle over the winter.

Range of stables. Approximately 20 metres by 4 metres. Used for the winter housing of horses and occasionally for the housing of calves.

Cattle and lambing shed. Approximately 17 metres by 4 metres. Used for the lambing of sheep, the occasional rearing of calves and the over wintering of the younger cattle during poor weather.

Livestock and cropping.

Woodlands House Farm is a traditional pasture and stock farm. No arable crops are grown but the woodland is managed. The livestock kept on the land are sheep and cattle as well as a herd of rare Longhorn Cattle. At any one time there may be 50 to 100 sheep and 50 cattle on the site. At the present time only the Longhorn cattle are the only agricultural livestock actually grazing the site as the grassland is being conserved for fodder. The farm has policy of under grazing during the early part of the year because the production of high quality hay for sale has been shown to be highly profitable. In previous years over 15 acres of hay has been produced and it is intended that this will further expand in the future. A proportion of the hay is retained for the feeding of the farms own livestock. The future hay production for sale is expected to exceed 2000 bales. In order to achieve the best price this will have to be stored inside, the new building is intended for this purpose

625

18 w x 9 Dep = 3ft

2.2 The New Building.

The proposed building is designed in the traditional style with plans attached at appendix 1. AFC have been extensively consulted on the design of the building with reference not only to its proposed use but also to its environmental impact.

The building is very modest and thoroughly in keeping with the size of the holding

It is 24.10 metres long by 8.23 metres wide. It is timber clad with a tiled roof.

The building is divided into three distinct areas. The central area, which is approximately 14 metres by 8 metres, is intended for the storage of high quality

hay although it could be suited to the storage of a wide range of bedding and fodder.

In addition to this central area there are two other areas: One area is intended for general storage of farm and forestry implements. The size of both the farm and the forestry on this holding does not justify the use of large machinery thus this area is more than adequate for the safe storage of the implements needed such as fertiliser spreaders a small tractor chain saws, saw benches and other general farm machinery. The type of machinery stored here would be that most likely to be subject to theft. Items such as harrows and rollers would not normally need this level of security.

The other area of the barn will be used for the safe storage of items such as fuel, some bagged fertiliser, workshop tools and a secure area for the safe storage of chemicals and medicines controlled under the COSHH regulations.

2.3 Agricultural justification.

As can be seen from 2.1 above, Woodlands House Farm is a medium sized traditional grass farm with a substantial block of woodland to manage. Whilst the farm still derives an acceptable income from its livestock enterprises like many traditional farms the unit is being forced to diversify it's farming activities. The grassland on the unit is very productive and good markets have been secured for the sale of hay. The premium price paid for this hay relies heavily upon its being stored until the price rises in the autumn and winter. There are currently no acceptable facilities on the unit for this. In the past hay has been stored on the unit outside. This has resulted in some years in the loss of over 50% of the crop through spoilage and in one-year total loss of the crop

because the whole stack was burnt down. In addition supply of hay in the quality market relies upon the product being kept dry so that mould spores are not allowed to form. It is therefore vital that the crop is put under cover immediately after harvesting so that it is not rained upon.

In addition to the storage of the hay a recent review of security and health and safety policy on the farm revealed a lack of secure storage for valuable farm and forestry machinery and tools and also inadequate safe storage facilities for substances covered by the COSHH regulations, as well as those regulations related to veterinary medicines.

All of the above points to a real and genuine need for this new building if the unit is to function on an economically sound and safe basis in the future.

2.4 Environmental factors.

The owners of Woodlands House Farm are well aware of their responsibilities to the environment and have retained A.F.C as their Environmental consultants to assist them in ensuring that protection of the environment is a priority. The potential environmental impact of the proposed development has been considered as part of the whole farm business.

From the environmental impact point of view the new building should produce no effluent or other environmental contaminants. It will provide for the safe storage of chemicals and other products, which might otherwise pollute the environment.

From a visual impact point of view the building has been designed to be the minimum size necessary for its essential purpose. The size of the building is entirely appropriate to the size of the holding and given the general character of the area together with its setting against the backdrop of woodland ,it was felt that a traditional building would be most appropriate.

3. CONCLUSION.

For the reasons outlined in section two above I conclude that it is reasonably necessary for the proper and safe functioning of the agricultural unit that Woodlands House Farm is able to construct a purpose storage facility on land adjacent to Wargrave Road for the storage of winter fodder produced from land owned by the farm and for the safe a secure storage of machinery, tools and chemicals. It is also my opinion that the proposed building will be suitable for the proposed use.

Nigel Church Bsc (Hons) Cbiol MiBiol
A.F.C.

May 2000

WORK SHEET FOR : Nicola Lake.

Application Number : F/2000/2080

Applicant : Mr Berggren C/O John Andrews Associates.

Location : Woodlands House, Wargrave Road, Remenham

Proposal : Proposed erection of barn for agricultural use.

Site Notice Displayed ? :	YES	NO	DATE
	✓		17.08.00

Date of Neighbour Notifications :

Date of Site Visit : 17.08.00

Date Registered : 28.07.00

Earliest Date for Decision : 31.08.00

Latest Consultation Date/Site Notice Expiry Date : 31.08.00

Application Expiry Date: 22.09.00

Consultation Responses :
Highways: No objection.
Environmental Health: No objection.
Biodiversity: No ecological objection.
Landscaping: Require additional details.

Planning History :

Planning Issues :
Site Designation: Within Metropolitan Green Belt.
Area of Landscape importance.
Land Liable to flood.
Adjoins Historic Park/Garden & Wildlife heritage site.

1. Impact upon the open character and amenity of the Green Belt.

Application Number: F/2000/2080

Appraisal :

1. **Impact upon the open character and amenity of the Green Belt.**
The proposed development is for the erection of an agricultural barn measuring 24.1m by 8.23m with a height of 7.5m. The proposed development would be used to store the hay that would be produced for commercial purposes off the 25-30 acres of grazing/hay producing land.

The building would be located to the south of an existing group of buildings, which themselves are to the south of the main farmhouse area. The barn would be located in a flat and open area and by reason of its size would be visible to pedestrian and vehicles traveling both north and south on the Wargrave Road (A321). This together with the location of the barn, to the south of the existing group of structures would add to the overall development of this area and would erode the open undeveloped appearance of the Green Belt.

The proposed structure is also located within the area that is identified as liable to flood. The Environment agency is concerned that should the barn be erected it would be, together with it contents liable to flooding and would also increase the risk of flooding elsewhere.

Therefore the proposed development by reason of it size, massing and location would result in a significant increase in the level of development within the immediate area, to the detriment of the open character and amenity of the Green Belt. While also being at risk from flood and increasing the risk of flooding elsewhere.

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

Application Number:F/2000/2080
Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1.			The proposed development by reason of it size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, Policies 1 and 12 of the Green Belt Local Plan for Berkshire and policies WOS3 and WGB1 of the Wokingham District Local Plan.
2.			The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The Development would be at direct risk of flooding, and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to policy EN3 of the Berkshire Structure Plan and policy WIC16 of the Wokingham District Local Plan.
		N16	
		BSP	C4, EN3
		GBLP	1 + 12.
		WDLP	WOS3 + WGB1 +, WIC16.

CONDITION MONITORING RECORD SHEET

APPLICATION NO:

SECTION 106 AGREEMENT Yes ☐ No ☐

STAGE OF DEVELOPMENT	CONDITION NUMBER	DATE CONDITION DISCHARGED	DATE COMPLIANCE OBSERVED	DATE BREACH OBSERVED
PRIOR TO COMMENCEMENT				
COMMENCEMENT				
DURING CONSTRUCTION				
COMPLETION				

RECORD OF SITE VISIT

SITE ADDRESS

APPLICATION NUMBER:

OFFICER:

DATE OF SITE VISIT: 17.03.09

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes –

2. DESCRIPTION OF SURROUNDINGS

Open Belt.

3. DESCRIPTION OF SITE/BUILDING

Independent living to temporary Buildings

4. RELATIONSHIP TO ADJOINING PROPERTIES ~~Property~~ Barn would be to the South of the existing structure.

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

Tel: (0118) 974 6481

Date: 19 Jan 2001

My ref: F/2000/2080

CONFIDENTIAL

Councillor S Etheridge
7 Chackfield Drive
Wokingham
RG41 5PH

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: F/2000/2080
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.
Proposed erection of barn for agricultural use..

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

If you have any questions please do not hesitate to contact **Nicola Lake** on **(0118) 974 6481**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell
Development Control Manager

Tel: (0118) 974 6481

Date: 19 Jan 2001

My ref: F/2000/2080

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

CONFIDENTIAL

Councillor F Browne
Rose Cottage
Bird Place
Remenham
RG9 2LN

Dear Councillor

Application Number: F/2000/2080
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.
Proposed erection of barn for agricultural use.

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

If you have any questions please do not hesitate to contact **Nicola Lake** on **(0118) 974 6481.** If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 29 Jan 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Nicola Lake** Application Number: **F/2000/2080**
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.
Proposed erection of barn for agricultural use.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor F Browne

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

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 28 JUL 2000

Officer: NL | Application No. F/2000/2080

Map No. 11 Site 23.57

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

28.JUL.2000* 2080

Description:
(F) PROPOSED ERECTION OF BARN FOR AGRICULTURAL USE

Location: WOODLANDS HOUSE FARM WARGRAVE RD

Parish: REMENHAM Ward: Remenham

7-8-2000

Applicant: MR BERGREN

Fee Received 35-00 (6) Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 7.8.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control ✓ .....
Landscape .....
Trees .....
Conservation Officer ✓ .....
Environmental Health .....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (BABTIE) .....
Archaeological Site (BABTIE) .....
Education .....
Social Services .....
Highways ✓ .....

EXTERNAL CONSULTATIONS

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

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

HERITAGE BODIES

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

OTHERS: (Green Belt)

Andy Glencross, Dinton Pastures (re adjacent Wildlife Heritage Site)
CPRE

No pre-apps

NEIGHBOURS:

S/N + Plots 1-6 Riverside, Wargrave Rd, Henley on Thames
Herons Cabin, Vee Bee, Simpatica, Atlanta, High Trees, " " " "

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Nicola Lake DATE: 31st August 2000

Location:	Woodlands House, Wargrave Road, Remenham, Henley - on-Thames
Proposal:	Proposed erection of barn for agricultural use
Application Number:	F/2000/2080

In response to your consultation dated 7th August 2000 for the above application, the tree and landscape comments are as follows:

I have visited the site and examined the plans forwarded to me.

The site is located within an Area of Special Landscape Importance and within a parkland setting.

Although the applicant has submitted a location plan (drawing 00/WHF/1) and a plan and elevations of the proposed barn (drawings 00/WHF/3 and 2) none of these drawings show the existing landscape features within the site.

In order for me to fully understand and be able to comment on the impact of the proposals the applicant should be required to produce a detailed existing site drawing which accurately shows all existing landscape features and the proposals accurately located within the site.

All of the above is essential before I can comment further.

ROBERT PETROW
Consultant Landscape Architect

Nicola Lake

From: Andy Glencross
Sent: 29 August 2000 15:12
To: Nicola Lake
Subject: Planning application F/2000/2080 Woodlands House

Hi Nicola

I can see no ecological grounds on which to object to this developement, although I have not visited the site.

Cheers

Andy Glencross

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

PLANNING
FCL
DC
ART
CS
COPIES TO:
FILE:

From: Joanne Ellis, Environmental Health

My Ref: JPE/aky/20001955

To: Nicola Lake, Planning

Your Ref: F/2000/2080

Date: 14 August, 2000

PROPOSED ERECTION OF BARN FOR AGRICULTURAL USE

LOCATION: WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM

These proposals have been evaluated and I have no environmental health objections to the application.

JOANNE ELLIS
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

HIGHWAYS CONSULTATION SHEET

From: Nicola Lake **Date:** 07 August 2000

Application Number: F/2000/2080

Proposal: Proposed erection of barn for agricultural use.

Parish: REMENHAM PARISH

Site Address:
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.

Applicant:
Mr Berggren C/O John Andrews Associates.

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).

NO HIGHWAYS COMMENTS.

Signed: _____ **Print name:** ADAM COSSINS

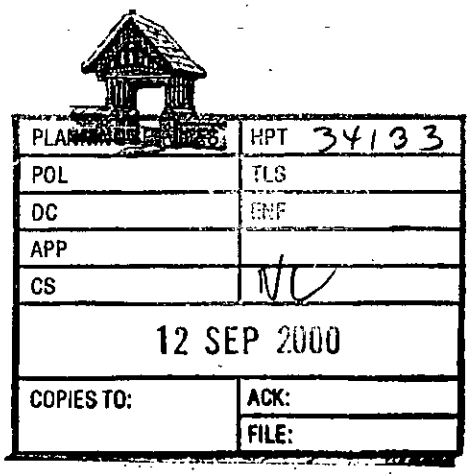
11/8/00

Remenham Parish Council

Please reply to:

Francis Burley
Parish Clerk
Stablehouse Barn
Remenham Hill
Henley on Thames
OXON RG9 3HN

☎ *01491 578859*
01491 578270
FrancisAB@aol.com



Development Control Dept
Wokingham District Council
Council Offices
Shute End
Wokingham
RG40 1BN

6 September, 2000

Dear Sirs,

This letter summarises the council's view on the following two recent applications:

Application F/2000/2151 Sherwins.
The Council support this application, the proposal would improve the look of the building, no neighbours are affected by the work, and the nearest resident is the applicant.

Woodlands House [Berggren's farm] Appl no F/2000/2080
This application is for an agricultural barn in field next to Wargrave Road.
The council were concerned at the size of the building in relation to the land, would prefer that the existing smaller sheds were demolished to improve the look of the area and insist strongly that the use of the building [if allowed] would only be for agricultural purposes.

Yours sincerely.

Francis Burley

Francis Burley
Parish Clerk

Our ref: SP\2000\002215\001
Your ref: F/2000/2080

Date: 5th September 2000

ENVIRONMENT AGENCY

PLANNING REF: 33979
POL
NL
COPIES TO: ACK: FILE:

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

Dear Sir/Madam

BARN FOR AGRICULTURAL USE –
WOODLANDS HOUSE, WARGRAVE RD, REMENHAM

Thank you for your letter dated 7 August 2000 which was received on 10 August 2000. You are asked to quote the following reference in any correspondence: SU78SE/13/10. The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposed development lies within an area of land liable to flood as shown on maps held by the Environment Agency. The development will be at direct risk of flooding, and will increase the risk of flooding elsewhere.

Development Control: Contact Tom Wong on 01276 45 4343

This site is within the 1947 floodplain of the River Thames. It is estimated that the flood water level at the site at that time was 32.88m metres above Ordnance Datum (Newlyn).

The site is, therefore, within an area where new development is to be strictly controlled. In this case the objection can be overcome by designing the proposed barn as a floodable structure. The plans shall be modified, so as to indicate and confirm that:-

1. the finished internal floor level is to be set at or below the existing ground level.

2. a gap of 150mm high under all doors to facilitate entry and egress of flood water and openings provided in walls at ground level sufficient in size and number to allow free entry and egress of flood water.

3. openings on all walls shall be from the existing ground level up to the 1947 flood water level. The openings shall be a minimum width of 1.0m and there shall be one opening in every 5.0m run of wall on all sides.

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

The Environment Agency would be able to remove the objection, provided the above requirements are met.

If you are minded to grant permission for the proposal despite the above, it is essential that you contact us before a determination is made.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: John Andrews Associates, 'The Lodge' 66 St Leonard's Road, Windsor, Berks SL4 3BY



John Andrews Associates
PLANNING & DEVELOPMENT CONSULTANCY

The Lodge, 66 St. Leonards Road,
Windsor, Berkshire, SL4 3BY.
Telephone: Windsor (0753) 831330
Facsimile: (0753) 859051

28. JUL. 2000★ 2080

With Compliments

A.F.C. *Agricultural and Environmental Consultants LTD*

28. JUL. 2000* 2080

NEW BUILDING(non livestock) APPRAISAL

FOR WOODLANDS HOUSE FARM

Wargrave road, Remenham, Berkshire

Mr. Per Berggren.

Report prepared by Nigel Church B.Sc.(Hons) Cbiol MiBiol

A.F.C Agricultural and Environmental Consultants LTD

Homestead Farmhouse,

Ripple,

Deal, Kent.

CT14 8JG

Telephone 01304 366729

FAX 01304 382145

1. INTRODUCTION

1.1 Instructions

A.F.C (Agricultural and Environmental Consultants LTD) have been instructed by John Andrews Associates and Mr. Per Berggren to prepare an independent New Building appraisal of the proposed new storage building at Woodlands House Farm, Wargrave Road, Remenham, Berkshire. This appraisal is provided in connection with a Planning application to Wokingham District Council for the building.

1.2 Qualifications and experience

I am Nigel Church Senior Consultant in A.F.C Agricultural and Environmental Consultants Limited). A.F.C. is an International Consulting firm consisting of a team of Agricultural and Environmental experts with many years experience in a wide range of land based industries. I was formally a Senior Consultant with ADAS Consulting and the Ministry of Agriculture Fisheries and food for 12 years. I hold a B.Sc. (Hons) degree in Animal Science from the University of London. I am a Chartered Biologist and an elected Member of the Institute of Biology for services rendered to agriculture. Whilst working both for ADAS and for the Ministry of Agriculture I specialized in animal welfare, animal housing and animal husbandry related issues. In addition I carried out many business appraisals and advised a variety of farm businesses .I have also spent the last 7 years studying the construction of livestock housing and environment (Ph.D. student at the University of Nottingham.)

As a Senior Consultant in A.F.C I am internationally responsible for welfare, husbandry and environmental issues related to livestock production. I have gained wide experience in a large number of farm and cattle businesses many involving both intensive and extensive livestock . I advise on a range of topics including production, marketing, husbandry, housing and litigation. Whilst at MAFF I advised Her Majesty's Government on Welfare issues relating to both intensive and free-range livestock and assisted the State Veterinary Service in the interpretation of welfare policy.

I have been assisted in the preparation of this report by Helen Comfort Head of the Environment team at A.F.C. Helen has a B.Sc.(Hons) Degree in Environmental Science from Wye College and has many years experience of farming and the environment. She is actively involved in the implementation of environmental policy at Woodlands House Farm.

1.3 Scope of the report.

Within the scope of this report I will briefly outline the use for the proposed farm building at Woodlands House Farm with reference to the storage of Hay for the cattle enterprise and for sale, for the safe storage of farm implements and substances covered by the Control of Substances Hazardous to Health regulations (COSHH Regulations). I will examine whether the new building is essential for agriculture and will consider any environmental factors relevant to the new building.

2. NEW BUILDING APPAISAL

2.1 The Farming business

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The applicants currently farm a total of around 60 acres. This is made up of around 25 to 30 acres of grass for grazing and hay production and about 30 acres of woodland, roads and parkland around the house. The pasture forms the active area of the farm and it is contained in one large block, which borders the main Wargrave Road. This land has its own entrance and is completely separate from the main house, which is on the other side of the woodland. The applicants have owned the land for many years. They have actively farmed it for most of that time and have in the past operated as agricultural contractors although this business has now ceased.

In addition to the proposed building the current buildings on site together with their uses are as follows.

Straw storage shed approximately 8 metres by metres by 4 metres. This is used for the storage of fodder and bedding straw for the cattle over the winter.

Range of stables. Approximately 20 metres by 4 metres. Used for the winter housing of horses and occasionally for the housing of calves.

Cattle and lambing shed. Approximately 17 metres by 4 metres. Used for the lambing of sheep, the occasional rearing of calves and the over wintering of the younger cattle during poor weather.

Livestock and cropping.

Woodlands House Farm is a traditional pasture and stock farm. No arable crops are grown but the woodland is managed. The livestock kept on the land are sheep and cattle as well as a herd of rare Longhorn Cattle. At any one time there may be 50 to 100 sheep and 50 cattle on the site. At the present time only the Longhorn cattle are the only agricultural livestock actually grazing the site as the grassland is being conserved for fodder. The farm has policy of under grazing during the early part of the year because the production of high quality hay for sale has been shown to be highly profitable. In previous years over 15 acres of hay has been produced and it is intended that this will further expand in the future. A proportion of the hay is retained for the feeding of the farms own livestock. The future hay production for sale is expected to exceed 2000 bales. In order to achieve the best price this will have to be stored inside, the new building is intended for this purpose

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The building is divided into three distinct areas. The central area, which is approximately 14 metres by 8 metres, is intended for the storage of high quality

hay although it could be suited to the storage of a wide range of bedding and fodder.

In addition to this central area there are two other areas: One area is intended for general storage of farm and forestry implements. The size of both the farm and the forestry on this holding does not justify the use of large machinery thus this area is more than adequate for the safe storage of the implements needed such as fertiliser spreaders a small tractor chain saws, saw benches and other general farm machinery. The type of machinery stored here would be that most likely to be subject to theft. Items such as harrows and rollers would not normally need this level of security.

The other area of the barn will be used for the safe storage of items such as fuel, some bagged fertiliser, workshop tools and a secure area for the safe storage of chemicals and medicines controlled under the COSHH regulations.

2.3 Agricultural justification.

As can be seen from 2.1 above, Woodlands House Farm is a medium sized traditional grass farm with a substantial block of woodland to manage. Whilst the farm still derives an acceptable income from its livestock enterprises like many traditional farms the unit is being forced to diversify it's farming activities. The grassland on the unit is very productive and good markets have been secured for the sale of hay. The premium price paid for this hay relies heavily upon its being stored until the price rises in the autumn and winter. There are currently no acceptable facilities on the unit for this. In the past hay has been stored on the unit outside. This has resulted in some years in the loss of over 50% of the crop through spoilage and in one-year total loss of the crop

because the whole stack was burnt down. In addition supply of hay in the quality market relies upon the product being kept dry so that mould spores are not allowed to form. It is therefore vital that the crop is put under cover immediately after harvesting so that it is not rained upon.

In addition to the storage of the hay a recent review of security and health and safety policy on the farm revealed a lack of secure storage for valuable farm and forestry machinery and tools and also inadequate safe storage facilities for substances covered by the COSHH regulations, as well as those regulations related to veterinary medicines.

All of the above points to a real and genuine need for this new building if the unit is to function on an economically sound and safe basis in the future.

2.4 Environmental factors.

The owners of Woodlands House Farm are well aware of their responsibilities to the environment and have retained A.F.C as their Environmental consultants to assist them in ensuring that protection of the environment is a priority. The potential environmental impact of the proposed development has been considered as part of the whole farm business.

From the environmental impact point of view the new building should produce no effluent or other environmental contaminants. It will provide for the safe storage of chemicals and other products, which might otherwise pollute the environment.

From a visual impact point of view the building has been designed to be the minimum size necessary for its essential purpose. The size of the building is entirely appropriate to the size of the holding and given the general character of the area together with its setting against the backdrop of woodland ,it was felt that a traditional building would be most appropriate.

3. CONCLUSION.

For the reasons outlined in section two above I conclude that it is reasonably necessary for the proper and safe functioning of the agricultural unit that Woodlands House Farm is able to construct a purpose storage facility on land adjacent to Wargrave Road for the storage of winter fodder produced from land owned by the farm and for the safe a secure storage of machinery, tools and chemicals. It is also my opinion that the proposed building will be suitable for the proposed use.



Nigel Church Bsc (Hons) Cbiol MiBiol
A.F.C.

May 2000

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

CERTIFICATE UNDER ARTICLE 7

28.JUL.2000* 2080

PLEASE COMPLETE EITHER CERTIFICATE A OR CERTIFICATE B OVERLEAF

Certificate A *(a)*

I certify that:

on the day 21 days before the date of the accompanying application/~~appeal~~* nobody, except the applicant/~~appellant~~*, was the owner *(b)* of any part of the land to which the application/~~appeal~~* relates.

Agricultural Holdings Certificate *(a)*

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C or D. 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/appeal* relates is, or is part of, an agricultural holding.~~

or

•* I have/The applicant has/The appellant has* given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served
NOT APPLICABLE		

Signed .....

*On behalf of MR. P. BERGGREN

Date 4 AUG 2000

*delete where inappropriate

(a) This Certificate is for use with applications and appeal for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C, or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.

(b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

ADDRESS [illegible] LODGE ADJ. DELPHIS COTTAGE SOUTHSIDE WHITE HILL

PARISH REMENHAM

PLOT No. OFF WARGRAVE ROAD

ORD. SHEET No. SU 4682 N.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
437/49.	Mr. J. Horlick	New Bathroom & drainage building c/kit & bedroom	12.10.49	APP APP
3R 8176.	Mr. J.A. Friend	dem. s/existing ext. &	28.3.78	APP N/A ~~N/A~~ ~~APP~~
08081	Mr. J.A. Friend	T crete 2/storey dem. s/s/wing building		
19334	"	"	6.5.83	N/A C/A
AR 21167	"	2/ST. EXT, CHIMNEY, GARAGE ER.	2.8.83	APP N/A
40468	"	RELAY. COND. 3 ON 19334 (REFRECTION OF GARAGE)	6.2.93	C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

ADDRESS WOODLANDS HOUSE SOUTHSIDE WHITE HILL

PARISH REMENHAM E

PLOT No.

ORD. SHEET No SU 7682 N°

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
PD/270/61	Mr. J. J. Horlick	Addition	15.6.61	APP PD
20298	MR + MRS. E. FREEMAN	STABLING FOR 5 HORSES	20.10.83	N/A C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

ADDRESS WOODLANDS HOUSE BUNGALOW & COTTAGE WHITE HILL SOUTH SIDE

PARISH REMENHAM

PLOT No.

ORD. SHEET No SU 7682 N°

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
437/49	Mr J. Horlick BUNGALOW & COTTAGE	New bathroom & drainage	12.10.49.	APP AP
441/57	" " BUNGALOW	Addition	11.6.57.	APP PD

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

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

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

FOR OFFICE USE ONLY

28.JUL.2000* 2380

1.	APPLICANT'S NAME	MR. P. BERGGREN
	ADDRESS	'WOODLANDS HOUSE FARM' WARGRAVE ROAD REMENHAM Nr. HENLEY-ON-THAMES OXON
	POST CODE	RG9 2LT PHONE -
If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	JOHN ANDREWS ASSOCIATES
	ADDRESS	'THE LODGE' 66 ST LEONARD'S ROAD WINDSOR BERKSHIRE
	POST CODE	SL4 3BY PHONE 01753. 831330
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	'WOODLANDS HOUSE FARM' WARGRAVE ROAD REMENHAM
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		ERECTION OF BARN SEE NEW BUILDING APPRAISAL
5. Give the area in hectares or part of a hectare	AREA OF SITE	24.30 HECTARES (60 ACRES)
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	DRAWING NOS. 00/WHF/1, 2 & 3

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?

Tick the boxes(x)

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

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

OUTLINE PERMISSION	☐	See question 10
FULL PERMISSION	☑	
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10
TEMPORARY PERMISSION	☐	State period required
RELAXATION OF CONDITIONS	☐	State relevant application number 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 ? N/A

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

1769b

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.

AGRICULTURAL

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~~

NONE TO BE FELLED

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.

CLAY TILES

TIMBER CLADDING TO LPA'S APPROVAL

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.

AS EXISTING

16. HOW WILL SURFACE WATER BE DISPOSED OF?

TO SOAKAWAYS

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details: NOT APPLICABLE

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

EXISTING VEHICULAR DRIVE TO WARGRAVE ROAD
NO CHANGES PROPOSED

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

NOT APPLICABLE

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	— / —	— / —	— / —

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?

YES/~~NO~~

* STATE No. OF HABITABLE ROOMS

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.

£35.00

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 MR P. BERGGREN DATE 4/4/2000

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

1769c

PLANNING APPLICATION

PART 2

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

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

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS	–	–	–	–
A2	FINANCIAL AND PROFESSIONAL SERVICES	–	–	–	–
A3	FOOD AND DRINK	–	–	–	–
B1(a)	OFFICE (other than A2)	–	–	–	–
B1 (b)	RESEARCH AND DEVELOPMENT	–	–	–	–
B1 (c)	LIGHT INDUSTRIAL	–	–	–	–
B2	GENERAL INDUSTRIAL	–	–	–	–
B3-7	SPECIAL INDUSTRIAL	–	–	–	–
B8	STORAGE OR DISTRIBUTION	–	–	–	–
C1	HOTELS AND HOSTELS	–	–	–	–
C2	RESIDENTIAL INSTITUTIONS	–	–	–	–
D1	NON-RESIDENTIAL INSTITUTIONS	–	–	–	–
D2	ASSEMBLY AND LEISURE	–	–	–	–
OTHER	Please Specify AGRICULTURE	180	–	198	–
OTHER	Please Specify –	–	–	–	–
	TOTAL	180	–	198	–

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES: NOT APPLICABLE

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	2	2
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.
AGRICULTURE

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier.
b) Will these premises be vacated?
TO BE USED BY 'WOODLANDS HOUSE FARM': APPLICANTS
NO

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
2	0	0	2

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.
NO

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

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

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

WHAT ELSE MAY YOU HAVE TO DO ?

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

Special forms are available for these types of applications.

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

WHAT HAPPENS TO THE APPLICATION ?

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

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

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

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

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

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

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

HOW LONG WILL IT TAKE ?

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

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

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

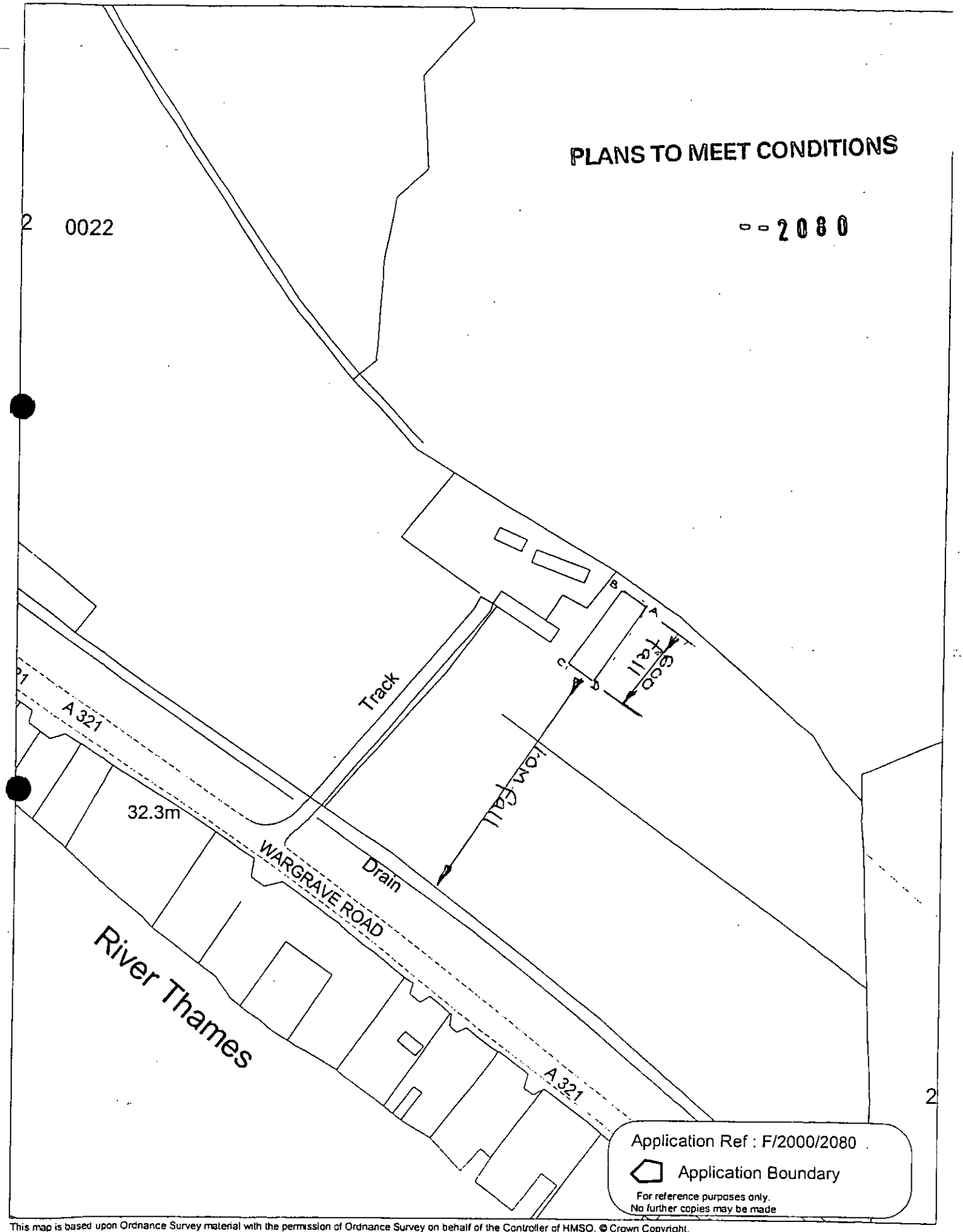
Your application may be refused. The reason will be listed on the Decision Notice.

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

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

DATA PROTECTION ACT 1984

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



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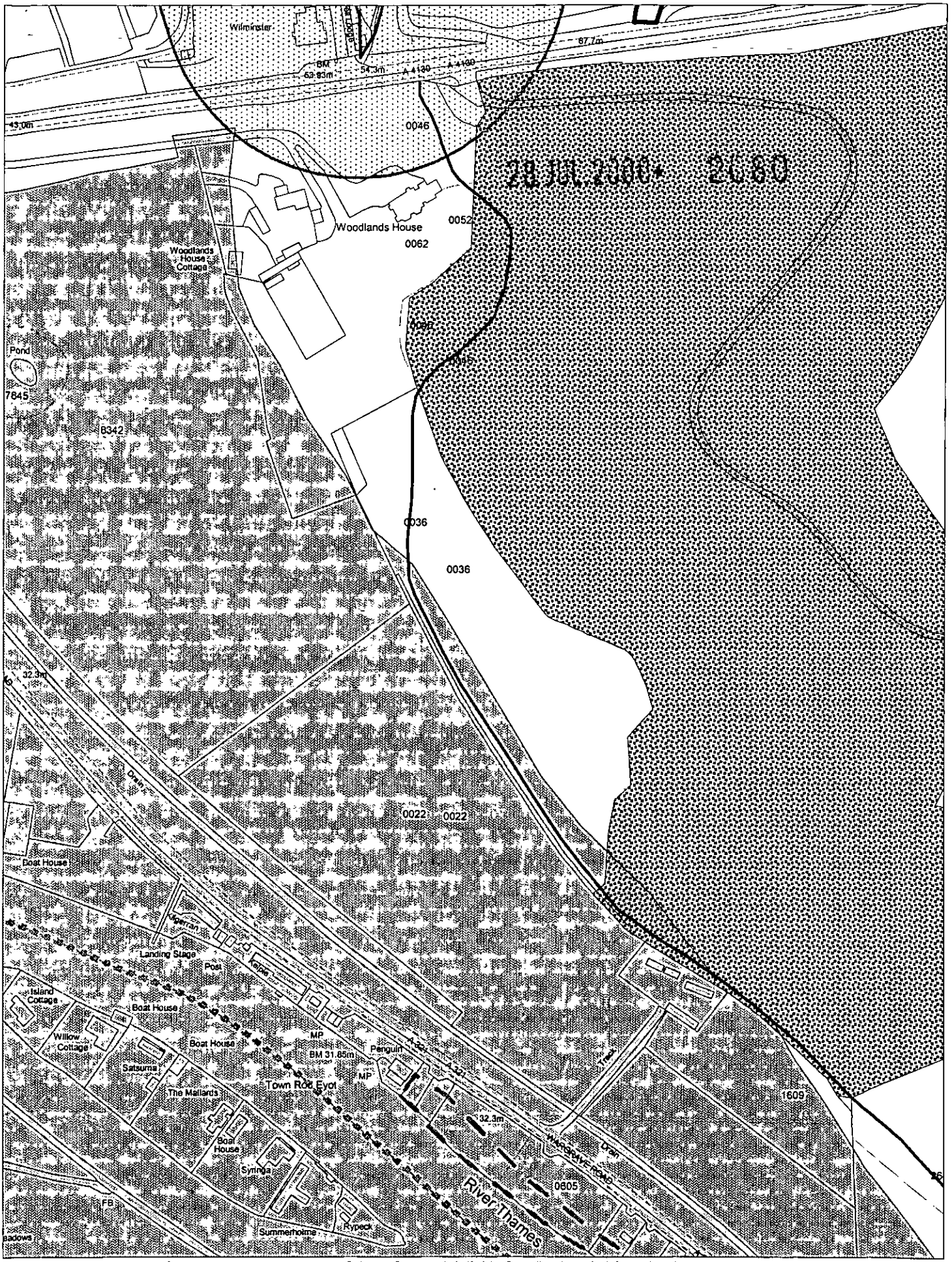
Development Control Section, Environmental Services, Wokingham District Council.

29 August 2001

Scale: 1 : 1250



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Development Control Section, Environmental Services, Wokingham District Council.

2 August 2000

Scale: 1 : 2500

N W E S

SOUTHPORT U.K
LONDON OFFICE
X SYSTEMS LTD

APPLICATION NO.2080

Name of appellant:
Mr Berggren

Site address:
Woodlands House Farm, Wargrave Rd

Proposal:Proposed erection of barn for agricultural use

Case Officer:NL

Appeal Decision

Site visit made on 5 November 2001

by R E Hurley CEng MICE MIHT

an Inspector appointed by the Secretary of State for Transport, Local Government and the Regions

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
15 NOV 2001

Appeal Ref: APP/X0360/A/01/1070364
Woodlands House Farm, Wargrave Road, Remenham

- 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 Mr P Berggren against the decision of Wokingham District Council.
- The application ref. F/2000/2080, dated 5 June 2000, was refused by notice dated 29 January 2001.
- The development proposed is erection of barn.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Main Issues

1. I consider the main issues in this appeal to be the effects of the proposal on: (i), the open character of the Green Belt and (ii), the risks of flooding in the surrounding area.

Planning Policy

2. The site is situated in the Green Belt and the flood plain of the River Thames. Policy C4 of the Berkshire Structure Plan, adopted November 1995, expresses a presumption against inappropriate development in the Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open. Policy EN3 indicates that development should not be located in areas liable to flood if it would be likely to: (i) inhibit the capacity of the flood plain to store flood water; or (ii) impede the flow of flood water; or (iii) increase the risks to life or property arising from flooding.

3. Policy 1 of the Green Belt Local Plan for Berkshire, adopted April 1985, indicates that planning permission will not be given, save in very special circumstances, for a new building in the Green Belt other than for a list of uses set out in the policy. Policy 12 indicates that the erection of farm buildings will normally be permitted provided that: (A), their design, siting, materials and appearance in the landscape are appropriate to a countryside setting and would not prejudice the open or countryside character of the Green Belt; (B), they do not contribute to the overdevelopment of the agricultural unit on which they are situated; and, (C), there is a proven agricultural need for the building.

4. The Inspector's Report into objections to the Wokingham District Local Plan is expected late in 2001. Policy WOS3 of the emerging Local Plan sets out the Council's development control principles. Policies WGB1 and WIC16 reflect Structure Plan Policies C4 and EN3 respectively.

5. The proposed barn, about 24.1m x 8.2m x 7.5m high, would be situated within a large field, near some woodland, that forms part of substantial area of open countryside. It would stand near a small group of single storey timber buildings, which are served by a long unmade track that connects to the A321, Wargrave Road. The barn would have timber horizontal weatherboarding walls with a clay tiled, hipped, roof. Its appearance would be similar to many barns located in open countryside. The Agricultural Report shows that the barn would have three main uses. The storage of hay for cattle and sale as well as the secure storage of farm implements and hazardous substances.

First Main Issue

6. The proposed development, the erection of a building for agricultural purposes, is one of the exceptions set out in Structure Plan Policy C4, Policy 1 of the Green Belt Local Plan for Berkshire, Policy WGB1 of the emerging Local Plan and paragraph 3.4 of Planning Policy Guidance Note 2. The proposal would be an appropriate form of development in the Green Belt. Even so, I must consider its effects on the open character of this part of the Green Belt and the purposes of the Green Belt.

7. The barn would not be visually prominent from the A321, Wargrave Road, having regard to the distances it would stand from that road and the degree of screening by the mature trees and hedge growing on the site boundary with the A321. It would be glimpsed through the hedge when it is not in leaf and the gap in the hedge through which the track to the existing buildings runs. Whilst the barn is a high building, this would be necessary in order to store the hay and large pieces of agricultural machinery. I find that the proposed barn would be seen as an agricultural building in the countryside that would not cause undue harm to the rural character and appearance of the area. Its reduction of the openness of this part of the Green Belt would be minimal. As the Agricultural Appraisal indicates it would help to retain the surrounding land in agricultural and related uses, one of the objectives for the use of Green Belt land set out in paragraph 1.6 of Planning Policy Guidance Note 2. It would not be contrary to any of the purposes of including land in the Green Belt.

Second Main Issue

8. In their letter, dated 5 September 2000, the Environment Agency indicated to the Council, that their objection could be overcome by designing the proposed barn as a floodable structure. The Appellant has confirmed that he is prepared to modify the construction of the barn to reflect the Agency's requirements. This could be covered by conditions.

9. Even if the building were designed to be floodable, in accordance with the Environment Agency's requirements, the Council make the following objections to the proposal. The storage of bales of hay and straw inside the building would prevent the flood water from entering and leaving the barn freely. The hay and straw would not be protected from rain and damp. Some of the larger pieces of equipment would stand in the flood water, where they would reduce the storage capacity of the flood plain and be liable to damage. If the hazardous substances were not stored in sealed airtight containers, they could be released into the flowing flood waters and lead to the contamination of a wide area of land.

10. There is a risk that hay, straw and larger pieces of equipment stored in the building would reduce the capacity of the flood plain to store flood water or impede the flow of flood water. However, I consider that the flood measures recommended by the Environment Agency would reduce these risks to an acceptable level. It is highly unlikely that the barn would

materially increase the risks to life or property in the surrounding area liable to flooding. The damage to the hay, straw and the equipment by flood waters would be likely to be significantly less than that caused by leaving them outside. They would also be more secure in the bard. It seems to me that hazardous substances could be stored on shelves or in positions above the level of flood waters as well as being stored in sealed airtight containers. Whilst I note the Council's concerns about the effects of the proposal on flooding I do not consider that they are sufficient to warrant withholding planning permission in this case.

Conditions

11. The Council has suggested three conditions. Nos. 2 and 3 are necessary for the reasons given previously.

Conclusions

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

13. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a barn at Woodlands House Farm, Wargrave Road, Remenham in accordance with the terms of the application ref. F/2000/2080, dated 5 June 2000, and the plans submitted therewith, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    2) No development shall take place until details of the slab level of the proposed barn and the existing ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    3) No development shall take place until details of a scheme to enable the entry and egress of flood waters from the barn, hereby approved, have been submitted to and approved in writing by the local planning authority. The barn shall not be brought into use until the building has been completed entirely in accordance with the approved scheme. All openings in the walls and openings under doors shall thereafter be retained and kept clear of obstructions at all times.

Information

14. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

15. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

16. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted

conditionally or if the authority fails to give notice of its decision within the prescribed period.

17. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

Roy Hurley

Inspector

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

PLANNING SERVICES HPT 49930
POL
CS DA
16 NOV 2001
COPIES TO

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2080

Our Ref: APP/X0360/A/01/1070364

Date: 15 November 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR P BERGGREN
SITE AT WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM, HENLEY-ON-THAMES

I enclose a copy of our Inspector's decision on the above appeal.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mrs Margaret Pocock

COVERDL1

(NL)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Berggren
C/O John Andrews Associates
The Lodge
66 St Leonard's Road
Windsor
Berkshire
SL4 3BY

Application Number: F/2000/2080

Parish: **REMENHAM**

Location: **Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.**

Proposal: **Proposed erection of barn for agricultural use.**

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.

Reason
1. The proposed development by reason of its size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, to policies 1 and 12 of the Green Belt Local Plan for Berkshire and to policies WOS3 and WGB1 of the Wokingham District Local Plan.

Reason
2. The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The development would be at direct risk of flooding, and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to policy EN3 of the Berkshire Structure Plan and to policy WIC16 of the Wokingham District Local Plan.

Informative

1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policies C4 and EN3.

Green Belt Local Plan Policies 1 and 12.

Deposit Draft Wokingham District Local Plan Policies WOS3, WGB1 and WIC16.

John Mitchell
Development Control Manager
Date: 29/01/2001

Notice checked by: _____

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

DOCUMENT 2

A.F.C. *Agricultural and Environmental Consultants LTD*

NEW BUILDING(non livestock) APPRAISAL

FOR WOODLANDS HOUSE FARM

Wargrave road, Remenham, Berkshire

Mr. Per Berggren.

Report prepared by Nigel Church B.Sc.(Hons) Cbiol MiBiol

A.F.C Agricultural and Environmental Consultants LTD

Homestead Farmhouse,

Ripple,

Deal, Kent.

CT14 8JG

Telephone 01304 366729

FAX 01304 382145

1. INTRODUCTION

1.1 Instructions

A.F.C (Agricultural and Environmental Consultants LTD) have been instructed by John Andrews Associates and Mr. Per Berggren to prepare an independent New Building appraisal of the proposed new storage building at Woodlands House Farm, Wargrave Road, Remenham, Berkshire. This appraisal is provided in connection with a Planning application to Wokingham District Council for the building.

1.2 Qualifications and experience

I am Nigel Church Senior Consultant in A.F.C Agricultural and Environmental Consultants Limited). A.F.C. is an International Consulting firm consisting of a team of Agricultural and Environmental experts with many years experience in a wide range of land based industries. I was formally a Senior Consultant with ADAS Consulting and the Ministry of Agriculture Fisheries and food for 12 years. I hold a B.Sc. (Hons) degree in Animal Science from the University of London. I am a Chartered Biologist and an elected Member of the Institute of Biology for services rendered to agriculture. Whilst working both for ADAS and for the Ministry of Agriculture I specialized in animal welfare, animal housing and animal husbandry related issues. In addition I carried out many business appraisals and advised a variety of farm businesses .I have also spent the last 7 years studying the construction of livestock housing and environment (Ph.D. student at the University of Nottingham.)

As a Senior Consultant in A.F.C I am internationally responsible for welfare, husbandry and environmental issues related to livestock production. I have gained wide experience in a large number of farm and cattle businesses many involving both intensive and extensive livestock . I advise on a range of topics including production, marketing, husbandry, housing and litigation. Whilst at MAFF I advised Her Majesty's Government on Welfare issues relating to both intensive and free-range livestock and assisted the State Veterinary Service in the interpretation of welfare policy.

I have been assisted in the preparation of this report by Helen Comfort Head of the Environment team at A.F.C. Helen has a B.Sc.(Hons) Degree in Environmental Science from Wye College and has many years experience of farming and the environment. She is actively involved in the implementation of environmental policy at Woodlands House Farm.

1.3 Scope of the report.

Within the scope of this report I will briefly outline the use for the proposed farm building at Woodlands House Farm with reference to the storage of Hay for the cattle enterprise and for sale, for the safe storage of farm implements and substances covered by the Control of Substances Hazardous to Health regulations (COSHH Regulations). I will examine whether the new building is essential for agriculture and will consider any environmental factors relevant to the new building.

2. NEW BUILDING APPAISAL

2.1 The Farming business

Land and buildings

The applicants currently farm a total of around 60 acres. This is made up of around 25 to 30 acres of grass for grazing and hay production and about 30 acres of woodland, roads and parkland around the house. The pasture forms the active area of the farm and it is contained in one large block, which borders the main Wargrave Road. This land has its own entrance and is completely separate from the main house, which is on the other side of the woodland. The applicants have owned the land for many years. They have actively farmed it for most of that time and have in the past operated as agricultural contractors although this business has now ceased.

In addition to the proposed building the current buildings on site together with their uses are as follows.

Straw storage shed approximately 8 metres by metres by 4 metres. This is used for the storage of fodder and bedding straw for the cattle over the winter.

Range of stables. Approximately 20 metres by 4 metres. Used for the winter housing of horses and occasionally for the housing of calves.

Cattle and lambing shed. Approximately 17 metres by 4 metres. Used for the lambing of sheep, the occasional rearing of calves and the over wintering of the younger cattle during poor weather.

Livestock and cropping.

Woodlands House Farm is a traditional pasture and stock farm. No arable crops are grown but the woodland is managed. The livestock kept on the land are sheep and cattle as well as a herd of rare Longhorn Cattle. At any one time there may be 50 to 100 sheep and 50 cattle on the site. At the present time only the Longhorn cattle are the only agricultural livestock actually grazing the site as the grassland is being conserved for fodder. The farm has policy of under grazing during the early part of the year because the production of high quality hay for sale has been shown to be highly profitable. In previous years over 15 acres of hay has been produced and it is intended that this will further expand in the future. A proportion of the hay is retained for the feeding of the farms own livestock. The future hay production for sale is expected to exceed 2000 bales. In order to achieve the best price this will have to be stored inside, the new building is intended for this purpose

2.2 The New Building.

The proposed building is designed in the traditional style with plans attached at appendix 1. AFC have been extensively consulted on the design of the building with reference not only to its proposed use but also to its environmental impact.

The building is very modest and thoroughly in keeping with the size of the holding

It is 24.10 metres long by 8.23 metres wide. It is timber clad with a tiled roof.

The building is divided into three distinct areas. The central area, which is approximately 14 metres by 8 metres, is intended for the storage of high quality

hay although it could be suited to the storage of a wide range of bedding and fodder.

In addition to this central area there are two other areas: One area is intended for general storage of farm and forestry implements. The size of both the farm and the forestry on this holding does not justify the use of large machinery thus this area is more than adequate for the safe storage of the implements needed such as fertiliser spreaders a small tractor chain saws, saw benches and other general farm machinery. The type of machinery stored here would be that most likely to be subject to theft. Items such as harrows and rollers would not normally need this level of security.

The other area of the barn will be used for the safe storage of items such as fuel, some bagged fertiliser, workshop tools and a secure area for the safe storage of chemicals and medicines controlled under the COSHH regulations.

2.3 Agricultural justification.

As can be seen from 2.1 above, Woodlands House Farm is a medium sized traditional grass farm with a substantial block of woodland to manage. Whilst the farm still derives an acceptable income from its livestock enterprises like many traditional farms the unit is being forced to diversify it's farming activities. The grassland on the unit is very productive and good markets have been secured for the sale of hay. The premium price paid for this hay relies heavily upon its being stored until the price rises in the autumn and winter. There are currently no acceptable facilities on the unit for this. In the past hay has been stored on the unit outside. This has resulted in some years in the loss of over 50% of the crop through spoilage and in one-year total loss of the crop

because the whole stack was burnt down. In addition supply of hay in the quality market relies upon the product being kept dry so that mould spores are not allowed to form. It is therefore vital that the crop is put under cover immediately after harvesting so that it is not rained upon.

In addition to the storage of the hay a recent review of security and health and safety policy on the farm revealed a lack of secure storage for valuable farm and forestry machinery and tools and also inadequate safe storage facilities for substances covered by the COSHH regulations, as well as those regulations related to veterinary medicines.

All of the above points to a real and genuine need for this new building if the unit is to function on an economically sound and safe basis in the future.

2.4 Environmental factors.

The owners of Woodlands House Farm are well aware of their responsibilities to the environment and have retained A.F.C as their Environmental consultants to assist them in ensuring that protection of the environment is a priority. The potential environmental impact of the proposed development has been considered as part of the whole farm business.

From the environmental impact point of view the new building should produce no effluent or other environmental contaminants. It will provide for the safe storage of chemicals and other products, which might otherwise pollute the environment.

From a visual impact point of view the building has been designed to be the minimum size necessary for its essential purpose. The size of the building is entirely appropriate to the size of the holding and given the general character of the area together with its setting against the backdrop of woodland ,it was felt that a traditional building would be most appropriate.

3. CONCLUSION.

For the reasons outlined in section two above I conclude that it is reasonably necessary for the proper and safe functioning of the agricultural unit that Woodlands House Farm is able to construct a purpose storage facility on land adjacent to Wargrave Road for the storage of winter fodder produced from land owned by the farm and for the safe a secure storage of machinery, tools and chemicals. It is also my opinion that the proposed building will be suitable for the proposed use.

Nigel Church Bsc (Hons) Cbiol MiBiol
A.F.C.

May 2000

RELATED CORRESPONDENCE

John Andrews Associates
TOWN PLANNING & DEVELOPMENT CONSULTANCY

The Lodge, 66 St. Leonards Road,
Windsor, Berkshire, SL4 3BY
Telephone: Windsor (01753) 831330
Facsimile: (01753) 859051

JOHN A. ANDREWS Dip. T.P., M.R.T.P.I., M.I. Mgt

Your ref: F/2000/2080

12 September 2000

District Planning Officer,
Wokingham District Council,
Council Offices,
Shute End,
PO Box 157,
Wokingham,
Berks, RG40 1WR

For the attention of Nicola Lake,

Dear Sir,

Proposed Agricultural Barn,
Woodlands House Farm,
Wargrave Road, Remenham,
Henley-on-Thames, Oxon.

Further to the letter dated 5 September 2000 received from the Environment Agency and my subsequent telephone discussion with Nicola Lake, I confirm that my client is willing to overcome the flooding objection by designing the proposed barn as a floodable structure.

The finished internal floor level is already designed to be set at existing ground level.

A gap of 150mm high will be provided under all doors and openings provided in walls at ground level sufficient in size and number to allow free entry and egress of flood water.

A condition on the planning permission requiring the submission of details relating to the above matters for the approval of the Council in writing is acceptable to the applicant.

Should you require any additional information please contact me for assistance.

Yours faithfully,

JOHN ANDREWS
JOHN ANDREWS ASSOCIATES

John Andrews Associates
TOWN PLANNING & DEVELOPMENT CONSULTANCY

The Lodge, 66 St. Leonards Road,
Windsor, Berkshire, SL4 3BY
Telephone: Windsor (01753) 831330
Facsimile: (01753) 859051

JOHN A. ANDREWS *Dip. T.P., M.R.T.P.I., M.I. Mgt*

COPY

Your ref: F/2000/2080

22 March 2001

District Planning Officer,
Wokingham District Council,
Council Offices,
Shute End,
PO Box 157,
Wokingham,
Berks, RG40 1WR

Dear Sir,

Town & Country Planning Act 1990 (As Amended)
Proposed Agricultural Barn,
Woodlands House Farm,
Wargrave Road,
Remenham,
Henley-on-Thames, Oxon.

Further to my previous correspondence with your department and my recent visit to your offices I am writing to enquire when my client's application is likely to be determined as the need for the barn is urgent.

Yours faithfully,

JOHN ANDREWS
JOHN ANDREWS ASSOCIATES.

John Andrews Associates
TOWN PLANNING & DEVELOPMENT CONSULTANCY

COPY

The Lodge, 66 St. Leonards Road,
Windsor, Berkshire, SL4 3BY
Telephone: Windsor (01753) 831330
Facsimile: (01753) 859051

JOHN A. ANDREWS *Dip.* T.P., M.R.T.P.I., M.I. *Mgt*

Your ref: F/2000/2080

9 May 2001

District Planning Officer,
Wokingham District Council,
Council Offices,
Shute End,
PO Box 157,
Wokingham,
Berks, RG40 1WR

Dear Sir,

Town & Country Planning Act 1990 (As Amended)
Proposed Agricultural Barn,
Woodlands House Farm,
Wargrave Road,
Remenham,
Henley-on-Thames, Oxon.

I refer to my letter dated 22 March 2001 and write further to enquire about the progress of my client's application.

Yours faithfully,

JOHN ANDREWS
JOHN ANDREWS ASSOCIATES

Enc

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

COPIES TO:
FILE

From: Joanne Ellis, Environmental Health

My Ref: JPE/aky/20001955

To: Nicola Lake, Planning

Your Ref: F/2000/2080

Date: 14 August, 2000

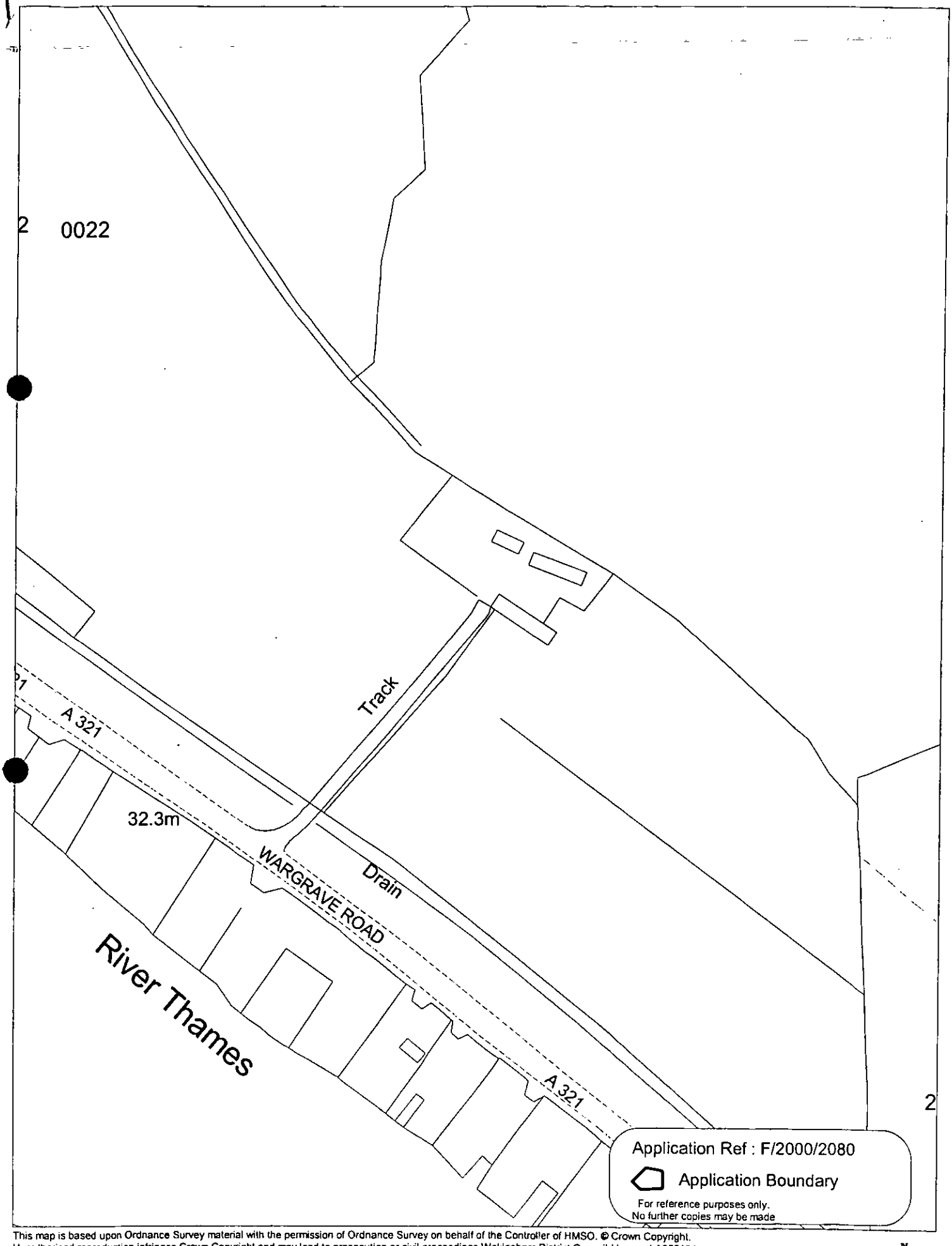
PROPOSED ERECTION OF BARN FOR AGRICULTURAL USE

LOCATION: WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM

These proposals have been evaluated and I have no environmental health objections to the application.

JOANNE ELLIS
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

APPENDIX 1



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Development Control Section, Environmental Services, Wokingham District Council.

29 August 2001 Scale: 1 : 1250

N W E S



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Development Control Section, Environmental Services, Wokingham District Council.

29 August 2001 Scale: 1 : 2500

N W E S

APPENDIX 2



BERKSHIRE STRUCTURE PLAN 1991 - 2006

Incorporating Alterations adopted August 1997





Babtie

Public Services Division

- *where possible, avoid taking the best and most versatile farmland (Policy C10);*

- *take account of environmental constraints referred to in Policies EN2 - EN10 and the Colne Valley Regional Park Strategy;*

- *seek an appropriate provision of low cost housing of various tenures to meet local housing needs (Policy H7) and a range of residential densities, dwelling types and sizes related to local needs (Policy H9);*

- *be satisfied that infrastructure, services and amenities made necessary by proposed development are provided or will be provided at the appropriate time (Policy LD6).*

Development in the Green Belt

5.20 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements to meet proven local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.21 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.22 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.23 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.24 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.25 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

Countryside

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.

Reducing the Risk of Flooding

Policy EN3 **Development should not be located in areas liable to flood if it would be likely to:**

(i) inhibit the capacity of the flood plain to store flood water; or

(ii) impede the flow of flood water; or

(iii) increase the risks to life or property arising from flooding.

In addition, proposals which would increase flood risk elsewhere as a result of additional surface water run-off will be resisted unless adequate surface water balancing facilities are provided.

6.8 Areas liable to flood include those which have at any time been affected by flooding, or which form part of a river flood plain. At sites suspected of being at risk of flooding but for which precise recent flood risk information is unavailable, a technical assessment of the flood risk may be required to demonstrate compliance with the requirements of this policy. Policy EN3 covers intensification of existing development and the raising of land.

PROTECTING PARTICULAR ENVIRONMENTAL INTERESTS

6.9 The protection of special landscapes and the rural landscape at large is dealt with in Chapter 5. Other policies for protection and enhancement of specific environmental interests are set out below.

Buildings of Special Character and Interest

6.10 Legislation provides for the protection of statutorily listed historic buildings from demolition or unnecessary or over-radical change. Other buildings of local importance may also warrant retention as part of development schemes. There is a need to ensure that subject to other policies in this Plan, historic buildings can have a use which justifies or funds their upkeep.

Development Proposals Related to Buildings of Special Character and Interest

Policy EN4 **Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair.**

APPENDIX 3

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire

April 1985

ISBN 0 903321 94 7

6 Introduction To The Development Control Policies

6.1 Basic Policies

6.1.1 Section 2.2 of this Local Plan explained the background to the operation of Green Belt policy in Berkshire: the policy is intended to be highly restrictive, to safeguard the open or rural character of the area surrounding the Greater London conurbation. **There is therefore a clear and strong presumption against any new development unless special reasons can be demonstrated why planning permission should be granted.** The general principle governing all development control operations in the Green Belt will therefore be that the planning authorities will operate strict policies to resist all development other than:

a development which will in no way harm the open, rural or countryside character of the area; or

b other development which is essential to the functioning of this area as a tract of ordinary countryside; or

c development of a type which must, of necessity, take place or be located in the area designated as Green Belt and of a type for which there is an undisputed public need.

6.1.2 The remainder of this Local Plan explains the practical implications of this principle as it will be applied to different types of development. A first refinement of it is the 'Acceptable Uses' policy of the approved Structure Plans, which translates it into a general statement of the types of development which will, and which will not, be acceptable in principle in the Green Belt. This Structure Plan policy acts as the starting point for all the discussion of the details of development control policy in the Green Belt, and so it is repeated here as a formal policy of this Local Plan, with a rider explaining its relationship to the remaining policies of this Plan:

Policy 1 WITHIN THE AREA OF THE METROPOLITAN GREEN BELT IN BERKSHIRE, APPROVAL WILL NOT BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR NEW BUILDING OR FOR THE CHANGE OF USE OF LAND OR OF EXISTING BUILDINGS FOR ANY PURPOSE OTHER THAN THE FOLLOWING:

A RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING WITHIN SETTLEMENTS;

B DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

C MINERAL EXTRACTION;

D APPROPRIATE KINDS OF RECREATION;

E PUBLIC UTILITIES WHICH CANNOT BE LOCATED ELSEWHERE;

F ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

STRINGENT ENVIRONMENTAL CRITERIA WILL BE APPLIED IN JUDGING WHETHER THE APPEARANCE AND SITING OF SUCH PROPOSALS ARE ACCEPTABLE.

DETAILED INTERPRETATION OF THIS POLICY WILL BE BY MEANS OF POLICIES 2 TO 23 OF THIS LOCAL PLAN.

6.2 Appropriate and Acceptable Uses

6.2.1 This list set out in Policy 1 is referred to as the list of 'acceptable uses', but within it a broad distinction may be made between those uses which are both acceptable in and appropriate to the Green Belt - uses which will not in principle detract from the open, rural or countryside character of the Green Belt; and uses which are no more than acceptable - uses which are allowed only as exceptions to the broad principle of keeping the land open or rural in character, because they must of necessity be located in the area designated as Green Belt and for which there is an undisputed public need. Thus in Policy 1, developments in categories A, B, D and F are 'acceptable and appropriate' Green Belt uses, whilst those in categories C and E are merely 'acceptable'. This distinction between uses which are 'acceptable and appropriate' and those which are merely 'acceptable' is reflected in the more detailed policies of this Local Plan, policies generally being worded positively or negatively in accordance with whether the particular type of development under consideration is broadly 'appropriate' or only 'acceptable'.

6.3 Other Considerations

6.3.1 Green Belt principles are not the only issues relevant to the determination of planning applications on sites in the Green Belt. The penultimate sentence of Policy 1 above, quoting the approved Structure Plans, already indicates that the appearance and siting of proposed development in the Green Belt will be judged very stringently, the aim being to maintain or enhance the character of the Green Belt area.The approved Structure Plans, and other documents of more local detailed application, also contain many other policies which restrict or encourage development for one reason or another: for example, they may restrict development because the site concerned is of archaeological importance, or important to the setting of a listed building; or they may encourage it because, for example, such development would enhance the appearance of an area of important townscape[1]. Accordingly **the planning authorities concerned in the determination of any individual planning application in the Green Belt must have regard not only to the policies of this Local Plan, but additionally to all other relevant planning considerations.** Every planning application will stand or fall on all its merits, and it will thus be for the planning authority concerned (normally the District Council[2]) to evaluate each proposal in the light of all the considerations - Green Belt issues and others - which appear to them to be relevant. This said, it must however be noted that as explained in paragraph 2.2.3 the successful implementation of Green Belt policy depends on consistently applying the severest restrictions on development.

6.3.2 The broad principle which the planning authorities will normally follow, therefore, will be that if Green Belt policies indicate that a particular planning application should be refused, those policies will prevail; if on the other hand Green Belt policies suggest that an application is permissible, it will nevertheless be subject to scrutiny against all other planning considerations, and only if it is also satisfactory in terms of these other considerations will planning permission be granted.

6.4 The Presentation of Chapters 7 - 16

6.4.1 The contents of the succeeding chapters of Part 3 of this Local Plan are structured in accordance with the list of acceptable uses set out in Policy 1. More detailed policies are set down for each type of acceptable use, and indications are given of the 'very special circumstances' which must be demonstrated before additional types of development not covered by the 'Acceptable Uses' policy may be permitted. Each policy is given a reasoned justification in Green Belt terms, and following this reasoned

---

1 See Structure Plan policies En 15 (EBSP)/En 16 (CBSP) on archaeology, En 14/15 on listed buildings, and En 13/14 on townscape. It is emphasised that these are only examples of the many Structure Plan policies which are taken into account in the determination of individual planning applications.

2 The County Council is the planning authority responsible for determining applications for mineral extraction and some associated uses, and applications for waste disposal.

justification some notes are given on the way in which the policy will normally be implemented. These implemen-tation notes explain the policy as it has been generally interpreted in the past by the planning authorities, and as it will be generally interpreted in the future, and are for the general guidance of the planning authorities and of planning applicants. They do not, however, form part of the formal policies of this Local Plan (which are printed in upper case), and the precise emphasis to be laid on the interpretations given in them will be a matter to be decided by the planning authority or authorities concerned in each individual case.

6.4.2 Nothing in the policies set out in the succeeding chapters affects the validity of any existing planning permissions for development which might appear to conflict with those policies. The existence of the policies will however be a material consideration to be taken into account by the planning authorities if any such permission should come forward for renewal.

9.2.5 The planning authorities will strongly resist proposals for replacement farm dwellings in cases in which the agricultural need has arisen through the recent disposal of a dwelling situated on or in the control of the farm concerned. Only if the sold-off dwelling was unquestionably incapable, by reason of its location, of meeting the essential purpose for which the new dwelling is sought might such a proposal be viewed favourably by the planning authorities.

9.2.6 Although the Structure Plans seek generally to oppose the fragmentation of farm holdings, the fact that an existing farm unit is being fragmented will not invariably be grounds for resisting agricultural development on a newly-created farm holding; for, as it is not itself development requiring planning permission, the fragmentation could take place whether or not planning permission is granted for the other development proposed. But the planning authorities will require to be satisfied that a genuine attempt will be made to farm the new holding before they will be prepared to consider allowing any development upon it. In particular, as indicated in paragraph 8.2.5, permanent dwellings will not be permitted on new agricultural holdings whose longer-term viability is unproven. In such a case, the planning authorities may consider granting a temporary permission for a temporary dwelling if there is evidence of the good faith of the applicant as to his intentions for the site: for example, evidence of investment in well-designed and well-sited farm buildings, or of some agricultural background or training on the part of the applicant. A mere statement by the applicant of good intentions will generally be insufficient to meet this requirement.

9.2.7 Where planning permission is granted for an agricultural dwelling, it will be subject to a condition ensuring that its occupation is restricted to a person employed locally in agriculture. The following form of words is recommended for this condition, although it may be necessary to vary the wording slightly on occasions to meet the needs of a particular case:

> "The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed prior to retirement, in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (together with any dependents of such a person residing with him), or a widow or widower of such a person residing with such a person at the time of his or her death."

9.2.8 Applications for removal of this condition will only be allowed if the planning authority is satisfied both:

a that the agricultural need advanced for the dwelling at the time of the original permission no longer applies ('need' being defined as in paragraph 9.2.2); and

b that there is no need for an additional dwelling to meet the needs of the local agricultural community.

In respect of (b), evidence will normally be required of the dwelling having been unsuccessfully offered for public sale with the condition over a prolonged period.

9.2.9 To minimise the scope for fragmenting a farm holding or for severing a new dwelling from the land for the farming of which it was claimed to be essential, the planning authorities will normally request, before granting permission on an application for a new dwelling which they are minded to approve, that the applicant complete a legal Agreement tying the new dwelling to the whole of the farmland concerned.

9.3 Farm Buildings other than Dwellings

9.3.1 Policy 12 THE ERECTION OF FARM BUILDINGS FOR WHICH EXPRESS PLANNING PERMISSION IS REQUIRED WILL NORMALLY BE PERMITTED PROVIDED THAT:

A THEIR DESIGN, SITING, MATERIALS AND APPEARANCE IN THE LANDSCAPE ARE APPROPRIATE TO A COUNTRYSIDE

SETTING AND WOULD NOT PREJUDICE THE OPEN OR COUNTRY-SIDE CHARACTER OF THE GREEN BELT; AND

B THEY DO NOT CONTRIBUTE TO THE OVERDEVELOPMENT OF THE AGRICULTURAL UNIT ON WHICH THEY ARE SITUATED; AND

C THERE IS A PROVEN AGRICULTURAL NEED FOR THE BUILDING.

Reason

9.3.2 Because agriculture is a use appropriate to the Green Belt, the planning authorities have no objection in principle to the erection of farm buildings which are essential to the agricultural use of Green Belt land. They are however concerned to protect the open, countryside character of the Green Belt by ensuring that, so far as possible, unnecessary buildings are not erected, and that those which are erected are designed and sited to create the minimum of disturbance in the rural scene.

Implementation

9.3.3 This policy applies only to those farm buildings for which express planning permission - ie a formal planning application - is needed. Full details are given in the General Development Order[1] of the circumstances in which planning permission is needed for a farm building, but generally it may be noted that permission is normally needed only if the farm on which the buildings are proposed is small (less than 1 acre); or if the buildings are not essential to, or specifically designed for, agriculture; or if they are tall (over 12 metres high); or if they are close to a major road; or if their floor area, together with that of any other buildings erected nearby on the same farm in the past 2 years, exceeds 465 sq metres.

9.3.4 In their efforts to ensure the maintenance of an attractive rural character in the agricultural areas of the Green Belt, the planning authorities will require that all farm buildings for which planning permission is required be sited so far as possible to minimise their impact on that character. Furthermore, subject to the provisions of paragraph 9.3.6 they will, as a general rule, prefer that the agricultural buildings on a single farm be consolidated into one or a small number of areas rather than being scattered across the whole farm unit. They will also discourage the proliferation of small or temporary structures (except on farms whose viability is unproven, where well-designed and well-sited temporary buildings may be preferable), because of their harmful visual effects.

9.3.5 The planning authorities will resist proposals to erect or use for agricultural purposes a structure whose design is that of a structure normally used for a non-agricultural purpose (such as a caravan, an old railway carriage, or a house), because of the incongruous note which such structures will normally strike in an agricultural setting.

9.3.6 The definition of 'overdevelopment' in proviso B of Policy 12 will depend on the facts of the particular case at issue. The object of the proviso is chiefly to prevent the proliferation of buildings on very small farm holdings (such as those carrying out the intensive agricultural uses referred to in Policy 13), particularly where this would lead to a substantial proportion of an individual holding being covered with farm buildings or other structures. Such a proliferation of buildings could result in parts of the Green Belt acquiring a built-up character, contrary to the primary aim of Green Belt policy. In the case of larger holdings, it is unlikely that the issue of overdevelopment will be so directly relevant, and proposals for farm buildings will normally be considered in terms of provisos A and C only.

9.3.7 The 'agricultural need' referred to in proviso C is (except in the special case referred to in paragraph 9.3.8) the need of the holding on which the proposed building is to be situated. To minimise the intrusion of buildings into the countryside areas of the Green Belt, only buildings which are necessary to the farming of the holding will normally be permitted.

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1 Town and Country Planning General Development Order 1977, Schedule 1 Class VI.

9.3.8 **Activities Ancillary to Agriculture** - There will normally be a presumption against allowing proposals to erect buildings for commercial activities which are related to agriculture but which are not themselves agricultural - for example, buildings for the storage or repair of agricultural vehicles or machinery from local farms, or for the storage or processing on a commercial basis of produce from more than one farm[1]. In exceptional cases the planning authorities may be prepared to consider allowing proposals to use existing buildings for such purposes; but before doing so they will require to be fully satisfied that the activity in question:

a will be and will remain small in scale;

b will serve only the immediate local area;

c will be and will remain incidental to the agricultural use of the farm on which it is located;

d is demonstrably essential to local farming interests;

e could not reasonably be located on any site not included in the Green Belt; and

f will not set an unwelcome precedent for the proliferation of similar minor commercial uses on farms in the Green Belt.

Proposals to erect new buildings to house activities which meet all these requirements will in general be considered in terms of the principles contained in Policy 12, but the planning authorities will be particularly concerned to ensure that any activities which may be permitted do not expand to such an extent that they cease to be incidental to the agricultural use of the farm on which they are located. To this end, suitable planning conditions will be imposed where appropriate, and applicants may be requested to complete a legal Agreement to cover any matters which cannot be covered by a planning condition.

9.3.9 Proposals to introduce ancillary activities of this nature, or to erect buildings for the purpose, on sites which are not on an existing active farm will be resisted.

9.4 Intensive Agriculture

9.4.1 Policy 13 INTENSIVE AGRICULTURE, INCLUDING THE REARING OF ANIMALS IN INTENSIVE LIVESTOCK UNITS AND INTENSIVE HORTICULTURAL USES, IS ACCEPTABLE IN PRINCIPLE IN THE GREEN BELT. PROPOSALS TO ERECT BUILDINGS FOR SUCH PURPOSES WILL BE CONSIDERED ON THEIR MERITS IN TERMS OF POLICY 12 AND IN TERMS OF THEIR EFFECT ON LOCAL LIVING CONDITIONS.

Reason

9.4.2 The planning authorities accept that the growth of the activities referred to in this policy is likely to be a necessary and continuing development in food, etc, production. They therefore acknowledge that it is unreasonable to object to it in principle on farms on which the necessary buildings can be satisfactorily accommodated in terms of Policy 12.

Implementation

9.4.3 There is no standard definition of term 'intensive agriculture'. In Policy 13 the term 'agriculture' is used as defined in paragraph 9.1.1 above. The uses acceptable in terms

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1 The incidental repair by a farmer of his own farm machinery in a building on his farm, or the storage of his own agricultural produce, etc, do not require planning permission; neither does the erection of a building for this purpose (subject to the exclusions set out in paragraph 9.3.3). The provisions of paragraph 9.3.8 apply only to cases in which one farm provides a service for other farms in the area, or houses a co-operatively run organisation serving more than one farm.

APPENDIX 4



Wokingham District Local Plan
Deposit Draft
With Proposed Amendments Highlighted

February 2000

- Proposed Amendments April 1999
- Additional Proposed Amendments September 1999
- Proposed Transport Amendments February 2000

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (*PA 1/6) IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary*. Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development*.

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED,* **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Surface Water Run-Off

11.34 Unless carefully sited and designed, new development can increase run-off by the addition of impermeable surfaces such as roofs and paved areas. This can result in increased risk of flooding downstream and damage to the water environment. Where possible the Council will encourage permeable surfaces, in parking areas for example.

Flood Plains

11.35 The Environment Agency has statutory responsibilities for water resources, pollution control, flood defence, fisheries, recreation, conservation and navigation. New development can cause flooding, pollution and erosion of areas located downstream. Accordingly development will be restricted in areas liable to flood and in locations that would result in an increased flood risk in areas downstream. In preparing flood compensation schemes consideration should be given to the primary use of the land. Flood compensation schemes will not be acceptable within residential curtilages unless it can be demonstrated that the main use as a garden would not be affected.

POLICY WIC16: DEVELOPMENT IN FLOOD PLAINS

IN AREAS LIABLE TO FLOOD DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE COUNCIL, IN CONSULTATION WITH THE ENVIRONMENT AGENCY THAT, BY ITSELF, OR CUMULATIVELY WITH OTHER DEVELOPMENT, IT WILL NOT:

a) IMPEDE THE FLOW OF FLOOD WATER; OR

b) REDUCE THE CAPACITY OF THE FLOOD PLAIN TO STORE WATER; OR

c) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK FROM FLOODING.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined within flood areas.

POLICY WIC17: SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED THAT IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE ENVIRONMENT AGENCY.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

Nicola Lake

From: Andy Glencross
Sent: 29 August 2000 15:12
To: Nicola Lake
Subject: Planning application F/2000/2080 Woodlands House

Hi Nicola

I can see no ecological grounds on which to object to this developement, although I have not visited the site.

Cheers

Andy Glencross

Our ref: SP\2000\002215\001
Your ref: F/2000/2080

Date: 5th September 2000

ENVIRONMENT AGENCY

PLANNING CEP	33979
POL	
NL	
07	
COPIES TO:	ACK:
	FILE:

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

Dear Sir/Madam

BARN FOR AGRICULTURAL USE –
WOODLANDS HOUSE, WARGRAVE RD, REMENHAM

Thank you for your letter dated 7 August 2000 which was received on 10 August 2000. You are asked to quote the following reference in any correspondence: SU78SE/13/10. The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposed development lies within an area of land liable to flood as shown on maps held by the Environment Agency. The development will be at direct risk of flooding, and will increase the risk of flooding elsewhere.

Development Control: Contact Tom Wong on 01276 45 4343

This site is within the 1947 floodplain of the River Thames. It is estimated that the flood water level at the site at that time was 32.88m metres above Ordnance Datum (Newlyn).

The site is, therefore, within an area where new development is to be strictly controlled. In this case the objection can be overcome by designing the proposed barn as a floodable structure. The plans shall be modified, so as to indicate and confirm that:-

1. the finished internal floor level is to be set at or below the existing ground level.

2. a gap of 150mm high under all doors to facilitate entry and egress of flood water and openings provided in walls at ground level sufficient in size and number to allow free entry and egress of flood water.

3. openings on all walls shall be from the existing ground level up to the 1947 flood water level. The openings shall be a minimum width of 1.0m and there shall be one opening in every 5.0m run of wall on all sides.

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

The Environment Agency would be able to remove the objection, provided the above requirements are met.

If you are minded to grant permission for the proposal despite the above, it is essential that you contact us before a determination is made.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

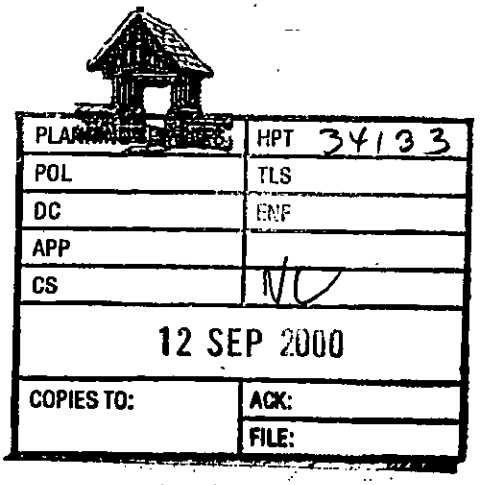
cc: John Andrews Associates, 'The Lodge' 66 St Leonard's Road, Windsor, Berks SL4 3BY

Remenham Parish Council

Please reply to:

Francis Burley
Parish Clerk
Stablehouse Barn
Remenham Hill
Henley on Thames
OXON RG9 3HN

☎ *01491 578859*
01491 578270
FrancisAB@aol.com



Development Control Dept
Wokingham District Council
Council Offices
Shute End
Wokingham
RG40 1BN

6 September, 2000

Dear Sirs,

This letter summarises the council's view on the following two recent applications:

Application F/2000/2151 Sherwins.
The Council support this application, the proposal would improve the look of the building, no neighbours are affected by the work, and the nearest resident is the applicant.

Woodlands House [Berggren's farm] Appl no F/2000/2080
This application is for an agricultural barn in field next to Wargrave Road.
The council were concerned at the size of the building in relation to the land, would prefer that the existing smaller sheds were demolished to improve the look of the area and insist strongly that the use of the building [if allowed] would only be for agricultural purposes.

Yours sincerely.

Francis Burley

Francis Burley
Parish Clerk

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Nicola Lake DATE: 31st August 2000

Location:	Woodlands House, Wargrave Road, Remenham, Henley - on-Thames
Proposal:	Proposed erection of barn for agricultural use
Application Number:	F/2000/2080

In response to your consultation dated 7th August 2000 for the above application, the tree and landscape comments are as follows:

I have visited the site and examined the plans forwarded to me.

The site is located within an Area of Special Landscape Importance and within a parkland setting.

Although the applicant has submitted a location plan (drawing 00/WHF/1) and a plan and elevations of the proposed barn (drawings 00/WHF/3 and 2) none of these drawings show the existing landscape features within the site.

In order for me to fully understand and be able to comment on the impact of the proposals the applicant should be required to produce a detailed existing site drawing which accurately shows all existing landscape features and the proposals accurately located within the site.

All of the above is essential before I can comment further.

ROBERT PETROW
Consultant Landscape Architect

HIGHWAYS CONSULTATION SHEET

From: Nicola Lake **Date:** 07 August 2000

Application Number: F/2000/2080

Proposal: Proposed erection of barn for agricultural use.

Parish: REMENHAM PARISH

Site Address:
Woodlands House, Wargrave Road, Remenham, Henley-On-Thames.

Applicant:
Mr Berggren C/O John Andrews Associates.

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).

NO HIGHWAYS COMMENTS.

Signed: _____ **Print name:** ADAM COGGINS

11/8/00

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	**Mr Berggren.**
APPEAL SITE :	**Woodlands House Farm, Wargrave Road, Remenham.**
REASON FOR APPEAL :	**Refusal of planning permission for the erection of a barn for agricultural use.**

LOCAL PLANNING AUTHORITY REFERENCE: F/2000/2080

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE: APP/X0360/01/A/1070364

1.00 LOCATION AND SITE DESCRIPTION

1.01 The site is located off the northern side of Wargrave Road (A321), which is one of the main link roads between Wokingham, Twyford and Wargrave in the south and Henley in the north. The junction of Wargrave Road with White Hill (A4130) is approximately 690m to the north west of the appeal site access.

1.02 The proposed building would be located to the south east of an existing area of small low level farming structures. This area is largely screened from the wider area by a hedge which runs parallel to the Wargrave Road. These structures together with the proposed building would be accessed off an existing access way from the A321 Wargrave Road. This access leads to a field which must be crossed before reaching the existing buildings. The land surrounding this area is largely open pasture with mature woodland to the north.

1.03 The site is designated within the emerging Wokingham District Local Plan as Metropolitan Green Belt, An Area of Landscape Importance, The Thames River Valley and within Land Liable to Flooding. The land immediately to the north of the proposed development is designated as Historic Park or Garden and a Wildlife Heritage Site.

2.00 RELEVANT PLANNING HISTORY.

2.01 There is no relevant planning history on this site. The existing buildings to the north west of the proposed structure appear on the 1978 ordinance survey map, however the junction, track and area around the buildings do not appear until the 1986 ordinance survey map.

3.00 RELEVANT PLANNING POLICY.

3.01 The appeal needs to be considered in the context of policy C4 – 'Control of Development in the Green Belt' and EN3 – 'Reducing the Risk of Flooding' of the Berkshire Structure Plan which was adopted on the 4 November 1995.

3.02 Policy 1 – 'Basic Policy' and 12 – 'Farm Buildings other than Dwellings' of the Green Belt Local Plan for Berkshire, which was adopted by The Royal County of Berkshire in April 1985.

3.03 Material Consideration must also be given to the emerging Wokingham District Local Plan (Deposit Draft October 1997) and as amended in April 1999. The Public Inquiry for which commenced on the 6 October 1998 and was closed on the 29 November 2000. The inspector's statement is expected late in 2001. However, this document has formed the basis of development control decisions since 21 October 1997. Policies WOS3 – 'Development control Principles', WGB1 – 'Development in the Metropolitan Green Belt' and WIC16 – 'Development in Flood Plains'.

4.00 THE APPLICATION.

4.01 The application which is the subject of this appeal, was registered by the council on the 28 July 2000.

4.02 The application was determined under delegated powers and was refused planning permission on the 29 January 2001. The reasons for refusal was stated as follows:-

1. The proposed development by reason of its size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, to policies 1 to 12 of the Green Belt Local Plan for Berkshire and to policies WOS3 and WGB1 of the Wokingham District Local Plan.

2. The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The development would be at direct risk of flooding and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to Policy En3 of the Berkshire Structure Plan and to policy WIC16 of the Wokingham District Local Plan.

5.00 THE CASE FOR THE LOCAL PLANNING AUTHORITY.

5.01 The proposed development is for the erection of a single storey wood and tiled agricultural barn. The barn would be 24.1m wide, 8.25m deep and 7.5m in height. The structure would be sub-divided internally with stud partition walls into threes separate areas, each accessed through its own doors. The main, central area of the building is shown for the storage of hay and straw, while the remaining areas are shown to be used for the storage of Implements and machinery. The structure is shown to be located approximately 10m to the south east from the closest of the existing structures. These structure are low level wood and tin sheds. Three of the sheds are located together along the far edge of the area and the forth is located along the front edge of the area.

5.02 It is the view of the Local Planning Authority that the main issues in the consideration of this appeal are the impact of the proposed development upon the open character and amenity of the Green Belt and the impact upon the risk of flooding to this and the surrounding area.

5.03 <u>Impact upon the open character and amenity of the Green Belt.</u>
The proposed development would have a width of 24.1m and a depth of 8.2m The fields immediately to the south west of the proposed building, have hedging and trees along their boundary with Wargrave Road. This would provide a certain degree of screen of the structure, to traffic and pedestrians travelling south along the Wargrave Road, during the summer months. However the proposed structure would be clearly visible to these pedestrians and vehicles during the rest of the year. Further more the fields to the south of the proposed location of the building are edged with much lower hedging, which would allow clear and direct views of the proposed structure through out the entire year.

5.04 While the proposed design and quality of the proposed building is evident, a building of such size and with a height of 7.5m, would be very prominent is such a location. While the land to the rear is steeply

sloping, the fields and paddocks, which run along the Wargrave Road, in this area are relatively flat. As such views of the proposed building would be largely uninterrupted or screened. Therefore, by reason of its size, massing and location, the proposed development would result in a significant increase in the level of development within this area, to the detriment of the open character and amenity of the Green Belt.

5.05 Impact upon the risk of flooding in this and the surrounding area.
The Council notes the Environment Agency's stated intention to withdraw their objection to the proposed development, subject to the submission of revised plans and additional details, regarding their suggested modifications within their letter dated the 5 September 2000. However, the Council is concerned that the proposed plan for the building and paragraphs 1.3 and 2.3 of the supporting statement for the application, clearly shows and states that it is the applicant's intention to use the central section of the building for the storage of commercial straw and hay. These produces are usually stored in bails and stacked tightly against each other. Therefore, even if the building were designed to be floodable with 150mm gaps below the doors and openings provided within all the walls at 5m intervals and at 1m in width, in sufficient size and number to allow the free flow of flood water into and out of the building, the storage of the bails of hay and straw in side the building would prevent the water from free flowing into or out of the structure.

5.06 The appellant's supporting statement for the application states in paragraph 2.3 that the premium price for the hay relies heavily upon its being stored until prices rise in autumn and winter. They state that in the past hay had been stored on the unit outside, which has resulted in the loss of over 50% of the crop through spoilage. Also they state that the supply of hay in the quality market relies upon the product being kept dry so that mould spores are not allowed to form. The modification of the barn to allow the structure to flood freely would not meet with the applicant's stated objective for the barn, to protect the hay and straw from rain and damp, due to its location within the land liable to flooding.

5.07 The appellant's supporting statement also clarifies that the remaining two areas of the building would be used for the secure storage of valuable farm and forestry machinery and tools, such as fertiliser spreaders, a small tractor chain saw, saw benches and other general farm machinery. The council accepts that it may be possible to store much of the equipment on walls and on benches, out of the flood water. However some of the larger pieces of equipment would still remain within reach of the flood water and would be liable to damage and would reduce the storage capacity of the flood plain.

5.08 The supporting statement also states that the other side of the building would be used for the safe storage of items such as fuel, bagged fertiliser and the safe storage of chemicals and medicines controlled under COSHH regulations. The council is concerned that should these fertilisers, chemicals, medicines and fuel not be stores in sealed airtight containers, they could be released into the flowing flood waters and lead to the contamination of a wide area of land.

5.09 For the reasons as stated above, the council considers that the modifications to the building as suggested by the Environment Agency would not overcome the reason for refusal as set down in section 4 of this statement. Therefore the proposed development would be at direct risk from flooding, and would increase the amount of built development within the land liable to flooding, which would reduce the storage capacity of the existing flood plain. As such the proposed development is contrary to the policies of the district's development plans and would increase the risk of flooding elsewhere.

6.00 CONCLUSION.

6.01 The proposed development raised two fundamental issues, the impact upon the open character and amenity of the Green Belt and the impact upon the risk of flooding in this and the surrounding area.

6.02 The proposed development would result in the erection of a barn structure measuring 24.1m by 8.2m and with a height of 7.5m, outside of the existing envelope of development for the farm. The proposed structure would be clearly visible in both length and breath and would

form a dominant and obtrusive feature which would have a detrimental impact upon the open character and amenity of the Green Belt.

6.03 The proposed structure would be located within land identified on plans held by the Environment Agency as liable to flooding. Due to the nature of the materials which would be stored within the structure, it is unlikely that opens below doors and within all the walls would achieve the objective of free flow of flood water and could result in the potential pollution of the flood water. Therefore the proposed development would increase the amount of built development within the flood plain, resulting in a decrease in the flood water storage capacity of the flood plain. Thus resulting in an increase in the risk of flooding elsewhere. As such the proposed development would be contrary to the policies of the District's Development Plans.

6.04 It is therefore, respectfully requested that the present appeal be DISMISSED.

PROPOSED CONDITIONS IN THE EVENT OF THE APPEAL BEING ALLOWED, WITHOUT PREJUDICE TO THE COUNCIL'S CASE.

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.

3. Full details of the proposed method of amending the buildings design to incorporate methods to allow the entry and egress of flood waters, shall be submitted to and approved in writing by the Local Planning Authority prior to the start of development on the site. These details shall then be used in the construction of the hereby approved building and shall thereafter be retained and kept clear of obstructions at all time.

Reasons.

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. In order to ensure a satisfactory form of development relative to surrounding buildings, landscape and flood plain.

3. In the interests of reducing the development's impact upon the flood plain.

APPENDICES.

1. Location plan 1:1250 and 1:2500.

2. Policies C4 and EN3 of the Berkshire Structure Plan.

3. Policies 1 and 12 of the Green Belt Local Plan for Berkshire.

4. Polices WOS3, WGB1 and WIC16 of the Wokingham District Local Plan.

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name MR P BERGGREN

Address 'WOODLANDS HOUSE FARM'
WARGRAVE ROAD
REMENHAM BERKSHIRE
Postcode RG9 2LT

Your reference -
Daytime phone no 01491 · 576828
Fax no -
E-mail address -

B. AGENT DETAILS (if any)

Name JOHN ANDREWS ASSOCIATES

Address 'THE LODGE'
66 ST LEONARD'S ROAD
WINDSOR BERKSHIRE
Postcode SL4 3BY

Your reference -
Daytime phone no 01753 · 831330
Fax no 01753 · 859051
E-mail address -

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM D.C.

Date of the planning application 5 JUNE 2000

LPA's application reference no F/2000/2080

Date of LPA's decision notice (if issued) 29/1/01

D. APPEAL SITE ADDRESS

Address 'WOODLANDS HOUSE FARM' WARGRAVE ROAD
REMENHAM NR. HENLEY-ON-THAMES
BERKSHIRE
Postcode RG9 2LT

National grid reference SU 770 823

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed)

ERECTION OF BARN FOR AGRICULTURAL USE

(SEE DECISION NOTICE)

Size of the whole appeal site *(in hectares)*

24.30 HECTARES

Area of floor space of proposed development *(in square metres)*

198 SQUARE METRES

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

G. GROUNDS OF APPEAL (continued)

SEE 'GROUNDS OF APPEAL' ATTACHED

H. CHOICE OF PROCEDURE

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☐

2. HEARING ☐

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box* ✔

CERTIFICATE A

☑

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B

☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which notice served	Date the notice was served

CERTIFICATES C and D

☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☐

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person other than the appellant who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☑

Tenant's name	Address at which notice served	Date the notice was served
	NOT APPLICABLE	

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed J.A. Andrews (on behalf of) MR P BERGGREN

Name (in capitals) J.A. ANDREWS for JOHN ANDREWS ASSOCIATES Date 26 JULY 2001

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

✔

1. A copy of the original **planning application** sent to the LPA. ☑
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☑
3. A copy of the **LPA's decision notice** (if issued). ☑
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☑
5. Copies of **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☑

Copies of the following must also be sent, if appropriate:

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

_____

_____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

_____

_____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed J.A. Andrews (on behalf of) MR. P. BERGGREN

Name (in capitals) J.A. ANDREWS for JOHN ANDREWS ASSOCIATES Date 26 JULY 2001

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at**:
  The Planning Inspectorate
  Appeals Registry
  Tollgate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again as they will have everything which you sent them at application stage, but send them any supporting documents not previously sent to them as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations. **If your representations are received after the deadline, they will not normally be seen by our inspector and will be returned to you.**

4) Tell you about the arrangements for the site visit, hearing or inquiry.

5) Tell you our Inspector's decision.

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St Clements House
2-16 Colegate
Norwich NR3 1BQ

GROUNDS OF APPEAL

1. The Proposal

1.1 The appeal application proposes the erection of a barn for use in connection with the agricultural needs of 'Woodlands House Farm'. An extract from Ordnance Survey is produced illustrating the extent of the farm in relation to the surrounding area.

(Document 1)

1.2 The application was supported by an appraisal Report prepared by Nigel Church B.Sc. (Hons) CBiol, MiBiol, of A.F.C. Agricultural and Environmental Consultants Ltd.

(Document 2)

1.3 The Report establishes inter alia that the proposed barn is for the purposes of storing hay for the cattle enterprise and for sale. In addition the barn is intended for the secure storage of farm implements and substances covered by the Control of Substances Hazardous to Health Regulations (COSHH Regs.)

1.4 Inspection of the farm shows that the pasture forms the active area of the holding and that this land is contained in one large block which borders Wargrave Road. The area where it is proposed to locate the barn is close to existing buildings set well back from the road, and has a long established vehicular access.

1.5 Details of the uses to which the land and existing buildings are put; the programme of livestock and cropping together with other details of the farming business are set out in the appraisal Report.

1.6 With regard to the design of the proposed barn the submitted drawings illustrate a building of traditional style so as to be in keeping with the nature and character of the surrounding area. The barn is to be timber clad with a tiled roof.

1.7 Internally the building is divided into three distinct sections. The central section is intended for the storage of hay and/or bedding and fodder. The end sections are to be used for the storage of farm implements, bagged fertiliser, workshop tools as well as chemicals and medicines.

1.8 The appraisal Report confirms that 'Woodlands House Farm' derives an acceptable income from its livestock enterprise but needs added facilities, for example, for the storing of the hay crop to achieve the best market price.

1.9 Concerning the environmental impact of the proposed barn, the selected architectural style has been chosen to safeguard visual amenities. Furthermore, the safe storage of chemicals and other products will protect them from vandalism and the consequent risk of pollution.

2. The Council's Decision

2.1 The Council refused permission for the barn for the following reasons:

1. The proposed development by reason of its size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, to policies 1 and 12 of the Green Belt Local Plan for Berkshire and to policies WOS3 and WGB1 of the Wokingham District Local Plan.

2. The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The The development would be at direct risk of flooding, and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to policy EN3 of the Berkshire Structure Plan and to policy WLC16 of the Wokingham District Local Plan.

(Document 3)

3. Grounds of Appeal

3.1 The Appellant does not agree that the proposed barn is of a size, massing or location that would result in a significant increase in the level of development on the application site so as to be detrimental to the open character and amenity of the Green Belt.

3.2 The proposed development is for a purpose appropriate to the Green Belt and is not contrary to the policies of the Development Plans referred to by the Council.

3.3 It is acknowledged that the proposed barn is intended to be situated within an area liable to periodic flooding. The Environment Agency made clear, however, that in this case the objection can be overcome by designing the building as a floodable structure.

3.4 Concerning this matter the Appellant advised the Council of his willingness to overcome the flooding objection by designing the barn as a floodable structure.

3.5 It was confirmed that the finished internal floor level is designed to be set at existing ground level. Gaps of 150mm in height can be provided under all doors, and openings provided in the walls, sufficient in size and number to allow free entry and egress of flood water.

3.6 The openings could be provided with grilles, if proven necessary for security.

3.7 The Appellant made clear to the Council that the imposition of a condition on the grant of planning permission relating to the above requirements would be acceptable.

4. Conclusions

4.1 The proposed barn is required for the essential needs of 'Woodlands House Farm'.

4.2 The siting, size and architectural style of the proposed barn will cause no harm to the character and appearance of the Green Belt. The type of development proposed is appropriate in the Green Belt.

4.3 Pursuant to the imposition of planning conditions details can be submitted to the Local Planning Authority for prior approval in writing for the provision of gaps/openings that will facilitate entry and egress of flood water.

4.4 Having full regard to the above issues it is respectfully requested that the appeal is allowed. The right is reserved to respond as may be necessary to any representations from the Local Planning Authority or comments from interested third parties.

Tel. (0118) 974 6448 (Direct Line)
Date. August 3, 2001
My ref. F/2000/2080
Your ref.

EXAMPLE

«Name__Address»

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 Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Mr Berggren
SITE: Woodlands House, Wargrave Rd, Remenham
PROPOSAL: Proposed erection of barn for agricultural use

I am writing to inform you, that this appeal has been lodged with The Planning Inspectorate, and will be dealt with by means of written statements by the appellant and the Council.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate and copied to the appellant

As your interests may be affected, you can give your views on the appeal in writing to Miss A Groves The Planning Inspectorate, Room 3 / 03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. You should, if possible, send three copies quoting reference APP/X0360/A/01/1070364. Comments received after 28/08/01 will not normally be seen by the Inspector & will be returned.

The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

A free booklet, Guide to taking part in Planning Appeals, is available from this office.

If you wish to be notified of the result of the appeal, you should write to Miss Groves at the Planning Inspectorate requesting a copy of the decision. Please quote reference APP/X0360/A/01/1070364.

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 6000

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Date: 3 August 2001

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The Planning Inspectorate

For offical use only Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/01/A/1070364 **GRID REF:** _____

APPEAL BY: Mr P Berggren

SITE: Woodlands House Wargrave Rd Remenham

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the 'starting date' given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1.	Do you agree to the written representations procedure?			YES / ~~NO~~
OR	Do you wish to be heard by an Inspector at:	a.	a local inquiry?	~~YES~~ / NO
		or b.	a hearing?	~~YES~~ / NO
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit?			~~YES~~ / NO
	(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)			
3.	Does the appeal relate to an application for approval of reserved matters?			~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?			~~YES~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?			~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which ..... Green Belt	YES / ~~NO~~
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	~~YES~~ / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10. Does the appeal relate to an application for conservation area consent?	~~YES~~ / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	~~YES~~ / NO Grade I / II* / II
b. Would the proposed development affect the setting of a listed building?	~~YES~~ / NO
If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	~~YES~~ / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
b. If YES, was English Heritage consulted? Please attach a copy of any comments.	~~YES~~ / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	~~YES~~ / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	~~YES~~ / NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:		
a Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 col 1	
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO	
c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	~~YES~~ / NO	
	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies.** ***Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	11/09/01
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed: N/A
i) representations received from interested parties about the original application	1
ii) the planning officer's report to committee	—
iii) any relevant committee minute	—
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY	
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / ~~NO~~
a. In non-determination cases:	
i) what the decision notice would have said;	
ii) how the relevant development plan policies relate to the issues of this appeal.	
b. In all cases:	
i) the relevant planning history;	
ii) any supplementary reasons for the decision on the application;	
iii) matters which you want our Inspector to note at the site visit.	
18. THE MAYOR OF LONDON CASES ONLY	
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: _____ on behalf of Wokingham District Council

Date sent to us and the appellant 03/08/01 Our Ref: F1205/2080

Please tell us of any changes to the information you have given on this form.

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BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie
Public Services Division

- *where possible, avoid taking the best and most versatile farmland (Policy C10);*

- *take account of environmental constraints referred to in Policies EN2 - EN10 and the Colne Valley Regional Park Strategy;*

- *seek an appropriate provision of low cost housing of various tenures to meet local housing needs (Policy H7) and a range of residential densities, dwelling types and sizes related to local needs (Policy H9);*

- *be satisfied that infrastructure, services and amenities made necessary by proposed development are provided or will be provided at the appropriate time (Policy LD6).*

Development in the Green Belt

5.20 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements to meet proven local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.21 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.22 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.23 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.24 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.25 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

Reducing the Risk of Flooding

Policy EN3 **Development should not be located in areas liable to flood if it would be likely to:**

(i) inhibit the capacity of the flood plain to store flood water; or

(ii) impede the flow of flood water; or

(iii) increase the risks to life or property arising from flooding.

In addition, proposals which would increase flood risk elsewhere as a result of additional surface water run-off will be resisted unless adequate surface water balancing facilities are provided.

6.8 Areas liable to flood include those which have at any time been affected by flooding, or which form part of a river flood plain. At sites suspected of being at risk of flooding but for which precise recent flood risk information is unavailable, a technical assessment of the flood risk may be required to demonstrate compliance with the requirements of this policy. Policy EN3 covers intensification of existing development and the raising of land.

PROTECTING PARTICULAR ENVIRONMENTAL INTERESTS

6.9 The protection of special landscapes and the rural landscape at large is dealt with in Chapter 5. Other policies for protection and enhancement of specific environmental interests are set out below.

Buildings of Special Character and Interest

6.10 Legislation provides for the protection of statutorily listed historic buildings from demolition or unnecessary or over-radical change. Other buildings of local importance may also warrant retention as part of development schemes. There is a need to ensure that subject to other policies in this Plan, historic buildings can have a use which justifies or funds their upkeep.

Development Proposals Related to Buildings of Special Character and Interest

Policy EN4 **Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair.**



Wokingham District Local Plan
Deposit Draft
With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (*PA 1/6) IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary*. Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development*.

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED,* **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Surface Water Run-Off

11.34 Unless carefully sited and designed, new development can increase run-off by the addition of impermeable surfaces such as roofs and paved areas. This can result in increased risk of flooding downstream and damage to the water environment. Where possible the Council will encourage permeable surfaces, in parking areas for example.

Flood Plains

11.35 The Environment Agency has statutory responsibilities for water resources, pollution control, flood defence, fisheries, recreation, conservation and navigation. New development can cause flooding, pollution and erosion of areas located downstream. Accordingly development will be restricted in areas liable to flood and in locations that would result in an increased flood risk in areas downstream. In preparing flood compensation schemes consideration should be given to the primary use of the land. Flood compensation schemes will not be acceptable within residential curtilages unless it can be demonstrated that the main use as a garden would not be affected.

POLICY WIC16: DEVELOPMENT IN FLOOD PLAINS

IN AREAS LIABLE TO FLOOD DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE COUNCIL, IN CONSULTATION WITH THE ENVIRONMENT AGENCY THAT, BY ITSELF, OR CUMULATIVELY WITH OTHER DEVELOPMENT, IT WILL NOT:

a) IMPEDE THE FLOW OF FLOOD WATER; OR

b) REDUCE THE CAPACITY OF THE FLOOD PLAIN TO STORE WATER; OR

c) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK FROM FLOODING.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined within flood areas.

POLICY WIC17: SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED THAT IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE ENVIRONMENT AGENCY.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire

April 1985

ISBN 0 903321 94 7

6 Introduction To The Development Control Policies

6.1 Basic Policies

6.1.1 Section 2.2 of this Local Plan explained the background to the operation of Green Belt policy in Berkshire: the policy is intended to be highly restrictive, to safeguard the open or rural character of the area surrounding the Greater London conurbation. **There is therefore a clear and strong presumption against any new development unless special reasons can be demonstrated why planning permission should be granted.** The general principle governing all development control operations in the Green Belt will therefore be that the planning authorities will operate strict policies to resist all development other than:

a development which will in no way harm the open, rural or countryside character of the area; or

b other development which is essential to the functioning of this area as a tract of ordinary countryside; or

c development of a type which must, of necessity, take place or be located in the area designated as Green Belt and of a type for which there is an undisputed public need.

6.1.2 The remainder of this Local Plan explains the practical implications of this principle as it will be applied to different types of development. A first refinement of it is the 'Acceptable Uses' policy of the approved Structure Plans, which translates it into a general statement of the types of development which will, and which will not, be acceptable in principle in the Green Belt. This Structure Plan policy acts as the starting point for all the discussion of the details of development control policy in the Green Belt, and so it is repeated here as a formal policy of this Local Plan, with a rider explaining its relationship to the remaining policies of this Plan:

Policy 1 WITHIN THE AREA OF THE METROPOLITAN GREEN BELT IN BERKSHIRE, APPROVAL WILL NOT BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR NEW BUILDING OR FOR THE CHANGE OF USE OF LAND OR OF EXISTING BUILDINGS FOR ANY PURPOSE OTHER THAN THE FOLLOWING:

A RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING WITHIN SETTLEMENTS;

B DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

C MINERAL EXTRACTION;

D APPROPRIATE KINDS OF RECREATION;

E PUBLIC UTILITIES WHICH CANNOT BE LOCATED ELSEWHERE;

F ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

STRINGENT ENVIRONMENTAL CRITERIA WILL BE APPLIED IN JUDGING WHETHER THE APPEARANCE AND SITING OF SUCH PROPOSALS ARE ACCEPTABLE.

DETAILED INTERPRETATION OF THIS POLICY WILL BE BY MEANS OF POLICIES 2 TO 23 OF THIS LOCAL PLAN.

6.2 Appropriate and Acceptable Uses

6.2.1 This list set out in Policy 1 is referred to as the list of 'acceptable uses', but within it a broad distinction may be made between those uses which are both acceptable in and appropriate to the Green Belt - uses which will not in principle detract from the open, rural or countryside character of the Green Belt; and uses which are no more than acceptable - uses which are allowed only as exceptions to the broad principle of keeping the land open or rural in character, because they must of necessity be located in the area designated as Green Belt and for which there is an undisputed public need. Thus in Policy 1, developments in categories A, B, D and F are 'acceptable and appropriate' Green Belt uses, whilst those in categories C and E are merely 'acceptable'. This distinction between uses which are 'acceptable and appropriate' and those which are merely 'acceptable' is reflected in the more detailed policies of this Local Plan, policies generally being worded positively or negatively in accordance with whether the particular type of development under consideration is broadly 'appropriate' or only 'acceptable'.

6.3 Other Considerations

6.3.1 Green Belt principles are not the only issues relevant to the determination of planning applications on sites in the Green Belt. The penultimate sentence of Policy 1 above, quoting the approved Structure Plans, already indicates that the appearance and siting of proposed development in the Green Belt will be judged very stringently, the aim being to maintain or enhance the character of the Green Belt area.The approved Structure Plans, and other documents of more local detailed application, also contain many other policies which restrict or encourage development for one reason or another: for example, they may restrict development because the site concerned is of archaeological importance, or important to the setting of a listed building; or they may encourage it because, for example, such development would enhance the appearance of an area of important townscape[1]. Accordingly **the planning authorities concerned in the determination of any individual planning application in the Green Belt must have regard not only to the policies of this Local Plan, but additionally to all other relevant planning considerations.** Every planning application will stand or fall on all its merits, and it will thus be for the planning authority concerned (normally the District Council[2]) to evaluate each proposal in the light of all the considerations - Green Belt issues and others - which appear to them to be relevant. This said, it must however be noted that as explained in paragraph 2.2.3 the successful implementation of Green Belt policy depends on consistently applying the severest restrictions on development.

6.3.2 The broad principle which the planning authorities will normally follow, therefore, will be that if Green Belt policies indicate that a particular planning application should be refused, those policies will prevail; if on the other hand Green Belt policies suggest that an application is permissible, it will nevertheless be subject to scrutiny against all other planning considerations, and only if it is also satisfactory in terms of these other considerations will planning permission be granted.

6.4 The Presentation of Chapters 7 - 16

6.4.1 The contents of the succeeding chapters of Part 3 of this Local Plan are structured in accordance with the list of acceptable uses set out in Policy 1. More detailed policies are set down for each type of acceptable use, and indications are given of the 'very special circumstances' which must be demonstrated before additional types of development not covered by the 'Acceptable Uses' policy may be permitted. Each policy is given a reasoned justification in Green Belt terms, and following this reasoned

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1 See Structure Plan policies En 15 (EBSP)/En 16 (CBSP) on archaeology, En 14/15 on listed buildings, and En 13/14 on townscape. It is emphasised that these are only examples of the many Structure Plan policies which are taken into account in the determination of individual planning applications.

2 The County Council is the planning authority responsible for determining applications for mineral extraction and some associated uses, and applications for waste disposal.

justification some notes are given on the way in which the policy will normally be implemented. These implemen-tation notes explain the policy as it has been generally interpreted in the past by the planning authorities, and as it will be generally interpreted in the future, and are for the general guidance of the planning authorities and of planning applicants. They do not, however, form part of the formal policies of this Local Plan (which are printed in upper case), and the precise emphasis to be laid on the interpretations given in them will be a matter to be decided by the planning authority or authorities concerned in each individual case.

6.4.2 Nothing in the policies set out in the succeeding chapters affects the validity of any existing planning permissions for development which might appear to conflict with those policies. The existence of the policies will however be a material consideration to be taken into account by the planning authorities if any such permission should come forward for renewal.

9.2.5 The planning authorities will strongly resist proposals for replacement farm dwellings in cases in which the agricultural need has arisen through the recent disposal of a dwelling situated on or in the control of the farm concerned. Only if the sold-off dwelling was unquestionably incapable, by reason of its location, of meeting the essential purpose for which the new dwelling is sought might such a proposal be viewed favourably by the planning authorities.

9.2.6 Although the Structure Plans seek generally to oppose the fragmentation of farm holdings, the fact that an existing farm unit is being fragmented will not invariably be grounds for resisting agricultural development on a newly-created farm holding; for, as it is not itself development requiring planning permission, the fragmentation could take place whether or not planning permission is granted for the other development proposed. But the planning authorities will require to be satisfied that a genuine attempt will be made to farm the new holding before they will be prepared to consider allowing any development upon it. In particular, as indicated in paragraph 8.2.5, permanent dwellings will not be permitted on new agricultural holdings whose longer-term viability is unproven. In such a case, the planning authorities may consider granting a temporary permission for a temporary dwelling if there is evidence of the good faith of the applicant as to his intentions for the site: for example, evidence of investment in well-designed and well-sited farm buildings, or of some agricultural background or training on the part of the applicant. A mere statement by the applicant of good intentions will generally be insufficient to meet this requirement.

9.2.7 Where planning permission is granted for an agricultural dwelling, it will be subject to a condition ensuring that its occupation is restricted to a person employed locally in agriculture. The following form of words is recommended for this condition, although it may be necessary to vary the wording slightly on occasions to meet the needs of a particular case:

> "The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed prior to retirement, in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or in forestry (together with any dependents of such a person residing with him), or a widow or widower of such a person residing with such a person at the time of his or her death."

9.2.8 Applications for removal of this condition will only be allowed if the planning authority is satisfied both:

a that the agricultural need advanced for the dwelling at the time of the original permission no longer applies ('need' being defined as in paragraph 9.2.2); and

b that there is no need for an additional dwelling to meet the needs of the local agricultural community.

In respect of (b), evidence will normally be required of the dwelling having been unsuccessfully offered for public sale with the condition over a prolonged period.

9.2.9 To minimise the scope for fragmenting a farm holding or for severing a new dwelling from the land for the farming of which it was claimed to be essential, the planning authorities will normally request, before granting permission on an application for a new dwelling which they are minded to approve, that the applicant complete a legal Agreement tying the new dwelling to the whole of the farmland concerned.

9.3 Farm Buildings other than Dwellings

9.3.1 Policy 12 THE ERECTION OF FARM BUILDINGS FOR WHICH EXPRESS PLANNING PERMISSION IS REQUIRED WILL NORMALLY BE PERMITTED PROVIDED THAT:

A THEIR DESIGN, SITING, MATERIALS AND APPEARANCE IN THE LANDSCAPE ARE APPROPRIATE TO A COUNTRYSIDE

SETTING AND WOULD NOT PREJUDICE THE OPEN OR COUNTRY-SIDE CHARACTER OF THE GREEN BELT; AND

B THEY DO NOT CONTRIBUTE TO THE OVERDEVELOPMENT OF THE AGRICULTURAL UNIT ON WHICH THEY ARE SITUATED; AND

C THERE IS A PROVEN AGRICULTURAL NEED FOR THE BUILDING.

Reason

9.3.2 Because agriculture is a use appropriate to the Green Belt, the planning authorities have no objection in principle to the erection of farm buildings which are essential to the agricultural use of Green Belt land. They are however concerned to protect the open, countryside character of the Green Belt by ensuring that, so far as possible, unnecessary buildings are not erected, and that those which are erected are designed and sited to create the minimum of disturbance in the rural scene.

Implementation

9.3.3 This policy applies only to those farm buildings for which express planning permission - ie a formal planning application - is needed. Full details are given in the General Development Order[1] of the circumstances in which planning permission is needed for a farm building, but generally it may be noted that permission is normally needed only if the farm on which the buildings are proposed is small (less than 1 acre); or if the buildings are not essential to, or specifically designed for, agriculture; or if they are tall (over 12 metres high); or if they are close to a major road; or if their floor area, together with that of any other buildings erected nearby on the same farm in the past 2 years, exceeds 465 sq metres.

9.3.4 In their efforts to ensure the maintenance of an attractive rural character in the agricultural areas of the Green Belt, the planning authorities will require that all farm buildings for which planning permission is required be sited so far as possible to minimise their impact on that character. Furthermore, subject to the provisions of paragraph 9.3.6 they will, as a general rule, prefer that the agricultural buildings on a single farm be consolidated into one or a small number of areas rather than being scattered across the whole farm unit. They will also discourage the proliferation of small or temporary structures (except on farms whose viability is unproven, where well-designed and well-sited temporary buildings may be preferable), because of their harmful visual effects.

9.3.5 The planning authorities will resist proposals to erect or use for agricultural purposes a structure whose design is that of a structure normally used for a non-agricultural purpose (such as a caravan, an old railway carriage, or a house), because of the incongruous note which such structures will normally strike in an agricultural setting.

9.3.6 The definition of 'overdevelopment' in proviso B of Policy 12 will depend on the facts of the particular case at issue. The object of the proviso is chiefly to prevent the proliferation of buildings on very small farm holdings (such as those carrying out the intensive agricultural uses referred to in Policy 13), particularly where this would lead to a substantial proportion of an individual holding being covered with farm buildings or other structures. Such a proliferation of buildings could result in parts of the Green Belt acquiring a built-up character, contrary to the primary aim of Green Belt policy. In the case of larger holdings, it is unlikely that the issue of overdevelopment will be so directly relevant, and proposals for farm buildings will normally be considered in terms of provisos A and C only.

9.3.7 The 'agricultural need' referred to in proviso C is (except in the special case referred to in paragraph 9.3.8) the need of the holding on which the proposed building is to be situated. To minimise the intrusion of buildings into the countryside areas of the Green Belt, only buildings which are necessary to the farming of the holding will normally be permitted.

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1 Town and Country Planning General Development Order 1977, Schedule 1 Class VI.

9.3.8 **Activities Ancillary to Agriculture** - There will normally be a presumption against allowing proposals to erect buildings for commercial activities which are related to agriculture but which are not themselves agricultural - for example, buildings for the storage or repair of agricultural vehicles or machinery from local farms, or for the storage or processing on a commercial basis of produce from more than one farm[1]. In exceptional cases the planning authorities may be prepared to consider allowing proposals to use existing buildings for such purposes; but before doing so they will require to be fully satisfied that the activity in question:

a will be and will remain small in scale;

b will serve only the immediate local area;

c will be and will remain incidental to the agricultural use of the farm on which it is located;

d is demonstrably essential to local farming interests;

e could not reasonably be located on any site not included in the Green Belt; and

f will not set an unwelcome precedent for the proliferation of similar minor commercial uses on farms in the Green Belt.

Proposals to erect new buildings to house activities which meet all these requirements will in general be considered in terms of the principles contained in Policy 12, but the planning authorities will be particularly concerned to ensure that any activities which may be permitted do not expand to such an extent that they cease to be incidental to the agricultural use of the farm on which they are located. To this end, suitable planning conditions will be imposed where appropriate, and applicants may be requested to complete a legal Agreement to cover any matters which cannot be covered by a planning condition.

9.3.9 Proposals to introduce ancillary activities of this nature, or to erect buildings for the purpose, on sites which are not on an existing active farm will be resisted.

9.4 Intensive Agriculture

9.4.1 Policy 13 INTENSIVE AGRICULTURE, INCLUDING THE REARING OF ANIMALS IN INTENSIVE LIVESTOCK UNITS AND INTENSIVE HORTICULTURAL USES, IS ACCEPTABLE IN PRINCIPLE IN THE GREEN BELT. PROPOSALS TO ERECT BUILDINGS FOR SUCH PURPOSES WILL BE CONSIDERED ON THEIR MERITS IN TERMS OF POLICY 12 AND IN TERMS OF THEIR EFFECT ON LOCAL LIVING CONDITIONS.

Reason

9.4.2 The planning authorities accept that the growth of the activities referred to in this policy is likely to be a necessary and continuing development in food, etc, production. They therefore acknowledge that it is unreasonable to object to it in principle on farms on which the necessary buildings can be satisfactorily accommodated in terms of Policy 12.

Implementation

9.4.3 There is no standard definition of term 'intensive agriculture'. In Policy 13 the term 'agriculture' is used as defined in paragraph 9.1.1 above. The uses acceptable in terms

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1 The incidental repair by a farmer of his own farm machinery in a building on his farm, or the storage of his own agricultural produce, etc, do not require planning permission; neither does the erection of a building for this purpose (subject to the exclusions set out in paragraph 9.3.3). The provisions of paragraph 9.3.8 apply only to cases in which one farm provides a service for other farms in the area, or houses a co-operatively run organisation serving more than one farm.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr Berggren
SITE: Woodlands House Farm, Wargrave Rd, Remenham
APPLICATION NO.: 2080
PROPOSAL: Proposed erection of barn for agricultural use

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Remenham & Wargrave

Mr F D Browne

Mr S E Etheridge

Clerk(s) of Parish / Town Council of Remenham

Mr F Burley, Stablehouse Barn, Remenham Hill, Henley on Thames, Oxon. RG9 3HN

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

CPRE, c/o Dr Wilford, 17 Copse Drive, WOKINGHAM, Berkshire, RG41 1NA

Environmental Health, WDC
-FAO Tom Payne

Environment Agency, Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
-FAO Sarah Paxman

Andy Glencross, Countryside Officer, Dinton Pastures, Hurst, Berks

ENVIRONMENTAL DESIGN - WDC.

GROUNDS OF APPEAL

1. The Proposal

1.1 The appeal application proposes the erection of a barn for use in connection with the agricultural needs of 'Woodlands House Farm'. An extract from Ordnance Survey is produced illustrating the extent of the farm in relation to the surrounding area.

(Document 1)

1.2 The application was supported by an appraisal Report prepared by Nigel Church B.Sc. (Hons) CBiol, MiBiol, of A.F.C. Agricultural and Environmental Consultants Ltd.

(Document 2)

1.3 The Report establishes inter alia that the proposed barn is for the purposes of storing hay for the cattle enterprise and for sale. In addition the barn is intended for the secure storage of farm implements and substances covered by the Control of Substances Hazardous to Health Regulations (COSHH Regs.)

1.4 Inspection of the farm shows that the pasture forms the active area of the holding and that this land is contained in one large block which borders Wargrave Road. The area where it is proposed to locate the barn is close to existing buildings set well back from the road, and has a long established vehicular access.

1.5 Details of the uses to which the land and existing buildings are put; the programme of livestock and cropping together with other details of the farming business are set out in the appraisal Report.

1.6 With regard to the design of the proposed barn the submitted drawings illustrate a building of traditional style so as to be in keeping with the nature and character of the surrounding area. The barn is to be timber clad with a tiled roof.

1.7 Internally the building is divided into three distinct sections. The central section is intended for the storage of hay and/or bedding and fodder. The end sections are to be used for the storage of farm implements, bagged fertiliser, workshop tools as well as chemicals and medicines.

1.8 The appraisal Report confirms that 'Woodlands House Farm' derives an acceptable income from its livestock enterprise but needs added facilities, for example, for the storing of the hay crop to achieve the best market price.

1.9 Concerning the environmental impact of the proposed barn, the selected architectural style has been chosen to safeguard visual amenities. Furthermore, the safe storage of chemicals and other products will protect them from vandalism and the consequent risk of pollution.

2. The Council's Decision

2.1 The Council refused permission for the barn for the following reasons:

1. The proposed development by reason of its size, massing and location would result in a significant increase in the level of development within this area of the farm, to the detriment of the open character and amenity of the Green Belt. Therefore the proposed development is contrary to policy C4 of the Berkshire Structure Plan, to policies 1 and 12 of the Green Belt Local Plan for Berkshire and to policies WOS3 and WGB1 of the Wokingham District Local Plan.

2. The proposed development lies within the area of land liable to flood as shown on maps held by the Environment Agency. The The development would be at direct risk of flooding, and would increase the risk of flooding elsewhere. Therefore the proposed development is contrary to policy EN3 of the Berkshire Structure Plan and to policy WLC16 of the Wokingham District Local Plan.

(Document 3)

3. Grounds of Appeal

3.1 The Appellant does not agree that the proposed barn is of a size, massing or location that would result in a significant increase in the level of development on the application site so as to be detrimental to the open character and amenity of the Green Belt.

3.2 The proposed development is for a purpose appropriate to the Green Belt and is not contrary to the policies of the Development Plans referred to by the Council.

3.3 It is acknowledged that the proposed barn is intended to be situated within an area liable to periodic flooding. The Environment Agency made clear, however, that in this case the objection can be overcome by designing the building as a floodable structure.

3.4 Concerning this matter the Appellant advised the Council of his willingness to overcome the flooding objection by designing the barn as a floodable structure.

3.5 It was confirmed that the finished internal floor level is designed to be set at existing ground level. Gaps of 150mm in height can be provided under all doors, and openings provided in the walls, sufficient in size and number to allow free entry and egress of flood water.

3.6 The openings could be provided with grilles, if proven necessary for security.

3.7 The Appellant made clear to the Council that the imposition of a condition on the grant of planning permission relating to the above requirements would be acceptable.

4. Conclusions

4.1 The proposed barn is required for the essential needs of 'Woodlands House Farm'.

4.2 The siting, size and architectural style of the proposed barn will cause no harm to the character and appearance of the Green Belt. The type of development proposed is appropriate in the Green Belt.

4.3 Pursuant to the imposition of planning conditions details can be submitted to the Local Planning Authority for prior approval in writing for the provision of gaps/openings that will facilitate entry and egress of flood water.

4.4 Having full regard to the above issues it is respectfully requested that the appeal is allowed. The right is reserved to respond as may be necessary to any representations from the Local Planning Authority or comments from interested third parties.

THE PLANNING APPLICATION

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

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

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

FOR OFFICE USE ONLY

1. APPLICANT'S NAME: MR. P. BERGGREN

ADDRESS: 'WOODLANDS HOUSE FARM' WARGRAVE ROAD REMENHAM NR. HENLEY-ON-THAMES OXON

POST CODE: RG9 2LT PHONE: -

If the applicant has an agent, all correspondence will be sent to the agent

AGENT'S NAME: JOHN ANDREWS ASSOCIATES

ADDRESS: 'THE LODGE' 66 ST LEONARD'S ROAD WINDSOR BERKSHIRE

POST CODE: SL4 3BY PHONE: 01753. 831330

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: 'WOODLANDS HOUSE FARM' WARGRAVE ROAD REMENHAM

4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.

ERECTION OF BARN
SEE NEW BUILDING APPRAISAL

5. Give the area in hectares or part of a hectare

AREA OF SITE: 24.30 HECTARES (60 ACRES)

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: DRAWING NOS. 00/WHF/1, 2 & 3

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?

Tick the boxes(x)

CHANGE OF USE [ ]
REDEVELOPMENT [ ]
ERECTION OF NEW BUILDING [✓]
ALTERATION or EXTENSION [ ]

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

OUTLINE PERMISSION [ ] See question 10
FULL PERMISSION [✓]
APPROVAL OF DETAILS/RESERVED MATTERS [ ] State relevant outline permission number. Also complete Question 10
TEMPORARY PERMISSION [ ] State period required
RELAXATION OF CONDITIONS [ ] State relevant application number. 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 ?

N/A

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.

AGRICULTURAL

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~~

NONE TO BE FELLED

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.

CLAY TILES

TIMBER CLADDING TO LPA'S APPROVAL

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.

AS EXISTING

16. HOW WILL SURFACE WATER BE DISPOSED OF?

TO SOAKAWAYS

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details NOT APPLICABLE

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

EXISTING VEHICULAR DRIVE TO WARGRAVE ROAD
NO CHANGES PROPOSED

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

NOT APPLICABLE

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

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

* STATE No. OF HABITABLE ROOMS

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

If YES, complete Part 2 of the form

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

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

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

£35.00

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 MR P. BERGGREN DATE June 2000

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

1769c

PLANNING APPLICATION

PART 2

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

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

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS	–	–	–	–
A2	FINANCIAL AND PROFESSIONAL SERVICES	–	–	–	–
A3	FOOD AND DRINK	–	–	–	–
B1(a)	OFFICE (other than A2)	–	–	–	–
B1 (b)	RESEARCH AND DEVELOPMENT	–	–	–	–
(c)	LIGHT INDUSTRIAL	–	–	–	–
B2	GENERAL INDUSTRIAL	–	–	–	–
B3-7	SPECIAL INDUSTRIAL	–	–	–	–
B8	STORAGE OR DISTRIBUTION	–	–	–	–
C1	HOTELS AND HOSTELS	–	–	–	–
C2	RESIDENTIAL INSTITUTIONS	–	–	–	–
D1	NON-RESIDENTIAL INSTITUTIONS	–	–	–	–
D2	ASSEMBLY AND LEISURE	–	–	–	–
OTHER	Please Specify AGRICULTURE	180	–	198	–
OTHER	Please Specify –	–	–	–	–
	TOTAL	180	–	198	–

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES: NOT APPLICABLE

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	2	2
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.
AGRICULTURE

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier.
b) Will these premises be vacated?
TO BE USED BY 'WOODLANDS HOUSE FARM': APPLICANTS
NO

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
2	0	0	2

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.
NO

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

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

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

WHAT ELSE MAY YOU HAVE TO DO ?

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

Special forms are available for these types of applications.

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

WHAT HAPPENS TO THE APPLICATION ?

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

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

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

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

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

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

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

HOW LONG WILL IT TAKE ?

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

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

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

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

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

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

DATA PROTECTION ACT 1984

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

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

CERTIFICATE UNDER ARTICLE 7

PLEASE COMPLETE EITHER CERTIFICATE A OR CERTIFICATE B OVERLEAF

Certificate A *(a)*

I certify that:

on the day 21 days before the date of the accompanying application/~~appeal~~* nobody, except the applicant/~~appellant~~*, was the owner *(b)* of any part of the land to which the application/~~appeal~~* relates.

Agricultural Holdings Certificate *(a)*

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C or D. 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/appeal* relates is, or is part of, an agricultural holding.~~

or

* I have/The applicant has/The appellant has* given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served
NOT APPLICABLE		

Signed .....

*On behalf of MR. R. BERGGREN

Date 5 June 2003

*delete where inappropriate

(a) This Certificate is for use with applications and appeal for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C, or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.

(b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Tel. (0118) 974 6448 (Direct Line)
Date: August 30, 2001
My ref: F/2000/2080
Your ref: APP/X0360/A/01/1070364

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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 Miss Groves

APPEAL BY: Mr Berggren
SITE: Woodlands House Farm, Wargrave Rd, Remenham

With reference to this appeal, I enclose 2 copies of the Council's statement of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: August 3, 2001
My ref: F/2000/2080
Your ref: APP/X0360/A/01/1070364

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

Mr S Campbell
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Mr Campbell

APPEAL BY: Mr P Berggren
SITE: Woodlands House, Wargrave Rd, Remenham

With reference to this appeal, I enclose 2 copies of the questionnaire & associated documents.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. August 3, 2001
My ref: F/2000/2080
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

John Andrews Associates
The Lodge
66 St Leonards Rd
Windsor
Berks
SL4 3BY

Dear Sirs

APPEAL BY: Mr P Berggren
SITE: Woodlands House Farm, Wargrave Rd, Remenham

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2080

Our Ref: APP/X0360/A/01/1070364

Date: 31 July 2001

PLANNING SERVICES
TLS
POL
ENF
DC
APP DG
CS
01 AUG 2001
COPIES TO:
ACK:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR P BERGGREN
SITE AT WOODLANDS HOUSE, WARGRAVE ROAD, REMENHAM, HENLEY-ON-THAMES

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

You must **submit** the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that: -

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.* Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. In most cases the visit will be arranged within 12 weeks of the **starting date**.

You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

Mr S Campbell

102(BPR)

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name MR P BERGGREN

Address 'WOODLANDS HOUSE FARM'
WARGRAVE ROAD
REMENHAM BERKSHIRE
Postcode RG9 2LT

Your reference -
Daytime phone no 01491 · 576828
Fax no -
E-mail address -

B. AGENT DETAILS (if any)

Name JOHN ANDREWS ASSOCIATES

Address 'THE LODGE'
66 ST LEONARD'S ROAD
WINDSOR BERKSHIRE
Postcode SL4 3BY

Your reference -
Daytime phone no 01753 · 831330
Fax no 01753 · 859051
E-mail address -

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM D.C.

Date of the planning application 5 JUNE 2000

LPA's application reference no F/2000/2080

Date of LPA's decision notice (if issued) 29/1/01

D. APPEAL SITE ADDRESS

Address 'WOODLANDS HOUSE FARM' WARGRAVE ROAD
REMENHAM NR. HENLEY-ON-THAMES
BERKSHIRE
Postcode RG9 2LT

National grid reference SU 770 823

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed)

ERECTION OF BARN FOR AGRICULTURAL USE

(SEE DECISION NOTICE)

Size of the whole appeal site *(in hectares)*

24.30 HECTARES

Area of floor space of proposed development *(in square metres)*

198 SQUARE METRES

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

G. GROUNDS OF APPEAL (continued)

SEE 'GROUNDS OF APPEAL' ATTACHED

H. CHOICE OF PROCEDURE

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☐

2. HEARING ☐

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box* ✔

CERTIFICATE A

☑

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B

☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which notice served	Date the notice was served

CERTIFICATES C and D

☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☐

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person other than the appellant who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☑

Tenant's name	Address at which notice served	Date the notice was served
	NOT APPLICABLE	

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed J.A. Andrews (on behalf of) MR P BERGGREN

Name (in capitals) J.A. ANDREWS for JOHN ANDREWS ASSOCIATES Date 26 JULY 2001

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

1. A copy of the original **planning application** sent to the LPA. ☑
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☑
3. A copy of the **LPA's decision notice** (if issued). ☑
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☑
5. Copies of **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☑

Copies of the following must also be sent, if appropriate:

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

   _____

   _____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

    _____

    _____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed J Andrews (on behalf of) MR. P. BERGGREN

Name (in capitals) J.A. ANDREWS for JOHN ANDREWS ASSOCIATES Date 26 JULY 2001

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at**:
  The Planning Inspectorate
  Appeals Registry
  Toligate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again as they will have everything which you sent them at application stage, but send them any supporting documents not previously sent to them as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.
If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

5) Tell you our Inspector's decision.

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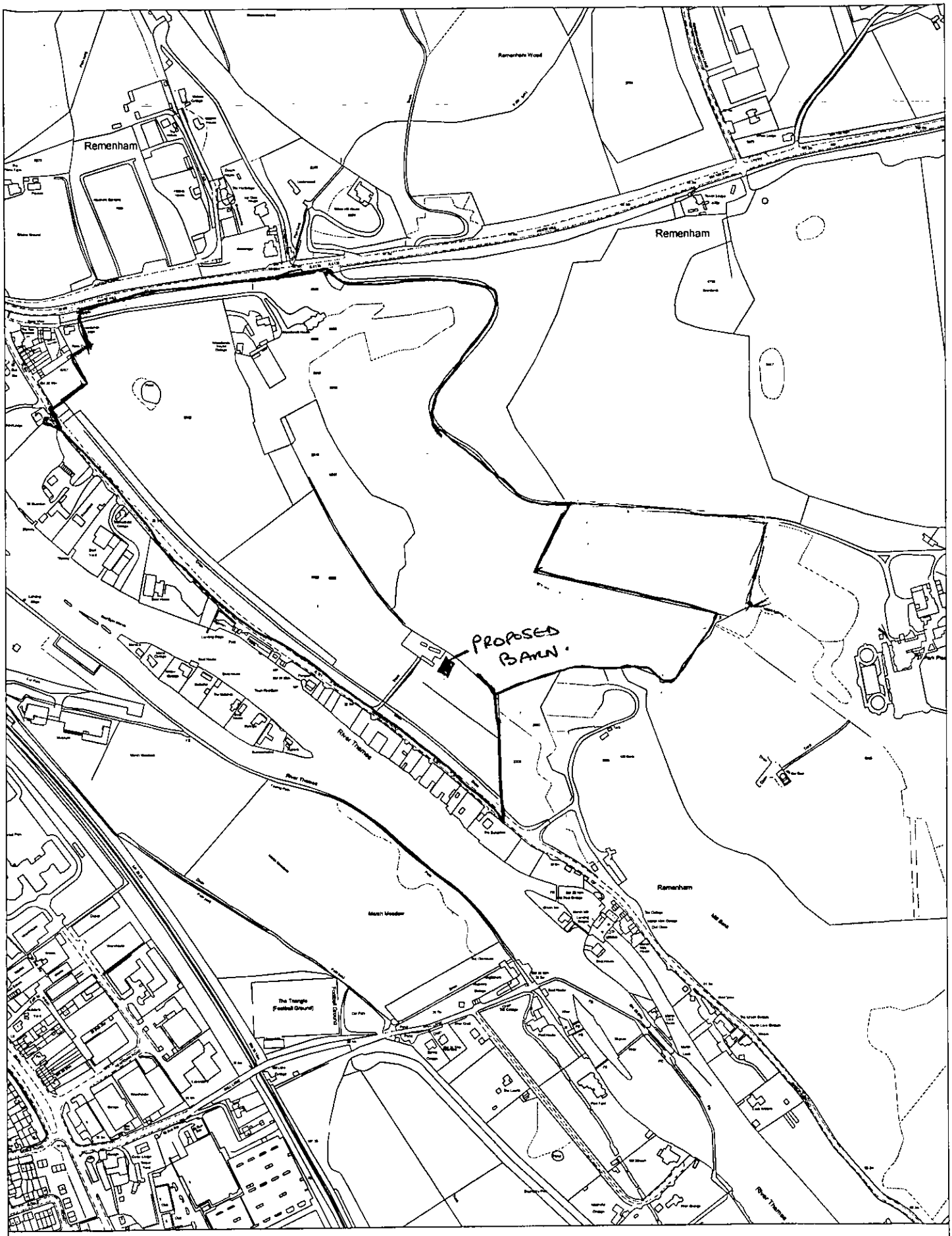

Site Plan, Scale: 1 to 6000

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Date: 3 August 2001

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