APPLICATION NO:
TP/2001/3180

LOCATION:
Woodcray Manor Golf Club Finchampstead Road, Wokingham.

APPLICANT:
Eurogolf Course Construction & Management Ltd

PROPOSAL:
Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

EARLIEST DATE FOR DECISION: 12/02/2001

APPLICATION WILL HAVE EXPIRED ON:
15/03/2001

CASE OFFICER: **Elaine Connor**

RAILEX
Marbleboard

Appeal Decision

Hearing held on 14 May 2002

Site visit made on 14 May 2002

by David Vickery DipT&CP MRTPI

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 29 MAY 2002

Appeal Ref: APP/X0360/A/01/1078861
Woodcray Manor Golf Course, Finchampstead Road, Wokingham

- 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 Eurogolf Course Construction & Management Ltd against the decision of Wokingham District Council.
- The application (Ref. TP/2001/3180), dated 22 December 2000, was refused by notice dated 30 May 2001.
- The development proposed is the change of use of the greenkeeping facility to one bed residential, pro-shop and offices.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. I saw at my site visit that the residential and office uses have already commenced. I shall, therefore, consider the appeal to be one partly relating to an application under section 73A of the 1990 Act, as amended, to retain those uses.

Main Issue

2. From what I have read, seen and heard, I consider that the main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Planning Policy

3. The development plan includes the Berkshire Structure Plan 1991-2006, as Altered in August 1997, and the South East Area Local Plan, adopted in April 1994. One of the overall aims of the Structure Plan (policy OS1) is to seek sustainable development by, for example, restraining development and giving priority to the county's economic and social needs. Policy C2 strictly controls development outside built-up areas with exceptions, for example, for the re-use of existing buildings to assist the diversification of the rural economy and to maintain or enhance the rural environment.

4. Policy STV2 in the Local Plan says that all land outside the identified settlements is within the rural area where development will not normally be allowed, except in certain circumstances. Local Plan policy SC20 permits the conversion of buildings in rural areas to dwellings, subject to a number of criteria.

5. The Deposit Draft Wokingham District Local Plan (the WDLP) has been the subject of a Public Local Inquiry into objections and the Inspector's Report has been received. However, the Council has not yet considered the Report. Therefore, bearing in mind the advice in paragraph 48 of Planning Policy Guidance Note 1: *General Policy and Principles*,

I cannot give its policies the full weight accorded to an adopted Local Plan, although the advanced stage of the WDLP gives them appreciable weight.

6. WDLP policy WOS2 says that development will only be allowed in exceptional circumstances outside settlement boundaries. Policy WCC1 is similar, and states that one of the exceptional circumstances is the re-use of an existing building. Policy WCC5 says that the re-use of a building will not be permitted unless every attempt has been made to secure suitable business re-use.

7. Planning Policy Guidance Note 7: *The Countryside – Environmental Quality and Economic and Social Development* (PPG7) deals with the re-use of buildings at paragraphs 3.14 to 3.17. Five criteria are set out in paragraph 3.14 that apply to proposed conversions. Paragraph 3.15 of PPG7 says that development plans may indicate that residential re-use is not permitted in specified circumstances, one of which is that every reasonable attempt has been made to secure a suitable business re-use. Paragraph 3.16 says that residential re-use proposals in the open countryside should be examined with particular care. Further advice is given in Annex G of PPG7.

Reasons

8. The appeal building does not lie within the built-up area or within a settlement boundary. It therefore lies within the countryside and a rural area. Dealing first with the residential use, it is not associated with either agriculture or forestry. The building has no architectural or historic merit, nor is it a redundant farm building.

9. The appellant said that the residential use is associated with the adjacent golf course, primarily in order to provide security at the premises. At the Hearing, the appellant also said that the residential use had commenced at the outset of the building's erection in 1996. I therefore consider that legally the development cannot be a re-use or conversion of a rural building as this part of the building has never been used for its permitted purpose, namely as a greenkeeping facility.

10. Even if I am wrong on this point, the proposal would not satisfy the Structure Plan's requirement that the re-use of the building should assist the diversification of the rural economy and maintain or enhance the rural environment, as the appellant claimed. The Structure Plan specifically refers to the guidance in PPG7 at paragraph 5.9. Annex I of PPG7 sets out how proposals for agricultural and forestry dwellings should be assessed. I consider that this advice in PPG7 can be appropriately used for this proposal as it indicates a methodology for examining the justification for a dwelling in the countryside.

11. Firstly, it was said that security was needed at the premises in order to protect expensive equipment from theft or damage. Various thefts at this and other golf courses were mentioned. I accept that a residential presence is an effective deterrent, as advocated by the local police. However, I also agree with the Inspector in the previous appeal (Document 4) who considered that security needs could be met in other ways. The use of security personnel, guard dogs, improved perimeter fencing and locked gates would all be possible measures that could be undertaken. There was no evidence to suggest that a combination of all or some of these measures would be ineffective and/or prohibitive in cost. Moreover, I saw that there are two residential properties nearby (to the west) and, whilst I am not advocating that they take on a formal security role, their nearby presence would act as a deterrent for would-be thieves or vandals. Therefore, I am not convinced that there is a functional need for a dwelling on the site.

12. Secondly, the appellant said that the golf course's viability would be at risk if there was not a residential presence. However, no figures were produced to prove this point or, perhaps more importantly, to show that the enterprise is financially viable and that it requires a full-time worker. Therefore, I consider that the financial test in PPG7 would also not be satisfied.

13. The appellant considered that the proposal would comply with WDLP policy WCC5 in that it would be a subordinate part of a scheme for business use. I do not accept this because the residential use of this part of the greenkeeping facility has clearly led to some greenkeeping functions being displaced to a number of containers and a portakabin to the south. It cannot be subordinate to a business use when part of that business use has had to move elsewhere to make way for it. There is a suitable business use for this part of the building, and so the proposal would be contrary to this policy.

14. I realise that policy SC20 in the Local Plan is supportive of the conversion of rural buildings. However, the explanatory paragraphs clarify that the policy is meant to apply to redundant farm buildings. Moreover, I regard that policy to have been superseded by more recent government advice in PPG7 (paragraph 54 of PPG1).

15. The Council had no objection to the either the proposed offices or to the pro-shop. I agree with that assessment. Such uses are a necessary part of the functioning of a golf course. It is open to me under section 79(1)(b) of the Act to issue a split decision, provided the parts can be separately identified. In this instance I agree with the appellant who said that it would be difficult to identify all the various discrete uses within this relatively small building. Moreover, a split decision would result in an unclear situation as to the legitimacy of the various uses. It would be better, it seems to me, if the building's future use(s) were to be resolved as a whole, rather than in piecemeal fashion.

16. I conclude that the proposal would seriously harm the character and appearance of the surrounding area. It would be contrary to the strong planning policies which restrict residential development in the countryside, as set out in the existing and emerging development plan policies I have mentioned and in PPG7.

Other Matters

17. The appellant made submissions concerning Article 8 and Article 1 of the First Protocol to the European Convention on Human Rights. I recognise that the dismissal of this appeal would result in an interference with Mrs Vallely's home and private life and the peaceful enjoyment of her property, and that it might possibly lead to her being deprived of her property, notwithstanding the right of the state to control its use. However, that interference must be balanced against the public interest in pursuing the legitimate aims stated in Article 8, particularly the economic well-being of the country, which includes the preservation of the environment.

18. The objections to the development that has taken place on this site (as referred to above) are serious ones and they cannot be overcome by planning conditions. The general public interest can only be safeguarded by refusal of permission. In all the circumstances, I consider that the refusal of planning permission is necessary in a democratic society in furtherance of the legitimate aims stated. They do not place a disproportionate burden on Mrs Vallely. I therefore consider that dismissal of the appeal would not result in a violation of her rights under Article 8 and Article 1 of the First Protocol to the Convention.

Conclusion

19. In reaching the conclusion on which my decision is based, I have taken account of all other points raised, including possible precedents and the alleged unsuitability of the building for greenkeeping. On the first point, the examples of residential accommodation on other golf courses were not within the Council's area and so did not involve the same policy circumstances. In any event, each case must be decided on its own merits, as I have done here. The arguments on the second point mainly related to the use of noisy machinery, which this building would not be used to store. None of these other points has outweighed the considerations I have mentioned. For the reasons given above, I conclude that the appeal should be dismissed.

Formal Decision

20. In exercise of the powers transferred to me, I dismiss the appeal.

Information

21. 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.

David Vickers

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mrs E Vallely	Director, Eurogolf Course Construction & Management Ltd, Woodcray Manor Golf Course, Finchampstead Road, Wokingham, Berks., RG40 3HG.

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Hamlin BSc MA MRTPI	Planning Officer with the Council.

INTERESTED PERSONS:

Mr K Thompson	Golf course member, The Old Stables, Pinewood Avenue, Crowthorne, Berks., RG40 3HG.
Mr R Bradbeer BA MRTPI	On behalf of Mr & Mrs Brown, Robin Bradbeer Ltd, Steepways Farm, Nether Lypiatt, Stroud, Glous., GL6 7LS.
Mr Brown	Local resident, Woodcray House, Finchampstead Road Wokingham, Berks., RG40 3HG.
Mrs C Lukic	Local resident, Woodcray Manor, Finchampstead Road Wokingham, Berks., RG40 3HG.

DOCUMENTS

Document	1	List of persons present at the inquiry
Document	2	The Council's letters of notification of the Hearing and list of those notified.
Document	3	Appendices 1 to 4 of Mrs Vallely's Statement of Case.
Document	4	Appeal Ref. T/APP/X0360/C/99/1035175, submitted by Mrs Vallely.
Document	5	Appendices 1 to 7 of Mr Hamlin's Statement of Case.
Document	6	Appendices 1 to 4 of Mr Bradbeer's representations.
Document	7	The Council's list of suggested conditions.
Document	8	Letter from Mr Thompson dated 21 February 2002, submitted at the Hearing.
Document	9	3 letters of representation following the Council's notification of the Hearing.

PLANS

Plans	A - D	The application plans: 1:2500 site location plan (Plan A); location plan (Plan B); elevation and layout – GF/1 (Plan C); and golf course plan (Plan D).

(EC)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Eurogolf Course Construction & Management Ltd
Woodcray Manor Golf Club
Finchampstead
Wokingham
Berkshire
RG40 3HG

Application Number: TP/2001/3180

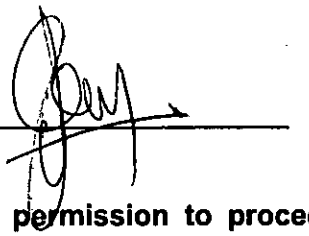
Parish:	**WOKINGHAM**
Location:	**Woodcray Manor Golf Club, Finchampstead Road, Wokingham.**
Proposal:	**Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council, the reason for which is specified hereunder.

Reason

1. The use of the greenkeepers building for residential purposes, with pro-shop and office facility, is considered to be inappropriate as it amounts to residential development in the countryside. It is considered that no change has taken place on site since the Inspector's decision of 15th June 2000, to materially alter the situation. The development is therefore contrary to policies STV2 and SC20 of the South East Area Local Plan, policies WOS2, WOS3 and WCC5 of the Wokingham District Local Plan (Deposit Draft) and to policies OS1 and C2 of the Berkshire Structure Plan.

John Mitchell
Development Control Manager
Date: 30/05/2001

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.

Received by Wokingham District Council

Application No: TP/2001/3180

Proposal:
Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Location:
Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.

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

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - 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 Elaine Connor P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 12/02/2001. 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

19 January 2001

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

16 JAN 2001 * 3180

1.	APPLICANT'S NAME	EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.
	ADDRESS	WOODCRAY MANOR GOLF COURSE FINCHAMPSTEAD RD., WOKINGHAM
	POST CODE	RG40 3HG PHONE 0118 9771073
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	N/A.
	ADDRESS	
	POST CODE	PHONE
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	SITE LOCATION	WOODCRAY MANOR GOLF COURSE
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BED RESIDENTIAL PRO. SHOP AND OFFICES.
5. Give the area in hectares or part of a hectare	AREA OF SITE	65
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	GF/1

DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?	CHANGE OF USE	☑	REDEVELOPMENT	☐
Tick the boxes(x)	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: 2 YEARS
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?

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

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

WAS GRANTED P.P. AS A GREENKEEPERS FACILITY, BUT IS NOT SUITABLE AS IT IS LOCATED CLOSE TO RESIDENTIAL PROPERTIES

17696

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? YES/NO — If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED? YES/NO — If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

EXISTING BUILDING.

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.

N/A

16. HOW WILL SURFACE WATER BE DISPOSED OF?

SOAKAWAY

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details

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

AS EXISTING

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

YES

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	/ *	6 16 *	/ NIL

* 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.

£190

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 EUROGOLF COURSE CONSTRUCTION MANAGEMENT LTD DATE 22/12/00

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	36 m²			36 m²
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)	24 m²			24 m²
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL		18.JAN.2001 * 3180		
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 CB RESIDENTIAL	36 m²	88 m²		36 m²
OTHER	Please Specify RECEPTION AREA TEA ROOM TOILETS	28 m²			28 m²
	TOTAL	124 m²			124 m²

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES: N/A

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	120	N/A
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.

SELLING OF GOLF EQUIPMENT
OFFICES
1 BED ACCOM TO PROVIDE ON SITE SECURITY

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

EUROGOLF OCCUPY THIS BUILDING AT PRESENT

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
5	—	3	8

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 Officerresponsible for planning matters. Objections to an application will be taken into consideration by the Committee or the Chief Officer.

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

HOW LONG WILL IT TAKE ?

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

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

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

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

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

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

DATA PROTECTION ACT 1984

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

Tel: (0118) 974 6451

Date: 16/5/01

My ref: TP/2001/3180



CONFIDENTIAL

Councillor R Wyatt
33 Sturges Road
Wokingham
RG40 2HG

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Councillor

Application Number: TP/2001/3180
Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.
Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

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 **Elaine Connor** on **(0118) 974 6451**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 29/5/01

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Elaine Connor** Application Number: **TP/2001/3180**
Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.
Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor R Wyatt

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

Tel: (0118) 974 6451

Date: 16/5/01

My ref: TP/2001/3180

CONFIDENTIAL

Councillor J Green
102 Arnett Avenue
Finchampstead
RG40 4EE

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Councillor

Application Number: TP/2001/3180
Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.
Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective)..

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If you have any questions please do not hesitate to contact **Elaine Connor** on **(0118) 974 6451**. If you then feel the application needs to be transferred to the next available Development Control 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

Applicationo	Name & Address
TP/2001/3180	K Thompson The Old Stables Pinewood Avenue Crowthorne RG45 6RS

Application refused
Letter sent 05/06/01

* * * COMMUNICATION RESULT REPORT (12.JAN.2001 15:46) * * *

TTI WDC PLAN&TRANSPORT

FILE	MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
834	MEMORY TX		99771029	OK	P. 3/3

18.JAN.2001* 3180

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

Appeal Decision

Hearing held on 9 May 2000

by P H Garnham MA ARICS MRTPI

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

15 JUN 2000

Appeal : T/APP/X0360/C/99/1035175

- The appeal is made under Section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against an enforcement notice.
- The appeal is brought by Eurogolf Course Construction and Management Ltd against Wokingham District Council.
- The site is located at **Woodcray Manor Golf Course, Finchampstead Rd. Wokingham Berks.**
- The Council's reference is 00195/E
- The notice was issued on 17 November 1999.
- The breach of planning control as alleged in the notice is without planning permission change of use of the Green Keeping Facility to a mixed use including use as a dwelling house.
- The requirements of the notice are Cease the use of the Green Keeping Facility as a dwelling house.
- The period for compliance with the requirements is twelve weeks.
- The appeal was made on the grounds set out in section 174(2)(a) and (c) of the 1990 Act

Decision : The appeal is dismissed and planning permission is refused. The enforcement notice is corrected and upheld, as set out in the Schedule.

Preamble

1. At the hearing I drew attention to the differences between the notice plan 'A' and the plan submitted by the appellant company on 16 March 2000, indicating the extent of the golf course. It was agreed by the parties that this plan properly defines both the extent of the company's interest and also the boundaries of the golf course use. The corrections affect the outer boundary and also exclude two areas of land within other ownerships, surrounded by golf course land, but not falling within the planning unit. I consider that an amended plan 'C' should be substituted for plan 'A' attached to the notice.

2. A further matter relates to the allegation. On my inspection I saw that the residential accommodation shares the so-called greenkeeping building with uses that are ancillary to the main golf course use. Some facilities such as kitchen, toilet and shower facilities are shared, and no doubt the clubhouse eating facilities are also available. It seems to me therefore that the allegation should be corrected to relate to a change to a mixed use (of the planning unit) as a golf course and for residential purposes. I consider that no injustice would be caused to any party if the notice and plan are corrected as described, and I shall proceed accordingly.

Inspector's reasons

The appeal under ground (c)

3. In dealing with this matter I am bearing in mind that the appellant company was not professionally represented in these proceedings. Under this ground it was submitted that no breach of control had occurred. It was submitted that the Local Planning Authority knew that residential accommodation was necessary and had given permission for the erection of a

dwelling at the outset. The planning permission for the greenkeeping building did not preclude its occupation overnight. Occupation of premises on site has been, and is, essential for security reasons. Although no explicit argument was made to the effect that such occupation amounted to an ancillary use, certain of the submissions under ground (c) appeal could be viewed as implying as much. Although no detailed argument was advanced, the Council's view was that the use of part of the building as a dwelling amounted to a material change of use requiring planning permission. It could not be regarded as ancillary to the authorised golf course use.

4. From all that I heard at the hearing, and having studied the available material, my view is that the planning unit in this case comprises the land and buildings of the Woodcray Manor Golf Course. A unity of both the occupation and function of this area is evident. The planning unit is therefore that land occupied and used as a golf course. Planning permission was granted in January 1995 (Local Planning Authority Ref. 42764(F)) for the change of use of agricultural land to use as a golf course, including outline permission for a clubhouse, pro-shop and greenkeeping facility, demolition of farm buildings and erection of a house. It appears that the Council accepted that the house was not functionally connected with the remainder of the development, nor was its occupancy made subject to any condition. It has since been constructed and is occupied separately from the golf course enterprise. In my view it does not fall within the planning unit comprising the golf course, nor does its presence have any direct bearing upon the appeal under ground (c).

5. The appellant company was not responsible for the original application but subsequently obtained a lease and commenced implementation of those aspects of the permission related specifically to the golf course. It would seem that they were prepared to undertake that task knowing that the permission did not include any residential element. Reserved matters in respect of the greenkeeping facility were approved in August 1996 (Local Planning Authority Ref. 96/63815/ResMatters). It was confirmed at the hearing that the permission for the building in question was not time limited, and it was also stated on behalf of the appellants that part of the building had been used as residential accommodation from the outset. It was said that the accommodation had always been occupied in connection with the development and use of the planning unit as a golf course.

6. In my view, from my observation of this and other golf courses, it would be unusual for the course itself to exist without various ancillary and incidental elements, necessary to the normal running of the course. For example it might be considered difficult if not impossible to manage a course without greenkeeping facilities and storage of appropriate machinery for the regular maintenance of the course. In passing, I note that condition 18 of the original permission requires that the clubhouse shall only be used for activities ancillary to the primary use of the golf course. Where a golf course is still under construction, as here, it would also be reasonable to expect additional incidental uses of a temporary nature, such as a site compound to exist for the period of construction. Again, this is reflected in the permission.

7. At the hearing, I heard that the golf course is now close to completion but that it has been open for business for several years. In particular the character of the ancillary and incidental features reflects the early stages of course development. Notably, the greenkeeping facilities, in respect of storage and maintenance, are somewhat rudimentary using containers and sheeted lean-to areas. The building erected as a greenkeeping facility appears not to be well suited to the accommodation of machinery and is used in part as residential accommodation, and partly as offices and a shop for the sale of golfing equipment. The

residential accommodation formed from part of this building, comprising a living room and bedroom, is occupied by a Director or Directors of the enterprise, actively involved in its development and operation. It appeared to me that a small area of land to the side and rear of the building is used in connection with the residential use but there is no significant demarcation between the residential accommodation and the adjoining elements of the golf course use. Toilet and cooking facilities appeared to be shared by the various elements within the building.

8. It seems to me that the occupation of part of the building designated as a greenkeeping facility for residential purposes cannot be regarded as a use so inherent to the activity of a golf course as to confer ancillary status upon it. The uses differ in material ways. A residential use (of a building originally identified as a greenkeeping facility) differs materially from a golf course use, such that it must be regarded as an element of a mixed use of the land, as a golf course and for residential purposes. The permission for a golf course use could not be said to include or imply permission for a residential use other than that specifically referred to (the dwelling since built and now a separate entity). In these circumstances, it follows that the material change of use that took place required specific planning permission, which was not obtained. Hence a breach of planning control occurred. For the above reasons the appeal under ground (c) fails.

The appeal under ground (a)

The main issues

9. From all that I have seen, heard and read in connection with this appeal, I consider that the main issue is the effect of the residential use on the amenities of the surrounding rural area on the urban fringe, with due regard to relevant policies.

10. The development plan comprises the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan (1994). Relevant policies of the emerging Wokingham District Local Plan are also a material consideration. My attention has also been drawn to national advice set out in Planning Policy Guidance Note No 7 "The Countryside".

11. It is clear to me that the residential use of the greenkeeping building is not within a built-up area nor within an area identified for residential development. The immediate area might be described as part of the urban fringe, but in policy terms the residential use amounts to development in the countryside. On this matter I cannot accept the suggestion for the appellants that the presence of one or two dwellings in the vicinity qualifies the area including the appeal site as a built-up area. In my view, more precisely, it amounts to no more than sporadic development in a rural area. In outline, policy C2 of the Structure Plan provides that development outside built-up areas will be strictly controlled and permitted only if required for agriculture or forestry, where the re-use of a rural building is involved, or where a rural location is essential.

12. Policy STV2 of the South East Area Local Plan is in similar vein, specifying categories of development that might be permitted as exceptions to the general opposition to development in the countryside. The residential use does not fall within any of the specified categories, and therefore runs counter to the relevant policies. Furthermore the use does not meet any of the criteria set out in proposed policy WCC1 of the emerging local plan. At the hearing it was said that the residential use had commenced at the outset of development and it seems to me that it cannot be considered as the re-use or conversion of a rural building as the remainder of the building is used in connection with the golf course use and there is

evidence of pressure for more buildings to accommodate greenkeeping facilities. Indeed the Council took the view that the residential use, in effect, had displaced other elements of use and added to such pressure. With regard to relevant policies, and bearing in mind the provisions of s54A of the Town & Country Planning Act 1990 (as amended) I conclude that the development does not accord with the provisions of the development plan. S54A provides that a determination shall be made in accordance with the plan unless material considerations indicate otherwise. It is to such possible considerations that I now turn.

13. For the appellants it was submitted that the residential use of part of the greenkeeping building did no actual harm to the rural area; it was low-key and virtually invisible; furthermore a residential presence was amply justified on grounds of general management and to provide a necessary element of security. The building itself had been permitted, and the removal of former agricultural buildings had been undertaken. I consider that those latter points carry little weight and I accept that the use has so far been conducted in a relatively unobtrusive manner and has imposed little upon the character of its surrounding[redacted] Nevertheless that could change. The occupiers, their mode of living, the extent of the domestic paraphernalia and the nature of the residential occupation could all change, with significant effects on the character of the area. If the argument regarding low impact were to be accepted here it could be repeated too often in many other places and circumstances, to the detriment of the countryside in general and generating pressure for permanent dwellings there.

14. I now consider the special circumstances that were advanced by the appellant in justification of the residential use. At the hearing, various security risks were identified and were considered to amount to a justification for a continuous residential presence on site. The early stage of development of the golf course overall, the manner of its management, its surroundings and its exposure to potential crime and vandalism, were all advanced as reasons for such a full-time presence. Anecdotal examples were given to support these claims, including examples of pilfering from the site and assistance given to neighbours in stressful situations.

15. For the Council the argument regarding justification on the grounds of security was opposed. It was said that various other means existed, capable of addressing the need for securi[redacted] These included alarms and cctv equipment. I do not accept the Council's implication that occupiers of the adjoining houses possess or should take on a security role, nevertheless the proximity of residential properties means that the more vulnerable buildings and equipment of the golf course are not entirely isolated. In my view while it might well be convenient to have a residential presence on site, to expedite the carrying out of management tasks and also in respect of security, the residential use is neither the sole means of addressing the security need nor is it necessarily the most effective. Many other establishments could identify similar security needs and these are met in many ways. The use of security personnel, guard dogs, improved perimeter fencing and locked gates (when the course is closed) all come to mind, in addition to the solutions advanced by the Council. Although the appeal does not relate to an agricultural situation, the Council's reference to national advice regarding the need for agricultural dwellings (in Planning Policy Guidance Note No 7) is not entirely inappropriate because it indicates a process of examining the justification for such dwellings in the countryside. The advice concludes that even a need for the protection of animals from theft or injury by intruders would not, in itself, provide a justification for such a dwelling. My conclusion on this matter is that the argument on security grounds does not amount to a justification sufficient to outweigh the contrary policy considerations.

16. It seems to me that an interest in land was acquired, and the Golf Course development undertaken, in the knowledge that there was no planning permission for an associated residential use. It would further seem that the need for a residential element was not foreseen or considered important, or that matter would have been explored at the outset before a decision was made to proceed with this substantial recreational development. It is true that a dwelling had been permitted together with the permission for the golf course but it appears that an operational connection between the two was either never intended or was subsequently abandoned, and the permission was not constructed so as to bind the two elements to one another, in terms of occupation or in any other sense. I make these points to illustrate that the need for a residential use, now advanced as a very important component of the overall development, was apparently not accorded significance at the outset, when important commitments were being made.

17. My overall conclusion is that the justification, on security grounds or indeed any other, for a residential component of the golf course use is not of such weight as to indicate a decision other than in accordance with the development plan. On that matter my conclusion is that a refusal of permission is indicated. For all the above reasons the appeal under ground (a) fails.

Conclusions

18. For the reasons given above, it is clear to me that the plan attached to the enforcement notice is incorrect and that the allegation requires correction, as discussed. In exercise of the powers transferred to me, a corrected plan will be substituted. The notice, corrected as described, will be upheld. The appeal under ground (a) will be dismissed and permission will not be granted on the application deemed to have been made under s177(5) of the Act.

19. I have taken careful account of all matters raised in relation to this appeal but no matter raised has been as important as those that have led to my conclusions. I note that there is a proposal to move the present greenkeeping facility (including the residential accommodation) further to the south and to erect a larger greenkeeping facility on the present site, but this matter has not affected my judgement in the present appeal. I also note the representations made on behalf of the occupiers of Woodcray Manor Farm, situated to the west of the land in question, but it appears to me that the comments made refer principally to effects arising from the moving of greenkeeping facilities (containers and machinery) to their present position from an area further to the north. This matter has not affected my determination of the appeal on its planning merits.

20. This decision is issued as the determination of the appeal before me. Particulars of the rights of appeal against my decision to the High Court are enclosed for those concerned.

Schedule

21. It is directed that the enforcement notice shall be corrected :

a) by the substitution of plan 'C' attached to this decision, for plan 'A' attached to the notice;

b) In para 2 (The land affected), by the insertion of the word "thick" between "black" and "line", by the substitution of "C" for "A", and by the addition of the words "but excluding the areas hatched in black";

c) By the deletion of Para 3 "The breach of planning control alleged" in its entirety and its replacement by the following :

"3. The breach of planning control alleged

Without planning permission, a material change in the use of the land from use as a golf course to a mixed use as a golf course and for residential purposes."

Subject thereto the appeal is dismissed, the enforcement notice (as corrected) is upheld and planning permission will not be granted on the application deemed to have been made under s177(5) of the amended Act.

P H Garnham MA ARICS MRTPI, Inspector

Appearances

For the appellants

Mrs E Vallely, Director, Eurogolf Course Construction & Management Ltd

For the Local Planning Authority

Mr M Hamlin BSc MA MRTPI Principal Planning Enforcement Officer
Wokingham DistrictCouncil

Interested Persons

Mr R Bradbeer BA(Hons) MRTPI R Bradbeer Ltd
20 Lansdown Parade
CHELTENHAM
Glos GL50 2LH

Mr A Twitchett 18 Barkham Rd. WOKINGHAM, Berks RG41 2XP

Mrs F Twitchett 18 Barkham Rd. WOKINGHAM, Berks RG41 2XP

Miss E Parrott 1, Croft Close, WOKINGHAM, Berks.

Documents

Document 1	List of persons attending the hearing
Documents 2 & 2a	Hearing Notification Letters
Document 3	Letters dated 8 and 9 May 2000 from Speechly Bircham on behalf of Mr & Mrs D Lukic, Woodcray Manor Farm
Document 4	Letters from interested persons : a) R Bradbeer Ltd on behalf of owners of Woodcray House b) G B Scotford c) C H Passmore

Inspect. Rept
T/APP/X0360/C/99...

WOODCRAY MANOR - GOLF COURSE

- not within a built up area, nor within the identified settlement
- the residential use amounts to dev. in the c'side.
- BSP - C2 - dev. outside built up areas will be strictly controlled & permitted only if required for AGRI or FORESTRY, where the re-use of a rural building is involved or where a rural location is essential.

- STV2 - specifies categories of dev. that might be approp/permitted as exceptions to the general opposition to dev. in C'side.
  - The use prop. does not fall into any of the spec. categories & is ∴ counter to relevant policies

- WCC1 - does not meet with criteria

- although use at minute is relatively low-key & has been carried on in a relatively unobtrusive manner this could change...
  - the mode of living
  - extent of domestic paraphenalia etc....
- the residential use is neither the sole means of addressing the security need nor is it necessarily the most effective ∴ concluded that this matter does not amount to a justification sufficient to outweigh the contrary policy considerations

→ no evidence of alt. security scheme being investigated

1.0 LOCATION AND SITE DESCRIPTION

1.1 The site which is the subject of this appeal is located along Tintagel Road, an unmade through road which links Kiln Ride to the main A321, Sandhurst Road.

1.2 Tintagel Road is a residential area located within the identified * settlement, in the parish of Finchampstead. The area ~~is~~ contains a mixture of housing types, and is characterised by its mature landscaping.

1.3 The site consists of a modern two storey detached dwelling, set back from Tintagel Road. To the front of the dwelling is an area of hardstanding, with landscaping beyond. This landscaping forms the boundary with Tintagel Road.

1.4 There is no planning history relevant to the consideration of this appeal.

* old plans ex L.A.

16, Middlefields Ruscombe.

Jason 9342210.

Recd 10.30AM 19.2.01

File

REPLY REQUIRED
5/3/01

Robin Bradbeer Limited

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PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	40341
19 FEB 2001	
COPIES TO:	ACK: 26/2/01
	FILE:

Ref. No. RWB/334
19 February 2001

For the attention of Mr John Mitchell
Development Control Manager

By Hand

Dear Mr Mitchell

PLANNING APPLICATION TP/2001/3180
SITE : WOODCRAY MANOR GOLF COURSE
DEVELOPMENT : CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BEDROOM ACCOMMODATION, PRO-SHOP AND OFFICE

I attach a copy of the letter I have sent to Ms Connor who is the Case Officer dealing with current application TP/2001/3180 to make you aware of the issues raised. In addition to matters raised in the attached letter I would appreciate your response please upon the following outstanding issues which have been the subject of earlier discussion and correspondence.

1. ***File 97/64983***
   Will you inform me please upon the Council's current position in relation to the stated intention to reconstruct the file?

2. ***Mobile Home***
   What action is being taken by the Council to enforce against this unauthorised development?

3. ***Implementation of landscaping scheme***
   Mr Hamlin wrote to me on 31 July 200 to say that he had written to the owner requesting a timescale for the implementation of the approved details and that he would keep me informed of progress. Since I have yet to be so informed will you now please do so?

I look forward to receiving your early reply.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

334wgc.36

COPY TO JOHN MITCHELL

Robin Bradbeer Limited

Planning & Development Consultancy

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Ref. No. RWB/334
19 February 2001

For the attention of Ms E Connor **By Hand**
Development Control

Dear Ms Connor

PLANNING APPLICATION TP/2001/3180
SITE : WOODCRAY MANOR GOLF COURSE
DEVELOPMENT : CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BEDROOM ACCOMMODATION, PRO-SHOP AND OFFICE

I act for the owners of Woodcray House which is located adjacent to the structure the subject of this application.

My clients maintain their objection to this retrospective application on precisely the same grounds which were set before the Inspector who considered the enforcement appeal last year. For your convenience I attach a copy of my letter to The Planning Inspectorate of 4 May 2000.

In view of Inspector Garnham's decision of 15 June 2000 to refuse the deemed application before him and to uphold the Enforcement Notice requiring compliance within 12 weeks, this application clearly represents a case where the Council should exercise its discretionary power under S70A of the Act to decline to determine the application.

There has been no material change in planning circumstances relating to the proposal since the Inspector's decision last June and therefore this application is no more than an undisguised attempt by the applicant to buy further time.

Please inform me of your conclusions in relation to S70A.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

334wgc.34

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email: John.Mitchell@wokingham.gov.uk
Date 26 February 2001
My ref. JRM/SB/TP/2001/3180; 97/64983
Your ref. RWB/334

X0341

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Dear Mr Bradbeer

Thank you for your letter of 19 February regarding Woodcray Manor Golf Course, which is receiving attention.

Yours sincerely

SB

JOHN MITCHELL
Development Control Manager

WORK SHEET FOR : Elaine Connor

Application Number : TP/2001/3180

Applicant : Eurogolf Course Construction & Management Ltd .

Location : Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.

Proposal : Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Site Notice Displayed ? :	YES	NO	DATE
		✓	

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 18/01/2001

Earliest Date for Decision : 12/02/2001

Latest Consultation Date/Site Notice Expiry Date : 12/02/2001

This application <u>will have expired on</u>: <u>15/03/2001.</u> You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

ENV. HEALTH : no objection
WOKINGHAM TOWN COUNCIL : no objection
OBS : 1 letter of objection
3 letters of support .

THAMES VALLEY POLICE : supports app.
(Crime Prevention Design Advisor)

Planning Issues :

— rural area
— separation of settlements .

Application No. F/2001/3180

Appraisal:

The application being considered is a retrospective change of use of the existing greenkeepers facility to a one bedroom residential unit with pro-shop and offices, for a temporary period of 2 years. The site is located outside the settlement boundary in an area designated as green gap/wedge. Planning permission for change of use of part of the land and buildings to a Golf Course and associated facilities was granted planning permission in 1992.

Principle of Development:

PPG 7 states that residential development in the countryside away from established settlements should be strictly controlled. Isolated new houses in the countryside require special justification for instance if essential to enable farm or forestry workers. This national guidance is reflected in the policies of both the Berkshire Structure Plan the adopted South East Area Local Plan, and the emerging draft Wokingham District Local Plan. Policy C2 of the Berkshire Structure Plan, policy STV2 of the SEALP and policy WCC1 of the WDLP (Deposit Draft), all refer to a criteria against which such development should be assessed.Therefore, as the residential use in question is not within a built up area, nor within the identified settlement, the use amounts to development in the countryside, with no special need to justify granting planning permission. Therefore, the proposal is contrary to the above policies.

Planning History:

As mentioned above planning permission for change of use of part of the land attached to Woodcray Manor Farm, and associated buildings, to a golf course was granted in 1992, and the facility has been developing since. The building, which is the subject of this application, was previously used as the greenkeepers facility, but has been adapted to be used as a habitable unit with a pro-shop and offices. As this use has been carried on for some time now without the benefit of planning permission an enforcement notice was served upon the applicant on 17th November 1999. An appeal against this notice was submitted last year, which was the subject of an informal hearing. The Inspector dismissed the appeal, planning permission was refused and the enforcement notice was corrected and upheld.

The Inspector in his report commented extensively on the fact that the residential use on the site amounted to development in the countryside and clearly demonstrated that this use is contrary to the policies of the BSP, the SEALP and the WDLP (Deposit Draft).

The applicant refers in a letter attached to the planning application that security on site is an issue, and refers to the duty on Local Authorities under Section 17 Crime & Disorder Act 1998, to take all decisions in light of the need to do all they can to reduce crime and disorder. However, the applicant has provided no supporting evidence to demonstrate the problems they have faced or the efforts they have investigated to try and deal with any security problems.

The Inspector commented on the security issue in his decision notice and stated that the residential use was neither the sole means of addressing the security need nor was it necessarily the most effective. The Inspector concluded therefore, that the

matter of security did not amount to justification sufficient to outweigh the contrary policy considerations.

Conclusion:

It is therefore considered that no changes have taken place on this site to materially alter the situation. The proposed residential use of the existing green-keepers building for residential purposes, with a pro-shop and office facility, is considered to be inappropriate as this amounts to residential development in the countryside. Although the use is relatively 'low-key' at the minute, it does not meet any of the requirements considered to be acceptable for such development in the countryside.

RECOMMENDATION: Refusal

Application Number TP/2001/3180
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			The ~~residential use~~ of the green-keepers building for residential purposes, with pro-shop and office facility, is considered to be inappropriate, as it amounts to residential development in the C/side. It is considered that ~~no changes~~ have taken place on the site since the Inspectors decision of 15th June 2000, no changes have taken place on this site to materially alter the situation. The development is therefore contrary to policies
			The use of the green-keepers building for residential purposes, with pro-shop & office facility, is considered to be inappropriate as it amounts to residential development in the countryside. It ~~has~~ is considered that no chang has taken place on site since the Inspectors decision of 15th June 200, to materally alter the situation. The development is therefore contrary to policies STV2 & SC20 of SEALP. pnicies WOS2, WOS3 & WCC5 of WBLP(D.D)
Informative for approvals			& policies OS1 & C2 of the BSP
N16			
LODDON AREA LOCAL PLAN POLICIES:			
SOUTH-EAST AREA LOCAL PLAN POLICIES: ~~SEALP~~ STV2			
WOKINGHAM DISTRICT LOCAL PLAN POLICIES: WOS2, WOS3, ~~WCC5~~ WCC			
GREEN BELT LOCAL PLAN POLICIES:			
BERKSHIRE STRUCTURE PLAN POLICIES: OS1, C2			
MINERALS LOCAL PLAN POLICIES:			

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

Date: _____

RECORD OF SITE VISIT

SITE ADDRESS: Woodcray Manor Golf Club Finchampstead Road Wokingham.

APPLICATION NUMBER: TP/2001/3180

OFFICER: Elaine Connor

DATE OF SITE VISIT: 2/2/01

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

countryside area
Golf course

3. DESCRIPTION OF SITE/BUILDING

situated in golf course.
flat roof concrete & building.

4. RELATIONSHIP TO ADJOINING PROPERTIES

n/a.

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

Rec'd 10.30AM 19.2.01

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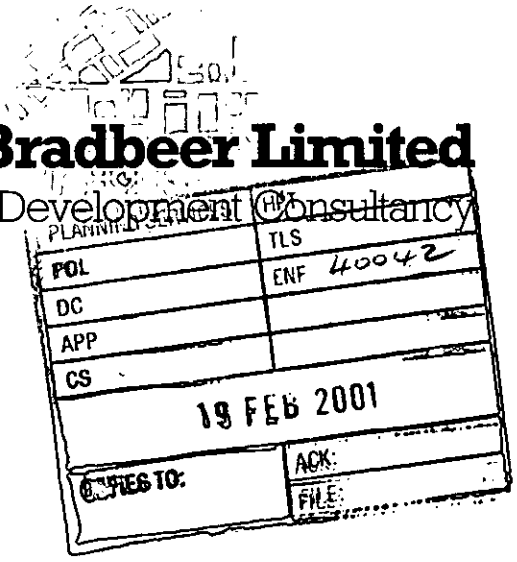

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Ref. No. RWB/334
19 February 2001

For the attention of Ms E Connor **By Hand**
Development Control

Dear Ms Connor

PLANNING APPLICATION TP/2001/3180
SITE : WOODCRAY MANOR GOLF COURSE
DEVELOPMENT : CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BEDROOM ACCOMMODATION, PRO-SHOP AND OFFICE

I act for the owners of Woodcray House which is located adjacent to the structure the subject of this application.

My clients maintain their objection to this retrospective application on precisely the same grounds which were set before the Inspector who considered the enforcement appeal last year. For your convenience I attach a copy of my letter to The Planning Inspectorate of 4 May 2000.

In view of Inspector Garnham's decision of 15 June 2000 to refuse the deemed application before him and to uphold the Enforcement Notice requiring compliance within 12 weeks, this application clearly represents a case where the Council should exercise its discretionary power under S70A of the Act to decline to determine the application.

There has been no material change in planning circumstances relating to the proposal since the Inspector's decision last June and therefore this application is no more than an undisguised attempt by the applicant to buy further time.

Please inform me of your conclusions in relation to S70A.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

334wgc.34

HIGHWAYS CONSULTATION SHEET

From: Elaine Connor **Date:** 19 January 2001

Application Number: TP/2001/3180

Proposal: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Parish: WOKINGHAM TOWN

Site Address:
Woodcray Manor Golf Club, Finchampstead Road, , Wokingham.

Applicant:
Eurogolf Course Construction & Management Ltd .

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).

Comment.

Please provide a plan showing the allocation of parking spaces for the entire site. Spaces should be clearly marked with minimum dimensions of 4.8m x 2.4m.

Signed: _____ **Print name:** Adam Coggins 29/6/01

Wokingham District Council Environmental Services Department, PO Box 157, Shute End, Wokingham Berks, RG40 1WR

FAX

Date: 12-01-01

Number of pages including cover sheet: 3

18 JAN 2001 * 3180

To:
Mrs Vallery

Phone:

Fax phone: 0118 977 1029

CC:

From:
Mrs Hurst

Phone: 0118 9746429

Fax phone: 0118 9746484

REMARKS: ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment

The Sections 66 seems to be missing from your returned application. Please fax me a copy & then put in post or sign & date the attached on & fax back to me

Thank you

Mrs Hurst

18. JAN. 2001 * 3180

FAX COVER SHEET

TO: MRS VALLELY

FROM: WDC - PLANNING

DESTINATION FAX No: 0118 977 1029

DATE: 10/01/01

TIME: 12.30pm

SUBJECT: PLANNING APP for C.O.U.

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 3

I'VE COMPLETED QUESTION 24 (USE CLASS TABLE) FROM THE DIMENSIONS SUPPLIED ON YOUR FLOOR PLANS QUESTIONS 25 - 30 HAVE BE ANSWERED USING THE PLEASE SUPPLIED WITH THE ORIGINAL FORMS (RETURNED TO YOU)

Environmental Services Department, P.O Box 157, Civic Offices, Shute End, Wokingham, Berkshire RG40 1WR. Tel (0118) 9746428. Fax (0118) 9746484.

1769c

18.JAN.2001 * 3180

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				36 m²
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				24 m²
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 C3 RESIDENTIAL	36 m²	88 m²		
OTHER	Please Specify RECEPTION AREA, TEA ROOM & TOILETS				28 m²
	TOTAL	36 m²	—	—	88 m²

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES —

WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	120	—
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.

SELLING OF GOLF EQUIPMENT
OFFICES
1 BED ACCOM TO PROVIDE ON-SITE SECURITY

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

EUROGOLF OCCUPY THE BUILDINGS AT PRESENT

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
5	—	3	8

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.'

* * * COMMUNICATION RESULT REPORT (10.JAN.2001 13:29) * * *

TTI WDC PLAN&TRANSPORT

FILE	MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
772	MEMORY TX		901189771029	OK	P. 3/3

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

18.JAN.2001* 3180

PLANNING SERVICES	DPT
POL	TLS
DC	ENF
APP	
CS	
12 JAN 2001	
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	FILE:

18.JAN.2001* 3180

FAX COVER SHEET

TO: MRS VALLELY MR JORDON

FROM: WDC - PLANNING ENID VALLELY.

DESTINATION FAX No: 0118 977 1029

DATE: 10/01/01

TIME: 12.30pm

SUBJECT: PLANNING APP for C.O.U.

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 3

I'VE COMPLETED QUESTION 34 (USE CLASS TABLE) FROM THE DIMENSIONS SUPPLIED ON YOUR FLOOR PLANS QUESTIONS 25 – 30 HAVE BE ANSWERED USING THE PLANS SUPPLIED WITH THE ORIGINAL FORMS (RETURNED TO YOU)

Environmental Services Department, P.O Box 157, Civic Offices, Shute End, Wokingham, Berkshire RG40 1WR. Tel (0118) 9746428. Fax (0118) 9746484.

MR. JORDON
FORMS RETURNED
THANK YOU FOR YOUR HELP.
Enid

Rec'd 2.30pm 28.12.00

WODCRAY MANOR GOLF COURSE
FINCHAMPSTEAD ROAD
WOKINGHAM
BERKSHIRE
RG40 3HG Tel 01189 771073 Fax 0118 97710

EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
29 DEC 2000	
COPIES TO:	ACK:
	FILE:

December 28, 2000

Mr. John Mitchell,
Development Control Manager,
Wokingham District Council,
PO Box 150,
Shute End,
Wokingham,
Berks.
RG40 1WQ.

18 JAN 2001 * 3180

Dear Mr. Mitchell,

RE:- PLANNING APPLICATION FOR CHANGE OF USE OF GREENKEPING FACILIY

Thank-you for considering the problem of security of the golf course and agreeing not evict me whilst considering the change of use planning application on the green keeping facility. I am aware that Mr. John Redwood MP and P.C. Dave Stubbs have written to you about this matter.

I am also aware that Government guidelines state that all planning issues should be considered having regard to the Crime & Disorder Act requirements. I would also refer you to Annex 1 (paras. 16-121) of PPG 7.

I enclose herewith the necessary Planning Application forms and plans together with cheque for one hundred and ninety pounds, for your attention.

Whilst writing, may I refer you to a my earlier letter, concerning cond. 17 of planning app.No42764 reads as follows:- "The use of the practice area indicated on the indicative layout plan shall be limited to use as an informal "warm up" or teaching area ancillary to the use of the Golf Course and shall not be separated from the Course at any time. (711H)" . REASON. For the sake of clarity and to prevent an inappropriate development of the site. An option has now been granted on this area, with the intention of seeking planning permission for housing. This option is nothing to do with the golf course and is in no way ancillary to the use of the

golf course and is not included in my lease. I would appreciate your comments with regard to this.

Yours sincerely,

Enid Vallely

c.c. Mrs. Jane Earl.

Mr. John Redwood

P.C. Dave Stubbs

P.S. I will bring in extra copies of plans Tues. 2nd Jan. I didn't realised you had had to park the copier.

Enid

2001/3180 FILE ON

PLANNING SERVICES	PPT
POL	LS
DC	CMF
APP	
OS	

18 JUN 2001

COPIES TO: MITCHELL ACK: FILE:

Mr J G Charlesworth
7 Edgewood Close
Crowthorne
Berkshire
RG45 6TA

THE PLANNING DEPT
WOKINGHAM

15-06-01

44655

Dear MR MITCHELL

TP 2001 3180

I am concerned to see that you have refused this application from EURO GOLF COURSE CONST AND MGT LTD for a change of use.

This Company have provided a most useful facility for those of us who enjoy our sport but do not have the skills to tackle the harder courses. They provide this opportunity at a reasonable cost too. It is a very useful service to Wokingham's public.

The facilities they need to provide this service are

now prejudiced by your decision to refuse the application for a temporary change of use. I hope you will reverse that decision before we lose another useful facility in this area.

Please reconsider your position

Yours sincerely

F. J. Charlesworth

THAMES VALLEY
POLICE

PC Dave STUBBS
Crime Prevention Design Adviser
(Berks.)

Police Station
20 Chapel Street
Thatcham
Berks.
RG18 4QL

Tel. 01635 295156
Fax. 01635 295126

PLANNING SERVICES | HPT
POL | TLS
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APP |
CS |
02 FEB 2001
COPIES TO: | ACK:
FILE:

Ms. E Connor
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Date 5th February 2001

For 'Secured by Design' Standards and application forms, visit the 'SBD' website at www.securedbydesign.com

Your Ref. 3180

Dear Ms. Connor

Woodcray Manor Golf Club

Thank you for the details of the above application.

I can confirm support for the desirable presence of a residential occupier on golf club premises for the added purpose of deterring crime.

Golf clubs in country areas have a particularly high crime profile, suffering break ins and theft of green keeping machinery, golf equipment, and consumables from club houses and bar facilities. The presence of a 'capable guardian' on site does much to reduce this risk.

With regard to the duty on local authorities under Sec. 17 Crime & Disorder Act 1998, to take all their decisions in light of the need to do all that they can to reduce crime & disorder, the crime risks facing this golf club include a high risk of burglary, theft and damage to sports equipment and club facilities.

The council can help discharge its duty under Sec 17 by taking the above comments into account when making its decision in respect of this application.

I trust this will be of help, and thank your for your consultation.

Yours sincerely.

P.C. Dave STUBBS
Thames Valley Police
CPDA (Berks.)

PLANNING SERVICES | IPT
POL | LS
DC | DATE
ADD
CS
26 FEB 2001
COPIES TO: | ACK:
FILE:

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Elaine Connor

Application Number: TP/2001/3180

Proposal: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Site Address: Woodcray Manor Golf Club, Finchampstead Road, Wokingham

Applicant: Eurogolf Course Construction & Management Ltd

Your observations are required in respect of this application **by 12/02/01**

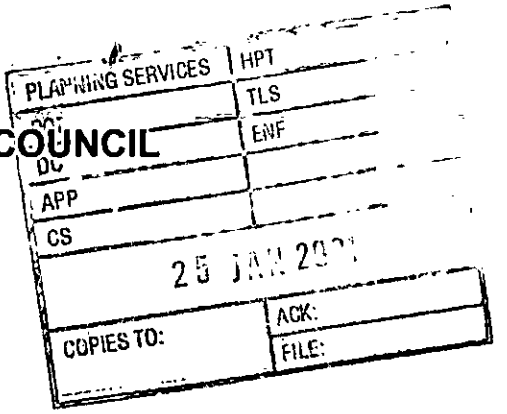
No objections

SIGNED: RA Harcourt **DATE:** 23/02/01

pp **CLERK TO Wokingham Town Council**

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM



From: John Mullaney
Environmental Health

My Ref:

To: Elaine Connor
Planning

Your Ref: TP/2000/3180

Date. January 23, 2001

PROPOSED: TEMPORARY CHANGE OF USE OF GREEKEEPERS FACILITY TO ONE BEDROOM ACCOMODATION AND OFFICES

LOCATION: WOODCRAY GOLF COURSE, FINCHAMPSTEAD ROAD

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

JOHN MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

APP TP/2001/3180

PT
POL
DC
APP
CS 0SS
26 FEB 2001
COPIES TO:
ACK:
FILE:

Mr. J. Mitchell
Chief Development Planning Officer
Wokingham District Council
Shute End
WOKINGHAM
Berkshire

The Old Stables
Pinewood Avenue
CROWTHORNE
Berkshire RG45 6RS

21st February 2001

Dear Sir,

Woodcray Manor Golf Club

I write as a member of the above club to express my concern as to the consequences upon members and the club if no residential facilities were permitted on site.

The club offers members and green fee payers a licensed club house and a well stocked pro-shop and, with the much publicised lack of resources that the police are having to endure, I do not see how the security of these could be reasonably maintained without the responsible people being resident on site.

I greatly value the enjoyment and recreation that the club affords me as I know do all members most of whom, like me, are tax payers to Wokingham District Council. This facility within the District enhances the town's attraction and I believe that the Council should, wherever possible, be supportive of such amenities.

Given its fairly isolated location and the enhancement to security that it would provide, it is difficult to envisage any valid objection that could be offered against residential use. Refusal might mean that the clubhouse and pro-shop facilities could not be viably provided in their present form, to the detriment of members and pay and play users.

I would urge that the planning decision takes into account the effect that rejection would have on the whole membership and users of the club, and therefore look favourably on the application for residential use on the site.

Yours faithfully,



Keith A Thompson

APP. TP/2001/3186

11, Coleridge Avenue
Yateley
Hampshire GU46 6BJ

February 16, 2001

Dear Mr. Mitchell,

Re: Woodcray Manor Golf Club

I am a founder member of the golf club and a very keen supporter of this public facility.

Having seen the course develop as a highly successful project, it is unbelievable that five years after commencement, obstacles that appear dubious continue to be placed in the path of final completion of this very worthwhile course.

The facilities that I understand were agreed by Wokingham District Council in their granting of planning consent for the golf course are all part of a normal provision to members of any golf club.

It seems curious, therefore, that any council should continue to deny me and all other members and users of the club, the facilities which were mutually agreed between the District Council and the proprietors of Woodcray so long ago.

If the project was fully compliant with the necessary processes laid down by the District Council so many years ago, why is the council still denying the proprietor of Woodcray and all members the ability to enjoy completely the facilities agreed in 1996, including the provision of on site accommodation to ensure complete security of the club

Yours Sincerely

Dennis Dunkley

APP. TP/2001/3180.

57, Coleridge Avenue
Yateley
Hampshire GU46 6BJ

February 16, 2001

Dear Mr. Mitchell,

Re: Woodcray Manor Golf Club

I am a member of Woodcray and have been since 1996.

This excellent facility is not able to complete its' development for what appear to be reasons of deliberate obfuscation on the one hand and unwarranted impedance on the other.

As a keen member, I am interested, naturally, in the ability of the club to provide the facilities that I understand were agreed by Wokingham District Council in their granting of planning consent for the golf course.

It seems curious in the extreme, after nearly five years of procrastination, that a council should continue to create obstacles that deny me and all other members and users of the club, the facilities which were mutually agreed between the District Council and the proprietors of Woodcray so long ago.

One may appreciate that such an area of undeveloped countryside may be seen as fair game by many vested interests. However, having agreed to the development and granted full planning permission, I believe the council has a duty to members of the club, whether Wokingham ratepayers or not, to ensure that the golf club be allowed, finally, to develop and operate as envisaged under the original plan, including on site accommodation to provide the very necessary security of the club.

Yours sincerely

Richard Eva

WOKINGHAM D.C. DEVELOPMENT CONTROL

Valid

Start date: ~~29/12/00~~	18 JAN 2001
Officer: EC	Application No. TP/2001/3180

Map No. 91 Site 0.01

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

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

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description: (TP) PROPOSED Temporary CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BEDROOM ACCOMMODATION, PRO-SHOP AND OFFICES (Retrospective)

Location: WOODCRAY MANOR GOLF COURSE, FINCHAMPSTEAD RD

Parish: FINCHAMPSTEAD Ward: WESCOTT 19.01.01

Applicant: EURO~~SPORT~~ GOLF COURSE CONSTRUCTION & MGMENT LTD

Fee Received 190-00 Required ..... Additional ..... Refund .....

Enforcement Section (1) to be notified ☑ tick if required

Additional information required for validation 12 JAN 2001

see fax attached.

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red	Red line to include access	S/1	Req again 10/1/2001
2	1:500 block plan showing existing & proposed dev. + adj. Properties		~~S/1~~	
3	Forms unsigned	Q 24 — Floorspace details	S/1	Req again 10/1/2001
4	Correct S 66 certificate			
5	Elevation plans	only one plan	~~S/1~~	
6	Floor plans	existing layout not req as per Jan	~~S/1~~	NR
7	Metric scale disclaimer	No scales		
8	Encroachment letter			
9	Miscellaneous			

18.JAN.2001 * 3180

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 11:01:01 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 (INTERNAL) .....
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 .....

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

HERITAGE BODIES

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

OTHERS: (Rural Area)

.....
.....
No pre-apps.

NEIGHBOURS:

S/N + John Redwood MP
+ all addresses within red line ✓

1789/a

SECTION 66 CERTIFICATE

Application No. 18.JAN.2001 * 3180

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

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

(b) Insert description of steps taken.

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

  (b) .....

  .....

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

- Notice of the application as attached to this Certificate, has been published in

  the (c) .....

  on (d) .....

1789/b

CERTIFICATE D

I certify that

- I/The applicant cannot issue a certificate in accordance with paragraph (a) of Section 66 of the Act in respect of the accompanying application.

- I/The applicant have/has taken all reasonable steps open to me/him/her to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of application was the owner (a) of any part of the land to which the application relates, but have/has been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

- Notice of the application as attached to this Certificate, has been published in

the (c) . . . . . .

on (d) . . . . . 18 JAN 2001 * . . . 3180 . . . . . .

OR

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

- None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- I have/The applicant has given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served

Signed . . . [signature] . . . . . .

On behalf of . . Kurogow Course Construction Management Ltd.

Date . . . 17/1/01 . . . . . .

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

(1)

ADDRESS Woodcray Manor Farm, Finchampstead Road

PARISH Wok E

PLOT No.

ORD. SHEET No. 91

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
TP 285		Conv'n to Offices	12/7/51	App
TP 1308		Development	11/4/57	Ref
R/90/65	Manling	Conv'n to Offices	25/3/65	C/A
0/50/69* (0/21/70 - W/W)		Development	19/2/70	Ref
02716	TRELA HOUSE NURSERY UNIT	Var. H.S. for Screening	10.7.75	N/A C/A
02914	Sir John Stanley Vincent Marling	Use land for Pigeon shooting	7.8.75	N/A Ref
032662	" "	[illegible]	4.9.75	N/A [illegible]
03163	" "	C/Over 2 farm cottages	2.12.75	N/A Ref

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

18.JAN.2001* 3180

(2)

ADDRESS Woodcray Manor Farm

PARISH Wokingham E

PLOT No. Finchampstead Road

ORD. SHEET No. 91

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
035-02	Sir John Marling	One family cottage	18.12.75	N/A C/A
06347	"	Farmhouse	12.5.77	N/A C/A
06762	"	Caravan Centre	29.9.77	N/A R
BR.7677	Sir Charles Marling	Ch. Extension & Internal Plumbing	18.7.78	App N/A
08336	" "	Non-illum. sign boards	8.11.5.78	N/A Ref
BR0265	Lady Marling	Concrete apron & small shed	16.2.79	App N/A
12554	Sir C.W.S. Marling	Use of 4 bay of barn as a farm shop & use of yard area for car pk.	14.2.80	N/A C/A
BR15114	"	as above	11.6.80	App N/A
16015	"	Professional Recording Studio	30.7.81	N/A C/A
25370 W/DR				
25[illegible]		Farm Block to Office	7.8.86	C/A
25965	W.M.F. Ptns.	Manager's Dwelling	7.8.86	C/A (LA)
BRA 605	Woodcray Manor Farm	S/S. 46 to Farm Shop	17.6.86	App

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

(3) E

ADDRESS WOODCRAY MANOR FARM PARISH WOKINGHAM

FINCHAMPSTEAD LOAD

PLOT No. ORD. SHEET No. 91

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
26590	9/WORK	& VEG. SHOP TO FARM SHOP	30.10.86	C/A LA
BRA/1682	WOODCRAY MANOR FARM PARTNERSHIP	DET. HOUSE & GARAGE	8.10.86	APP
30024	BEAKS LAND LTD 0/L	RES. DEV.	14.6.88	REF
30025		"	14.6.88	REF
35885	L. DOLTON	2 NON-ILL. POLE SIGNS	11.7.90	REF
37738	WOODCRAY MANOR FARM PARTNERSHIP	GOLF COURSE PART LAND & BLDGS TO GOLF COURSE/CLUBHOUSE/ RES. FLAT/STORAGE BLDG/ SHOP/CARPARK/NEW VEHICULAR ACCESS	8.9.92	C/A LA
42764	" 0/L	AGR. LAND TO GOLF COURSE. CLUBHOUSE/SHOP/GREENKEEPING FACILITY. DEM. FARM BUILDING. ERECT HOUSE.	16.1.95	C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS 26590-LA – ISSUED – 24.5.91 37738-LA SIGNED – 8.9.92

~~DRAINAGE~~ 42764 - LA-SIGNED – 16.1.95 NB. " " TO BE REVOKED

091074 UPON COMM. OF IMPLEMENTATION OF 42764 -VAR. AGREEMENT - 18.1.96

1933

(4) WOODCRAY MANOR FARM GOLF COURSE

ADDRESS FINCHAMPSTEAD ROAD PARISH WOKINGHAM

PLOT No. ORD. SHEET No.

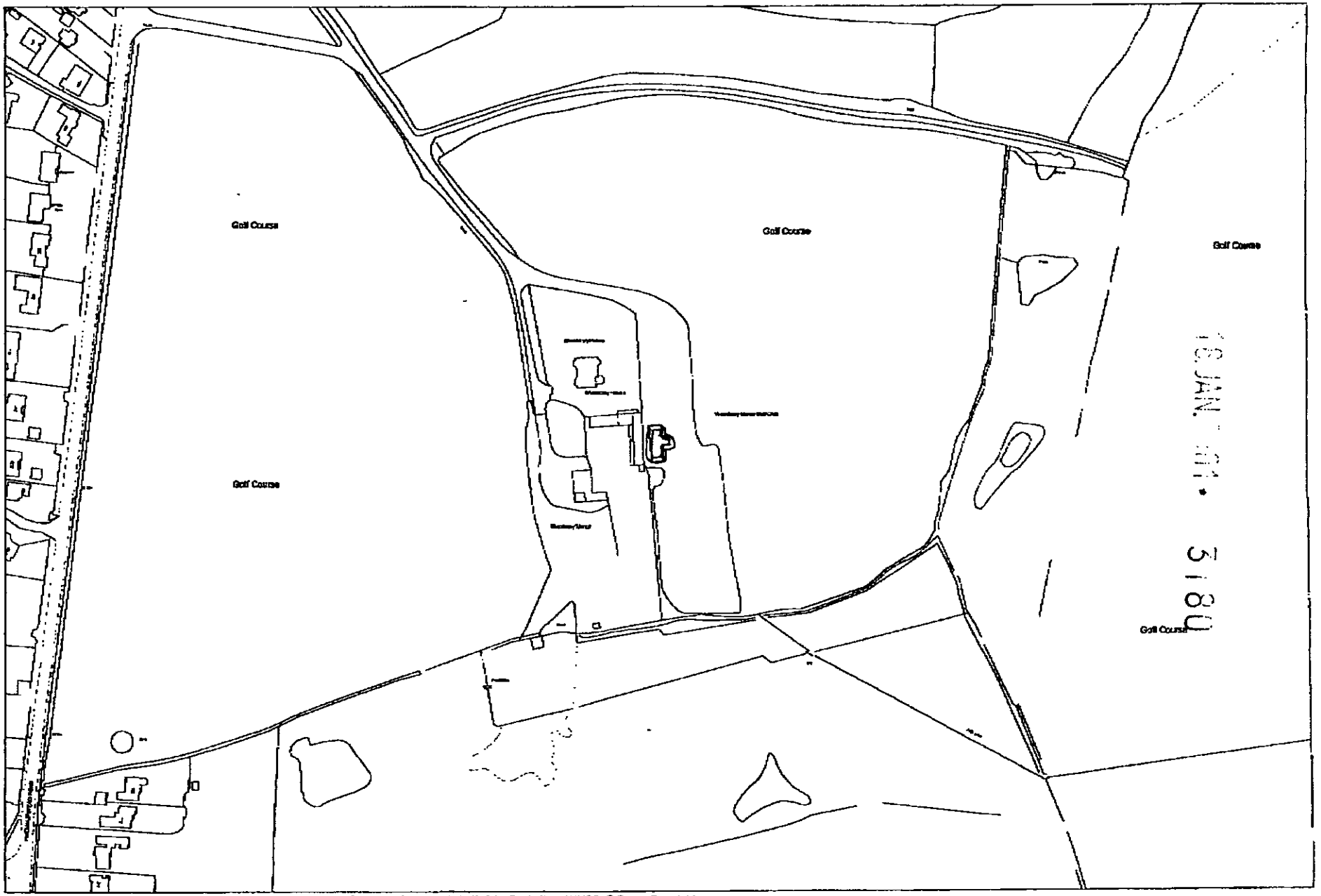
BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
96/63286/VAR.	MR & MRS LUKIC	RELAX. COND. 8 ON 42764. (RETAIN O/BLDG)	21.3.96	C/A
96/63569/F	MR & MRS KRZEK	NEW DWELLING-DEM. O/BLDGS.	7.6.96	
96/63815/RM	EUROGOLF CONSTR. & MAN. LTD	18 HOLE GOLF COURSE/CLUBHOUSE/GREENKEEPING FACILITY.	6.8.96	C/A
DW96/0076	KEEN CHATTELED BUILDINGS	DEM. OF FARM BLDGS & SHOP & O/BUILDINGS	13.6.96	APP
96/64169/VAR				
FP96/5533	MR. C. KRZAK	DET. DWELLING	6.8.96	APP
96/64777/A.	EUROGOLF COURSE CONSTRUCTION.	NON-ILL. MOARAINAS	27.01.97	REF
97/64983/F	" "	ENGINEERING, LANDSCAPING, MOUNDING	3.7.97	CA REF
99/70590/F	"	Erect clubhouse	29.11.99	C/A

MINISTRY DECISION 64983 - (ENFORCEMENT APPEAL) APPEAL ALLOWED - 18/11/99 CONDS.

SPECIAL ORDERS 00195/E Appeal Dismissed - 15/06/00

00196/E - APPEAL DISMISSED - 23/10/00



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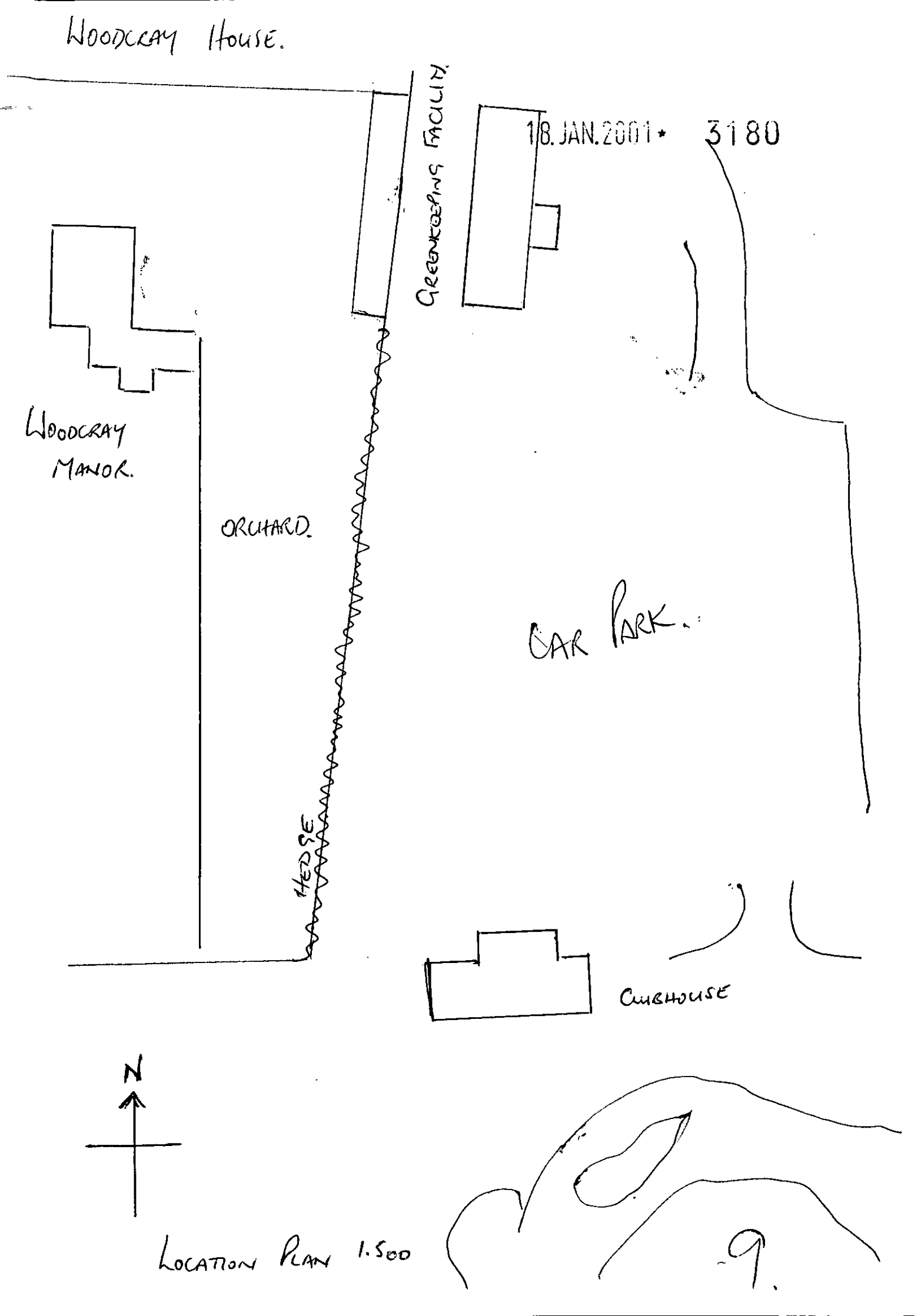
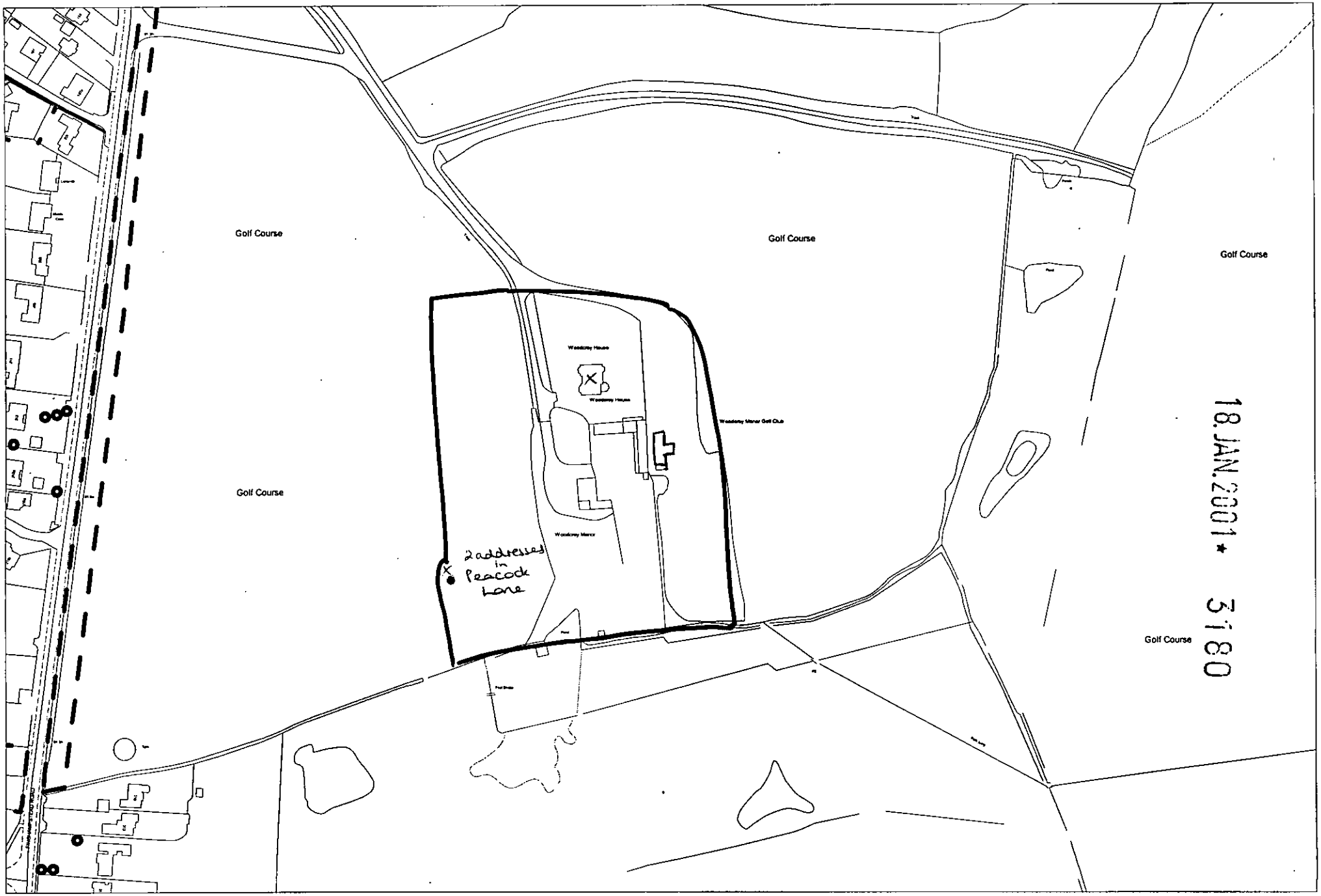
Central Support Section, Environmental Services, Wokingham District Council.
10 January 2001

Scale: 1 : 2500


WOODCRAY HOUSE.
GREENKEEPING FACILITY.
18. JAN. 2001 * 3180
WOODCRAY MANOR.
ORCHARD.
HEDGE
CAR PARK.
CLUBHOUSE
N
LOCATION PLAN 1.500
9.



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Development Control Section, Environmental Services, Wokingham District Council.

12 January 2001

Scale: 1 : 2500

N W E S

SOUTHPORT UK
LONDON OFFICE
X SYSTEMS LTD

95

APPLICATION NO.3180

Name of appellant:
Eurogolf Course Construction & Management Ltd

Site address:
Woodcray Manor Golf Club, Finchampstead Rd

Proposal:Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & office (retrospective)

Case Officer: MDH

Decision issued 29/05/02

INFORMAL HEARING APPEAL

CASE OFFICER: MIKE HOWARD

APPLICATION NUMBER: 3180

APPELLANT: Eurogolf Course Construction & Management Ltd

SITE: Woodcray Manor Golf Club, Finchampstead Rd, ~~Finchampstead~~ WOKINGHAM

APPEAL REF: APP/X0360/A/01/1078861

START DATE: 06/12/01

DATE OF HEARING 14/05/02 CR4.

DISMISSED 29/05/02

Progress Record	Date Actioned	Initials
Appeal Logged:	10/12/01	
Entered on Access:	19/12/01	DG
Notification Letters Due:	**20/12/01**	
Notification Letters Sent:	19/12/01	DG
Questionnaire Due:	**20/12/01**	
Questionnaire Sent:	19/12/01	DG
Venue Booked:	✓	
Statement Due:	**17/01/02**	
Checked by Team Leader:	/	
Statement Sent:	11/01/02	DG.
Comments Due:	07/02/02	
Comments Sent:	–	
Hearing Date Notification sent:	25/04/02	DG
Decision Letter circulated:	05/06/02	DG
Decision entered on Access.	05/06/02	DG

Appeal Decision

Hearing held on 14 May 2002
Site visit made on 14 May 2002

by David Vickery DipT&CP MRTPI

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 29 MAY 2002

Appeal Ref: APP/X0360/A/01/1078861
Woodcray Manor Golf Course, Finchampstead Road, Wokingham

- 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 Eurogolf Course Construction & Management Ltd against the decision of Wokingham District Council.
- The application (Ref. TP/2001/3180), dated 22 December 2000, was refused by notice dated 30 May 2001.
- The development proposed is the change of use of the greenkeeping facility to one bed residential, pro-shop and offices.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. I saw at my site visit that the residential and office uses have already commenced. I shall, therefore, consider the appeal to be one partly relating to an application under section 73A of the 1990 Act, as amended, to retain those uses.

Main Issue

2. From what I have read, seen and heard, I consider that the main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Planning Policy

3. The development plan includes the Berkshire Structure Plan 1991-2006, as Altered in August 1997, and the South East Area Local Plan, adopted in April 1994. One of the overall aims of the Structure Plan (policy OS1) is to seek sustainable development by, for example, restraining development and giving priority to the county's economic and social needs. Policy C2 strictly controls development outside built-up areas with exceptions, for example, for the re-use of existing buildings to assist the diversification of the rural economy and to maintain or enhance the rural environment.

4. Policy STV2 in the Local Plan says that all land outside the identified settlements is within the rural area where development will not normally be allowed, except in certain circumstances. Local Plan policy SC20 permits the conversion of buildings in rural areas to dwellings, subject to a number of criteria.

5. The Deposit Draft Wokingham District Local Plan (the WDLP) has been the subject of a Public Local Inquiry into objections and the Inspector's Report has been received. However, the Council has not yet considered the Report. Therefore, bearing in mind the advice in paragraph 48 of Planning Policy Guidance Note 1: *General Policy and Principles*,

I cannot give its policies the full weight accorded to an adopted Local Plan, although the advanced stage of the WDLP gives them appreciable weight.

6. WDLP policy WOS2 says that development will only be allowed in exceptional circumstances outside settlement boundaries. Policy WCC1 is similar, and states that one of the exceptional circumstances is the re-use of an existing building. Policy WCC5 says that the re-use of a building will not be permitted unless every attempt has been made to secure suitable business re-use.

7. Planning Policy Guidance Note 7: *The Countryside – Environmental Quality and Economic and Social Development* (PPG7) deals with the re-use of buildings at paragraphs 3.14 to 3.17. Five criteria are set out in paragraph 3.14 that apply to proposed conversions. Paragraph 3.15 of PPG7 says that development plans may indicate that residential re-use is not permitted in specified circumstances, one of which is that every reasonable attempt has been made to secure a suitable business re-use. Paragraph 3.16 says that residential re-use proposals in the open countryside should be examined with particular care. Further advice is given in Annex G of PPG7.

Reasons

8. The appeal building does not lie within the built-up area or within a settlement boundary. It therefore lies within the countryside and a rural area. Dealing first with the residential use, it is not associated with either agriculture or forestry. The building has no architectural or historic merit, nor is it a redundant farm building.

9. The appellant said that the residential use is associated with the adjacent golf course, primarily in order to provide security at the premises. At the Hearing, the appellant also said that the residential use had commenced at the outset of the building's erection in 1996. I therefore consider that legally the development cannot be a re-use or conversion of a rural building as this part of the building has never been used for its permitted purpose, namely as a greenkeeping facility.

10. Even if I am wrong on this point, the proposal would not satisfy the Structure Plan's requirement that the re-use of the building should assist the diversification of the rural economy and maintain or enhance the rural environment, as the appellant claimed. The Structure Plan specifically refers to the guidance in PPG7 at paragraph 5.9. Annex I of PPG7 sets out how proposals for agricultural and forestry dwellings should be assessed. I consider that this advice in PPG7 can be appropriately used for this proposal as it indicates a methodology for examining the justification for a dwelling in the countryside.

11. Firstly, it was said that security was needed at the premises in order to protect expensive equipment from theft or damage. Various thefts at this and other golf courses were mentioned. I accept that a residential presence is an effective deterrent, as advocated by the local police. However, I also agree with the Inspector in the previous appeal (Document 4) who considered that security needs could be met in other ways. The use of security personnel, guard dogs, improved perimeter fencing and locked gates would all be possible measures that could be undertaken. There was no evidence to suggest that a combination of all or some of these measures would be ineffective and/or prohibitive in cost. Moreover, I saw that there are two residential properties nearby (to the west) and, whilst I am not advocating that they take on a formal security role, their nearby presence would act as a deterrent for would-be thieves or vandals. Therefore, I am not convinced that there is a functional need for a dwelling on the site.

Conclusion

19. In reaching the conclusion on which my decision is based, I have taken account of all other points raised, including possible precedents and the alleged unsuitability of the building for greenkeeping. On the first point, the examples of residential accommodation on other golf courses were not within the Council's area and so did not involve the same policy circumstances. In any event, each case must be decided on its own merits, as I have done here. The arguments on the second point mainly related to the use of noisy machinery, which this building would not be used to store. None of these other points has outweighed the considerations I have mentioned. For the reasons given above, I conclude that the appeal should be dismissed.

Formal Decision

20. In exercise of the powers transferred to me, I dismiss the appeal.

Information

21. 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.

David Vickers

INSPECTOR

12. Secondly, the appellant said that the golf course's viability would be at risk if there was not a residential presence. However, no figures were produced to prove this point or, perhaps more importantly, to show that the enterprise is financially viable and that it requires a full-time worker. Therefore, I consider that the financial test in PPG7 would also not be satisfied.

13. The appellant considered that the proposal would comply with WDLP policy WCC5 in that it would be a subordinate part of a scheme for business use. I do not accept this because the residential use of this part of the greenkeeping facility has clearly led to some greenkeeping functions being displaced to a number of containers and a portakabin to the south. It cannot be subordinate to a business use when part of that business use has had to move elsewhere to make way for it. There is a suitable business use for this part of the building, and so the proposal would be contrary to this policy.

14. I realise that policy SC20 in the Local Plan is supportive of the conversion of rural buildings. However, the explanatory paragraphs clarify that the policy is meant to apply to redundant farm buildings. Moreover, I regard that policy to have been superseded by more recent government advice in PPG7 (paragraph 54 of PPG1).

15. The Council had no objection to the either the proposed offices or to the pro-shop. I agree with that assessment. Such uses are a necessary part of the functioning of a golf course. It is open to me under section 79(1)(b) of the Act to issue a split decision, provided the parts can be separately identified. In this instance I agree with the appellant who said that it would be difficult to identify all the various discrete uses within this relatively small building. Moreover, a split decision would result in an unclear situation as to the legitimacy of the various uses. It would be better, it seems to me, if the building's future use(s) were to be resolved as a whole, rather than in piecemeal fashion.

16. I conclude that the proposal would seriously harm the character and appearance of the surrounding area. It would be contrary to the strong planning policies which restrict residential development in the countryside, as set out in the existing and emerging development plan policies I have mentioned and in PPG7.

Other Matters

17. The appellant made submissions concerning Article 8 and Article 1 of the First Protocol to the European Convention on Human Rights. I recognise that the dismissal of this appeal would result in an interference with Mrs Vallely's home and private life and the peaceful enjoyment of her property, and that it might possibly lead to her being deprived of her property, notwithstanding the right of the state to control its use. However, that interference must be balanced against the public interest in pursuing the legitimate aims stated in Article 8, particularly the economic well-being of the country, which includes the preservation of the environment.

18. The objections to the development that has taken place on this site (as referred to above) are serious ones and they cannot be overcome by planning conditions. The general public interest can only be safeguarded by refusal of permission. In all the circumstances, I consider that the refusal of planning permission is necessary in a democratic society in furtherance of the legitimate aims stated. They do not place a disproportionate burden on Mrs Vallely. I therefore consider that dismissal of the appeal would not result in a violation of her rights under Article 8 and Article 1 of the First Protocol to the Convention.

THAMES VALLEY
POLICE

P.C. Dave STUBBS
Crime Prevention Design Adviser
(Berks)

Thatcham Police Station
20, Chapel Street
Thatcham, BERKS.
RG18 4QL
Tel. 01635 295156
Fax. 01635 295126

Mrs. E. Vallely
Woodcray Manor Golf Course
Finchamstead Road
Wokingham
BERKS.
RG40 3HG

Date 4th August 2000

For 'Secured by Design' standards and application forms, visit the 'SBD' website at :-
www.securedbydesign.com

Your Ref.

Dear Mrs. Vallely.

Residential Occupancy - Golf Course Crime Prevention.

Following our meeting, may I confirm that as a general principle of crime prevention, permanent resident presence on isolated premises with high value, easily portable assets is highly desirable. While technological strategies such as CCTV and intruder alarms have their place - and some deterrent value, to be effective, they need constant monitoring from a central station, and unless highly sophisticated, such devices still only indicate that entry has been gained after the event.

Golf club premises generally have a high crime risk assessment, and the added factor of needing supervision for other aspects of the site such as the Justices Licence pertaining to alcohol served and stored in the clubhouse and possible insurance requirements would also support a permanent residence on site.

However, I am aware that this site has a complex planning history and that the current situation - including a clear decision against residential use from the inspector, may preclude this at present.

I understand your intention is to apply for planning permission for change of use to allow occupation of a part of the temporary building until more permanent arrangements can be made and I would strongly recommend that you :-

a/. Take advice from a suitable planning consultant as to the best way to progress this, and

b/. Prepare an application which addresses all the outstanding issues, for submission to W.D.C. so that the question of residential provision can be considered, to include matters which may not have been given such high priority before, such as the Crime & Disorder Act requirements etc. (It is only when the council have received some proposal that they will be in a position to discuss principles in order to progress the issue).

I am willing to give support to the need for residential occupancy to a more formal proposal, which would then have to be treated as a material consideration in any decision by the council.

I trust that this will be of help and hope that that the matter can be resolved to everyone's satisfaction in the near future. I am willing to give any further advice as needed, but must emphasise that this is in an impartial capacity, with the need to prevent crime as my only parameter. I would advise that should you have to vacate the site overnight, it would be your responsibility to arrange viable alternative security commensurate with your needs.

Yours sincerely,

P.C. Dave STUBBS
Thames Valley Police
CPDA. (Berks.)

cc Mr. J. Mitchell - Development Control Manager W.D.C.
Sgt. Cull - Loddon Valley police staion

Tel: 0118 974 6454 (Direct Line)
Fax: 0118 974 6401
Email: mike.evans@wokingham.gov.uk
Date: 24/9/2001
My ref: 1110(S)

Director of Environmental Services
Environmental Services Department
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Tel: (0118) 974 6000
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Mrs Vallely
Woodcray Manor Golf Course
Finchampstead Road
Wokingham
Berkshire
RG40 3HG

Dear Mrs Vallely

VARIOUS ENFORCEMENT ISSUES

I am writing to you under the following headings.

LANDSCAPING OF CAR PARK
There is an approved landscaping scheme submitted under application 96/63815/RM. This is shown on plan no LO2 A. You are currently in breach of this condition and are liable to a breach of condition notice. I need to know whether you are willing to carry out this landscaping and, if so, when? If you are not willing to comply this Council will have to consider serving a Breach of Condition Notice against which there is no right of appeal. Unless I hear from you by the 8th October that you are willing to comply I will have to assume that you are not willing to comply.

GREENKEEPING STORAGE
At present this is stored in the area which would be landscaped under the above condition. It would therefore need to be removed in order to comply with this condition. Such items are obviously a necessity for running any golf course. However it would be more desirable for them to be stored inside a building. I would, therefore , ask you to consider the erection of a building in an alternative location to serve this purpose. Obviously such a building would need planning permission and I would invite you to discuss the matter with me prior to making a planning application.

STORAGE OF BUILDERS RUBBLE ON FOOTPATH
The rubble stored on the line of the footpath approved under application 96/63815/RM is unacceptable. I do not accept your justification andin any case it clearly impedes the footpath. Unless this material is removed from the footpath by the 8th October this Council will have no option but to consider formal enforcement action in relation to this matter.

I hope the above is clear but please contact me if you require further clarification.

WODCRAY MANOR GOLF COURSE
FINCHAMPSTEAD ROAD
WOKINGHAM
BERKSHIRE
RG40 3HG

EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.

September 12, 2000

Mr. John Mitchell,
Development Control Manager,
Wokingham District Council,
PO Box 150,
Shute End,
Wokingham,
Berks.
RG40 1WQ.

Dear Mr. Mitchell,

RE:- PLANNING ISSUES AT WOODCRAY MANOR GOLF COURSE.

Further to our meeting of Thursday 7th September, which was also attended by Mr. Garth Scotford.

Thank-you for considering the problem of security of the golf course and agreeing to write to me indicating you will not evict me whilst considering the change of use planning application on the green keeping facility. I am aware that Mr. John Redwood MP and P.C. Dave Stubbs have written to you about this matter.

I am also aware that Government guidelines state that all planning issues should be considered having regard to the Crime & Disorder Act requirements. I would also refer you to Annex 1 (paras. 16-121) of PPG 7.

We then discussed the recurring problems of holes 14 & 15, which have looked like a building site for nearly two years, and have been the subject of two Enforcement and Stop Notices. In the first instance at Appeal the Inspector quashed the notice and in his Schedule grants planning permission for these works without complying with cond. No.1. attached to the planning permission No. 97/64983/F.

I thank you for agreeing to withdraw the notices if I re-submit the proposals and drawings that I previously submitted to Mr. Hamlin. I then went on to point out that this work is no longer a viable proposition. Too much time has elapsed and the area is seriously overgrown and contracts that were in place are no longer there. We have outstanding

invoices amounting to 16,000 pounds for the excavation of the excess sand and the contract for the sand has been lost. The seasons are against us and this area will always be some three years behind the rest of the golf course. These Enforcement Notices have resulted in real financial hardship for my company and in order to remain viable we have had to seek alternative uses for this area. I am aware that Wokingham District Council would encourage the redevelopment of Wokingham Cricket Club and are committed to assist in the relocation if an alternative site can be found. You advised that you were not against cricket on this site, and agreed that it would be an efficient use of available land, but said that you could not withdraw the Enforcement Notices to consider this planning proposal. I would be very pleased if you could explain why this should be so. Obviously I would like to see the Notices withdrawn, but I wish to be honest and open in my discussions with you. I cannot see the sense in re-submitting plans, which are now no longer viable.

We also discussed the problem of the injunction on my 1st and 10th holes due to golf balls landing in my neighbour's garden. I would be pleased if you could agree to netting being erected along the mound to protect the garden and the road and car park area, which would allow me to have the injunction lifted. I must stress that no accident has been caused by golf balls in this area but it is a necessary preventative measure, which will allow me to re-open these two holes. Mr. Brown is seeking damages of some 80,000 pounds because he says golf balls have landed in his garden and the value of his house has diminished by this amount because of this. This also is causing considerable financial pressure and I would be very grateful if you could give this your urgent attention.

Whilst writing I would like to draw your attention to cond. 17 of planning app. No. 42764 which reads as follows:- "The use of the practice area indicated on the indicative layout plan shall be limited to use as an informal "warm up" or teaching area ancillary to the use of the Golf Course and shall not be separated from the Course at any time. (711H)" . REASON. For the sake of clarity and to prevent an inappropriate development of the site. The practice area has been separated from the golf course and is not included in my lease. I would appreciate your comments with regard to this .

I do thank you, once again, for your time on Thursday and hope that we are able to resolve these matters, so that we can both turn our attentions to other things. I also wish you success in your new position, it is not one that I would envy.

Yours sincerely,

Enid Vallely

c.c. Mrs. Jane Earl.

Mr. John Redwood

P.C. Dave Stubbs

Tel. 01189746023 (Direct Line)
. 01189790877
Email. neil.carr@wokingham.gov.uk
Date. September 26, 2001
My ref. JE/NC

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Mrs E Vallely
Woodcray Manor Golf Course
Finchampstead Road
Wokingham
RG40 3HG

Dear Mrs Vallely,

WOODCRAY MANOR GOLF COURSE

Thank you for your letter of 4 September 2001.

I have discussed the matter with Neil Carr and Mike Evans and have reviewed the case file. I believe that your position and that of the Council are clear. Consequently, I do not see any benefit in further meetings. Instead I propose to summarise the Council's position as a Stage 3 reply under the Council's complaints procedure. If you are dissatisfied with this response you are then able to pursue the matter with the Local Government Ombudsman.

Your Complaints

I believe your complaints to be that the Council has failed to act reasonably in its dealings with you relating to the operation of the Woodcray Manor Golf Course and that officers have not responded constructively to your attempts to resolve various enforcement and breach of condition issues. Finally, you are unhappy about the specific issuing of a caution under the terms of the Town and Country Planning Act at a meeting held with Council officers on 14 August 2001.

Background

I will deal with the "caution" issue first. It appears to me that you concerns are reasonable in relation to this incident. I would like to apologise for any inconvenience or upset caused as a result of the caution issued to you at the meeting with Mr Evans and Mr Carr on 14 August 2001. I understand your feelings on this matter and can assure you that the caution has been withdrawn and that no evidence gathered at that meeting will be used in any legal proceedings, if such proceedings prove to be necessary. Furthermore, any reference to the caution will be removed from the Council's records.

In relation to the other enforcement issues, I would comment as follows. I note that you have held a series of meetings with Council officers over the past 18 months relating to the operation of the golf course. I am also aware that the inclement winter of 2000/01 presented a series of additional strains on the operation of your business. However, in summary it appears that there are two longstanding enforcement notices in place relating to the golf course. These enforcement notices relate to the unauthorised use of the greenkeeping facility as a residential dwelling and the extraction of sand and importation of waste.

As I understand it, your proposals for the longer term development of the Woodcray Manor Village are seen by you as an appropriate response to the extant enforcement notices. Unfortunately, the Council's officers do

not believe that this is a reasonable solution. Their view is that the Woodcray Manor Village proposals will take several years to progress at best and must overcome serious planning reservations in the process. Consequently, their view is that this proposed solution is not feasible and that urgent action must be taken to address the two enforcement notices. Having considered the matter, I believe that this position is reasonable.

I am also aware that there are a number of other outstanding issues relating to the operation of the golf course. These relate to the landscaping of the car park, the storage of greenkeeping materials and the storage of builder's rubble on the line of the footpath around the course. I understand that these matters were addressed in a letter from Mr Evans dated 24 September 2001.

I note your comments in relation to the visit to the golf course by Mr Sawyer of the Environment Agency on 21 August 2001. Although Mr Sawyer was satisfied with the explanation given for the presence of the rubble on the footpath, the Council's Enforcement Team are not. I believe that this matter is addressed in Mr Evans' letter of 24 September 2001.

I also note your comments in relation to the adoption of the footpath and have asked for a separate briefing on this matter. I have asked Mr Carr to write to you separately on this matter when further information is available.

Finally, the proposals relating to the development of Woodcray Manor Village have already been touched upon. Whilst understanding your views on the need for and benefits of affordable housing in the area, I would confirm the view that any proposals for such development on the current golf course site would have to overcome significant planning reservations and appear to be contrary to the Council's current planning policies. However, there is nothing to prevent you from submitting a planning application in the usual way. Any such application would be dealt with on its merits.

Conclusion

I hope that the information above addresses all the points of concern set out in your letter of 4 September 2001.

As I mentioned earlier, I am sorry about the Council's handling of the caution incident at the meeting on 14 August 2001. I am also sorry if you have experienced difficulties in contacting Council offices over the past two years. However, in relation to the substantive issue of the extant enforcement notices, I believe that the Council has acted reasonably and that these issues should be addressed as a matter of urgency. Please contact Mr Evans if you wish to discuss proposals relating to the enforcement notices and any other issues relating to the operation of the golf course.

This concludes the Council's internal complaints procedure. However, if you are still dissatisfied with the Council's response to your complaints you are able to refer the matter to the Local Government Ombudsman. I enclose a copy of a leaflet which gives details of the Ombudsman service.

Yours sincerely,

Jane Earl

Chief Executive

Enclosure

WOODCRAY MANOR GOLF COURSE
FINCHAMPSTEAD ROAD
WOKINGHAM
BERKSHIRE
RG40 3HG

EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.

4th October 2001

Mr. M. Evans,
Team Leader Enforcement,
Wokingham District Council,
Shute End,
Wokingham,
RG40 1WR.

Dear Mr. Evans,

Re:- Woodcray Manor Golf Course - Enforcement Matters.

We spoke recently on the telephone, after I received your letter dated 24th September 2001, and it is with reference to this letter that I write today.

In our telephone conversation I thanked you for the contents of your second paragraph and I know that you are aware that I have been seeking to convince Mr. Mitchell to allow me to do this for some time. You cannot begin to appreciate the moral booster this would be to my workforce and Mike, if we could achieve something before the winter weather sets in. Last winter was especially hard, and I would hate to think of us coping again with such conditions without a suitable greenkeeping building, located away from adjacent residential buildings.

As you so rightly point out, it would be extremely difficult to comply with planning cond. 96/63815/RM, without being able to move the items currently in this position, which are obviously a necessity for running the golf course. It is such a relief to have someone now dealing with the matter, who has a practical and logical mind.

The rubble to which you refer was offered to us early in the year, shortly after I had submitted a discussion plan to Mr. Mitchell, which I had hoped would solve some of the various enforcement issues. This plan indicated a suitable spot for a greenkeeping facility,

alongside, but hidden from, the lane, along which the public are permitted to walk. Mr. Mitchell did indicate initially that our need for a building was reasonable, as you have done, but unfortunately we made no further progress. We accepted the hardcore and rubble, believing we would shortly be in need of it, to progress this greenkeeping facility. We also used it to assist in movement about the golf course, and work required to clear a blocked ditch in this area, which was causing some localised flooding to our golf course. Any excess material would have been used to maintain haul roads to complete works to holes 14 and 15. Unfortunately THREE plans put to Mr. Hamlin, and later to Mr. Mitchell, to complete holes 14 and 15, failed to receive endorsement, despite a letter written by Mr. Mitchell, prior to the last enforcement appeal, indicating, that any of the three plans would be acceptable. Perhaps we were naive in taking Mr. Mitchell's comments as sincere, and possibly I could be doing the same thing once again with you. But one has to go forward in good faith, and I would hope that your invitation to discuss such a building would be more fruitful. I would welcome the opportunity to bring the plans put forward for 14 and 15 and hope we could achieve some progress there also. This area has been in limbo since March 1999.

I did advise you in our telephone conversation, that the three enforcement notices (the first, of which was upheld) together with the injunction affecting holes 1,2, and 10, and the appalling weather last winter, had had a devastating effect on the viability of the golf course. I am currently undertaking a viability exercise to help us consider the way forward. Unfortunately in the commercial world one is forced to cut ones coat according to ones cloth. I hope that we can work together so that the extant enforcement notices, and the extant planning permission to be a golf course can be considered together to ensure a viable golf course facility.

Yours sincerely

Enid Vallely

WOODCRAY MANOR GOLF COURSE
FINCHAMPSTEAD ROAD
WOKINGHAM
BERKSHIRE
RG40 3HG

EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.

11th October 2001

The Rt Hon John Redwood
Wokingham Conservative Association,
30 Rose Street,
Wokingham,
Berks.
RG40 1XU

Dear Mr. Redwood

WOODCRAY MANOR GOLF COURSE

I am writing to update you with regards to matters at Woodcray.

Unfortunately despite all my efforts I have failed to make any progress whatsoever. After the "caution" incident, I did as you suggested, and made comprehensive notes of the meeting. I also wrote to Mrs. Jane Earl, making her aware of the incident and asking for a meeting to try to resolve matters, which seem to be going from bad to worse.

I was disappointed to receive her response, which invited me to consider referring the matter to the Ombudsman. Reluctantly I plan to do so, but do fear that this is hardly likely to improve the relationship with officers, and may further hamper my ability to resolve matters.

I intend to make Mr. Green and Mr. Wyatt aware of the situation, and I have a meeting with Mr. Evans, Enforcement on Friday 12th.

I enclose copies of the various letters, so you can see the sequence of events. Winter will soon be upon us and the viability of the golf course is seriously threatened by the lack of progress. I am aware that a number of my members are considering not renewing their membership, because they cannot see an end to the conflict, and an improvement of the facility.

Thank you for all your help,

Yours sincerely.

Enid Vallely

"Kinabalu",
1, Shaw Park,
Wellington Chase,
Crowthorne,
BERKS.,
RG45 7QL.

4th, April 2000

07 APR 2000

Dear Mr Marsden,

Ref. No. APP/X0360/C/99/1035175

I am writing in support of the occupiers of the premises at the Woodcray Manor Golf Course who I understand that you plan to evict. This seems to be both harsh and illogical.

Enid and Mike have occupied part of the building for almost four years without apparent complaint from anyone. By occupying the property they provide security for the site, the golf course, the equipment, buildings and more recently the new clubhouse building. There have been sufficient incidents over the last year, which have demonstrated that an on-site presence is at least a deterrent to vandalism and robbery. I am sure that you would agree that insurance would be difficult without someone being around for twenty-four hours a day and in fact I believe that this is a condition of the policy.

The property itself is well maintained. It is not in a position to inconvenience anyone and even if it were considered to be an eye sore nobody who does not play golf can see it.

In summary it is difficult to understand why the Council wants to progress an eviction when there must be far more useful and sensible ways of spending rate payer's money.

Yours sincerely,

C. H. Passmore

Richard

10 MAR 2000

18 Barkham Road
Wokingham
Berks RG 41 2XP

The Planning Inspectorate
Dept. of the Environment
PO Box 326
Bristol
BS99 7XF

6th March 2000

Dear Sir,

Ref: No APP/XO360/C/99/1035175

It has come to my notice in the last few weeks that a paper has been served on Mrs Valleley and Mr Mannion with reference to being able to live on their property i.e. Woodcray Golf Course.

One would have thought that if planning permission was given to build a golf course that it would be expected that someone would live on site to protect the property and machinery etc: In this day and age of vandalism and burglary being rife it cannot be expected of the neighbours to play watch dog and protect other peoples sites.
The two immediate neighbours i.e. Woodcray Manor and Woodcray House are delighted to think that someone is watching their backs so to speak.

It is now more imperative that security is at a very high level as it is proposed that Wokingham Police Station is to be closed, besides it is in my mind that it is every ones duty to protect their own property as far as it is possible. There has been more than one incident of persons attempting to drive a car very near the greens and on the fairways.

Woodcray Golf Course provides much innocent and legal pleasure to many people as well as being environmentally friendly. Surely the owners have a right to look after their own property by living on site .Considering they have lived there for the past four years these latest notices smack of pure revenge for their winning the previous appeal.

As a matter of interest how much do these actions cost the Poll tax payer as these notices seem to be issued with careless abandon, especially as one has just been issued on part of the golf course that has already been the subject of a stop notice and the work approved on appeal by the visiting Inspector ?

Yours sincerely,

A.R. and F.V Twitchett

The Planning Inspectorate
Department of the Environment
PO Box 326
BRISTOL BS99 7XF
Attn: Mr R. Marsden

The Old Stables
Pinewood Avenue
CROWTHORNE
Berkshire RG45 6RS

10th February 2000

Dear Sir,

Ref. No. APP/X0360/C/99/1035175

I write, as a payer of council tax to Wokingham District Council, in support of the appellants, and declare an interest as I am a member of Woodcray Manor Golf Club.

The accommodation is several hundred yards from, and out of sight of, all but two residential properties. The incumbents of these dwellings, I understand, are quite happy with the appellant's continued occupancy, mainly as they provide added security for their properties in their isolated position within the boundaries of the golf course.

A club house for the use of members and players has recently been opened constructed of light materials in keeping with the wood and farmland nature of the course. The downside to its aesthetic appeal is that it gives rise to an added security problem. In such a rural area where Police resources are sadly scarce, on site occupancy alleviates the risk greatly.

I am at a loss to understand why the District Council appears to be concerned at this time when the appellants have been in residence for nearly four years without objection. Surely now with the existence of a club house there is even more reason for on site occupancy.

Yours faithfully,

Keith A D Thompson

16 MAR 2000

1, Croft Close
Wokingham
Berks.

Mr. R. Marsden
Dept. of the Environment
P.O. Box 326
Bristol
BS99 7XF

5th March 2000

Dear Sir,

Re: APP/X0360/C/99/1035175

I write in support of the developers in the above appeal.

I cannot understand why permission is needed. When the original planning was granted for development of the course, it must have been obvious what residential accommodation was included. How else could security clauses, as laid down by the insurers, be complied with?

The area has been designated residential, evident by the two houses already constructed (Woodcray Manor and Woodcray House). The living quarters at the club are approached by a private road and WELL camouflaged by the aforementioned residences, therefore unseen by the general public.

Wokingham District Council seem to have nothing better to do with their time than to find petty reasons why this project cannot be brought to completion in a harmonious way.

As a resident, I object most strongly to my taxes being used to finance this appeal.

Yours faithfully

E. Parrott

E. Parrott (Miss)

The Planning Inspectorate
Department of the Environment
PO Box 326
BRISTOL BS99 7XF
Attn: Mr R. Marsden

The Old Stables
Pinewood Avenue
CROWTHORNE
Berkshire RG45 6RS

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I am at a loss to understand why the District Council appears to be concerned at this time when the appellants have been in residence for nearly four years without objection. Surely now with the existence of a club house there is even more reason for on site occupancy.

Yours faithfully,

Keith A D Thompson

Roland Moore
46 Kingsley Road
Eversley
Hants
RG27 0NA

13th March 2000

Dear Sir,

16 MAR 2000

Reference: Planning appeal APP/XO360/C/99/1035175

I have seen the recent letter from Wokingham District council regarding the above and would like to take this opportunity to express my views as a regular player at the Golf Course.

I am surprised and concerned that the council are again attempting to place obstacles in the path of the ongoing running of this valuable local leisure resource.

The current issue relates to security of the environment and the equipment that is critical to the development and maintenance of a golf course environment.

A security presence is a necessity, due to the high rates of crime and vandalism in the area, and any attempt to remove a deterrent to the theft or damage to the equipment must be resisted.

I do believe that the site, at one time had the perfectly secure building that would have sufficed for the secure storage of the necessary equipment. However I also believe, that the council insisted in its removal, pending the completion of the course and the building of new secure storage for the course maintenance equipment.

Until such time as the new structure can be built I fully support the owners in their wish's to protect the equipment, that is necessary for the running of a golf course, by maintaining a security presence on site at all times.

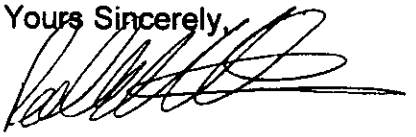
The existing building not only provides a security presence but also act as the pro-shop and office, facilities required by all golf courses and business's in general.

The course supplies a valuable recreational service in a an area where those wishing to play golf have to either join clubs charging in excess of one thousand pounds to join and annual fees often approaching similar level. This course has filled a need in the area for keen golfers who can not afford the expense of

joining one of the private clubs in the area.

I would urge you to support the owners in this issue and halt, what appears to be, the ongoing harassment that is being undertaken by the local District council against this successful and popular leisure facility.

Yours Sincerely,



Roland Moore Ph.D.

"Kinabalu",
1, Shaw Park,
Wellington Chase,
Crowthorne,
BERKS.,
RG45 7QL.

4th, April 2000

Dear Mr Marsden,

Ref. No. APP/X0360/C/99/1035175

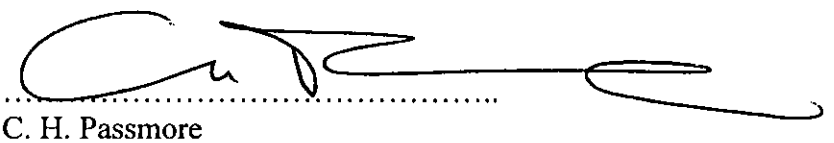
I am writing in support of the occupiers of the premises at the Woodcray Manor Golf Course who I understand that you plan to evict. This seems to be both harsh and illogical.

Enid and Mike have occupied part of the building for almost four years without apparent complaint from anyone. By occupying the property they provide security for the site, the golf course, the equipment, buildings and more recently the new clubhouse building. There have been sufficient incidents over the last year, which have demonstrated that an on-site presence is at least a deterrent to vandalism and robbery. I am sure that you would agree that insurance would be difficult without someone being around for twenty-four hours a day and in fact I believe that this is a condition of the policy.

The property itself is well maintained. It is not in a position to inconvenience anyone and even if it were considered to be an eye sore nobody who does not play golf can see it.

In summary it is difficult to understand why the Council wants to progress an eviction when there must be far more useful and sensible ways of spending rate payer's money.

Yours sincerely,



.....

C. H. Passmore

32 Murdoch Road
Wokingham
Berks RG40 2DF

Mr R Marsten
Room 111 (1)
The Planning Inspectorate
Colgate House
Houlton Street
Bristol
BS2 9DJ

19th October 1999

COPY

Dear Sir

Planning Appeal APP/X0360/C/99/1022135
Euro Golf Construction Management Ltd

I understand that an Appeal is being heard in respect of the above relating to Woodcray Manor Golf Course. As a regular player at the course and a local rate payer. I would appreciate this opportunity to express my own views about the forthcoming appeal.

The course is built on the old Woodcray Manor Farm an area of some 200 plus acres on the outskirts of Wokingham. It obviously became uneconomical to farm and along with many others I applauded the council's decision to allow a golf course to be built on this site thus maintaining the green field barrier between the outskirts of Wokingham and the parishes of Crowthorne and Finchampstead.

It is therefore very disappointing to find that Wokingham District Council has enforced a stop notice on the final tee and fairway requiring construction work. I cannot understand why this action has been taken. Like many other aspiring golfers I would like to see this course completed as soon as possible.

I therefore urge your inspector to make a site visit during the appeal process in order to facilitate an early and positive resolution to this problem and avoiding any further costs to local rate payers.

Yours faithfully

P. W. Clarke

17 MAR 2000

32 Murdoch Road
Wokingham
Berks
RG40 2DF

Attn Mr R Marsten
The Planning Inspectorate
Department of the Environment
PO Box 326
Bristol
BS99 7XF

16th March 2000

Dear Sir

Your Ref APP/XO 360/C/99/1035175

I understand that an Appeal is being heard in respect of the above relating to Woodcray Manor Golf Course.

Within the confinement of the Golf Course the area under question has already been subject to a Planning Appeal reference APP/XO360/C/99/1022135. This appeal was against an order by Wokingham District Council to cease work and the order was overturned on Appeal by your department.

As a regular player at the course and in particular, a local rate payer this matter is now causing me grave concern. I cannot believe that a further 6 to 12 months will be lost and we will be unable to enjoy the full facilities of this course. I am also concerned at the costs being incurred by Wokingham District Council and by your department in hearing yet again an appeal on this subject. For your information I enclose a copy of my original letter dated the 19th of October 1999.

The latest stop notice is, I understand, because of mineral extraction. I am sure your inspector at the last appeal was aware that certain extraction was necessary in order to get a subsoil and surface that would contain moisture and allow drainage..

I do not have any knowledge of who is handling this matter within Wokingham District Council, nor do I have any connections with the management at the golf course. However, it would appear that having lost the first appeal the council are doing everything within their powers to cause serious problems to the viability of this facility.

Cont..

I therefore urge your department to try and bring this appeal process forward and to find an early solution to this problem. This is not a private club but a pay and play facility open to all and if the financial pressures become too great it may be lost forever.

I have written under separate cover to Mr John Redwood MP and to the District Auditor, copies of this correspondence is available if required.

Yours faithfully

P. W. Clarke

1, Croft Close
Wokingham
Berks.

Mr. R. Marsden
The Planning Inspectorate
Tollgate House
Houlton Street
Bristol
BS2 9DJ

12th October '99

Dear Sir,

Re: Appeal - Woodcray Manor Golf Course

I would like to express my views on the above appeal as a walker and a golfer.

As I understand the situation, the bone of contention is the mound of earth at the 14th tee, visible from the woodland pathway. At the present time it is unsightly, but this is due to Wokingham District Council calling a halt to the work. Consequently, weeds have grown and litter collected. Had the work been allowed to reach completion, we would now be seeing maintained grass-covered mound, not offensive to the eye.

Wokingham District Council are being very petty in regard to this matter; when walking in woodland one does not expect scenic views.

In my opinion, the developers are being unjustly treated by the Council. They have done and are doing their best to complete this project, despite all the aggravation they have experienced over the past 3 years, and indeed are still experiencing.

As a local resident, I am delighted to be living so close to a green spot and will be even more so when this problem is resolved and the project brought to completion.

Yours faithfully

E. Parrott

E. Parrott (Miss)

APP/X0360/C/99/1022135

Very willing to support your notice (above) re residential use of clubhouse. The objection is against public interest for security reasons if no other

Tony Temple
0118 9785661.

In view of the vandalism that has already occurred at Woodcray, even with the owners present, it is unacceptable that the situation should be allowed to deteriorate even further by the absence of an overnight presence. In my experience it is very much the norm for courses to be occupied one way or the other for 24 hours a day.

Clark Penfold
0118 9780359

I supported the need for residence on site, mainly for Security reasons, by letter to the Chief Development Planning Officer on 21st February. That application was refused. Since then, Billingbear Golf Club, within the same local authority, has been granted permission to build residential accommodation on that Course mainly for security reasons.
Given continuing Police support for Woodcray's application I can see no possible reason for withholding approval from Woodcray.

K. Thomas 01344 779701

Statement on the Human Rights Act 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000 and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

The Planning Inspectorate

m+A

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
POL
MDH
13 MAY 2002
COPIES TO
FILE:

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 10 May 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

With reference to the above mentioned appeal, please find a copy of a fax transmission and any comments can be made at the hearing.

Yours faithfully

Mrs Margaret Pocock

211B(BPR)



Mole Road
Sindlesham
Berkshire
RG41 5DJ
Tel:0118 9771777 *Fax: 0118 9897565*
E-mail: info@nirvana-spa.co.uk

URGENT

FAX TRANSMISSON SHEET

To: MRS. M. POCOCK

Company: THE PLANNING INSPECTORATE

Fax No: 0117 372386214

From: SIMON BROWN
@Nirvana Spa & Leisure Ltd

Date: 10/5/02

Subject: APP/X0360/A/01/1078861

No. of pages: 9 *(inc. this one)*

Additional information:

IF THIS FAX IS NOT RECEIVED IN FULL PLEASE TELEPHONE 0118 9771777.

Woodcray House
Finchampstead Road
RG40 3HG

For the Attn of Mrs M Pocock
The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Your Ref: APP/XO360/A/01/1078861

10th May 2002

Dear Mrs. Pocock,

I live at Woodcray House which is surrounded on its north, east and west boundaries by Woodcray Manor Golf Course.

Prior to buying the property my wife and I visited Wokingham Planning Department to enquire about the status of the land mentioned above. We were informed by the duty officer that this was an "important piece of countryside on the outskirts of Wokingham, representing a gap between Wokingham and Crowthorne and that no residential development would be permitted under government policies".

We were assured by the duty officer that all planning conditions relating to the golf course were in the process of "being enforced by the council, including landscaping to the east of the Woodcray houses boundary". I was told that any machinery or temporary buildings would be removed as they had only been given temporary planning permission during the period of course construction".

I also visited Mike Manion at the golf club whom informed me that he thought the house "too expensive" but added that "he would like to live there". He gave no indication that he, his son (a greenkeeper) and Ms. Vallely were living illegally, without planning permission, on the boundary of the property. No disclosure to this effect was made by the vendors, our search results by our solicitors showed no such situation should have prevailed.

Having previously lived in the middle of a golf course before our 3rd and 4th children were born we went ahead and purchased the property anticipating a safe secure and lawful environment would prevail.

Within a few weeks of moving into the property I became concerned that our garden was receiving direct hits from stray golf shots and we approached the golf operator discussing our concerns for our children's safety with first Mike Manion and then Ms. Vallely. The approach from the operator was aggressive and unpleasant. They told

us that we should not have bought the house and that they were living in the greenkeepers facility and that they were going to get permission to build a house on my eastern boundary which would shield us from the dangerous golf balls. It was suggested that my wife and I should not cause the operators any trouble or they would make "our life difficult for us". We were told that we were dealing with an Irish company with "connections" and we had better be "careful".

Faced with a stressful situation and a house that could not be sold, due to health and safety issues that any lawful vendor would have to disclose (my children of 8, 6, 4 and 2 had to be banned from using 2/3rds of the garden) I had no choice other than to seek help from a firm of solicitors. It was then that the operator started to run noisy, diesel engine plant and equipment on our eastern boundary. We clearly were victims of anti social behaviour. Traffic movements were taking place after midnight and the temporary clubhouse was clearly being used for late night drinking and parties. I have informed both Wokingham District Council, the police and the local MP about the conduct of Eurogolfs officers, but Ms Vallely seemed able to get her way/avoid enforcement action by badgering officials or going into such lengthy irrelevant dialogue with them that it became expedient to avoid further contact with her.

I have some sympathy with people whom have to explain the law to her. She has boasted to me that she will "wear any official out" and that she always "gets her way", she has misquoted the human rights act on many occasions. A high court judge granted an injunction against the operator and, after months of threats and anti-social behaviour towards me and my family, the operator agreed to comply with an order of court to allow our children to play safely in the garden.

When it became clear that the operator had no intention of complying with the many breaches of the original planning permission plus other serious illegal acts of landfill vandalism, I sought help from a planning consultant, Robin Bradbeer. I attach for your information a copy of the letter Mr. Bradbeer has recently sent to the authority requesting enforcement action to be taken in respect of the unauthorised use of a mobile home located adjacent to the east boundary of my property. I trust that his report assists the decision making process as, despite the operators boast to the contrary, I believe that the proper planning laws will prevail and that the operator's plans to achieve residential status by intimidating residents and officials alike will be unsuccessful.

"Plans" have been presented for the creation of "Woodcray Village" by the operators (copy of appellants internet site statement attached). To allow these people to remain in residence will set a precedent and reward years of breaches of planning law. The countryside needs to be protected from such abuse.

I apologise for late submission. This is due to us not having been informed of this hearing until a few days ago, due to an administrative oversight. I will try to attend the inspectors meeting despite having a full schedule on that day.

Yours sincerely,

SPW Bown

Robin Bradbeer Limited

Planning & Development Consultancy

Steepways Farm
Nether Lypiatt
Stroud
Gloucestershire
GL6 7LS

Telephone
01453 889102

Fax
01453 889103

E-Mail
planning@bradbeer.co.uk

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

Our ref. RWB/334
8 May 2002

For the attention of Mr M D Hamlin
Senior Enforcement Officer

By fax to 0118 974 6484
and by first class post

Dear Mr Hamlin

SITE : WOODCRAY MANOR GOLF COURSE
UNAUTHORISED DEVELOPMENT: MOBILE HOME IN RESIDENTIAL USE LOCATED TO THE EAST OF WOODCRAY HOUSE

I refer to our telephone conversation on 8 April 2002 when I called to enquire whether the above development was subject to enforcement investigations. You advised that this is not currently the case but suggested that I should write to your formally drawing the breach of planning control to the Council's attention. This I now do.

As you are aware I act on behalf of Mr and Mrs SPW Brown who have lived at Woodcray House since 28 January 2000. The unauthorised mobile home is located close to the east boundary of my clients property from where it is readily visible from a number of first floor windows.

On the basis of my clients first hand knowledge this mobile home has been both in place and in use residentially since they have occupied Woodcray House. If it would be of assistance to your investigations appropriate statutory declarations could be made available to the Authority.

You may recall that during Inspector Garnham's site visit on 9 May 2000 regarding enforcement notice appeal 00195/E, at which we were both present, this mobile home attracted the Inspector's attention because it is located in close proximity to the greenkeeping facility. My contemporaneous file note confirms that Inspector Garnham asked the appellant's representative by Mrs E Vallely what the mobile home was used for. Mrs Vallely replied to the effect that it was lived in by a greenkeeper.

Given Mrs Valley's admission on 9 May 2000 of a breach of planning control in this matter my clients are clearly disappointed at the Council's subsequent inaction which will I trust now be remedied promptly.

I shall be grateful if you will keep me informed of your action in response to this letter.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

Woodcray Manor Village

About Us

Woodcray Manor Village will provide a partial solution to the present demand for housing in Berkshire and Wokingham in particular, without impacting on the few remaining pockets of totally natural and untouched countryside, which provide open areas for public enjoyment.

The Village will sit within the Woodcray Manor Golf Course and will provide a secure environment and also include other sporting, health and leisure facilities, business facilities and convenience shopping. The Village will operate it's own bus service, within a 2 mile radius of the town centre offering a direct link to the rail network.

It will offer an executive lifestyle at affordable prices and enable the companies who invest in the area and provide employment to assist their employees with their housing needs. The Village is designed to offer numerous facilities to enable residents, members, their entire families and friends, the pleasure of a variety of interests to enjoy. The concept will not create sports widows and orphans. Returning home after a hard days work, or indeed if retired, the residents will find themselves in a self contained community providing them with access to and use of all amenities, and offering a varied and peaceful environment.

Woodcray Manor Village

The Concept

The Need For Housing

Everyone accepts that there is a need for housing in Berkshire and especially in Wokingham. The Government would like to see more affordable housing provided, but this is often at odds with the needs of the owners of property in the immediate vicinity of the available land. It can have a large impact on their investment. The home is quite often the biggest investment a person makes. It is an investment of income, but of even more importance is the investment of love, time and memories. It is often their pension plan for old age, or a part of that provision. They may well wish to pass this on to their chidren eventually, ensuring the continuity of the family unit. Housing is not simply a practical, strategic planning exercise, it is the spiritual heart of the family unit.

The need for housing is recognized by Wokingham District Council and the local business community in general. They need to attract the right employees, which sometimes means bringing people in from outside the area. The lack of affordable housing is a major obstacle in attracting key workers who need to get on the housing ladder.

How then might we provide affordable housing, consider the needs of employers, maintain the investment of home owners, and safeguard the areas of natural untouched land, which so enhance the quality of life?

There Is A Better Way.

If we make the most efficient use, of land, which is by nature open, but also to a significant degree urbanized, we can provide good quality housing at affordable prices.

How Can We Achieve This?

We encourage employers to become involved in providing for the housing needs of their employees. This is not a new idea. Anyone who has visited Cadbury in a garden Bournville, will appreciate the foresight and continued success of this concept.

Woodcray Manor Village will continue this concept and invite local employers to be involved in providing good quality affordable housing, which will mirror the surrounding properties. They will

enhance the lives of their employees and also the local community by providing additional sport and leisure close to the town centre of Wokingham and easily accessible by local transport, cycle or on foot.

Home.


Housing
Housing
Housing
Housing
Housing
Bowling Green

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

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 10 May 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

With reference to the above appeal , please find enclosed a copy of correspondence from another interested party. Further comments can be discussed at the hearing upon the discretion of the Inspector.

Yours faithfully

Mrs Margaret Pocock

211B(BPR)

WOODCRAY MANOR
FINCHAMPSTEAD ROAD
WOKINGHAM
RG40 3HG

1078861

7th May 2002

Mrs M Pocock
Planning Inspectorate
Room 303 Kite Wing
Temple House
2 The Square
Temple Quay
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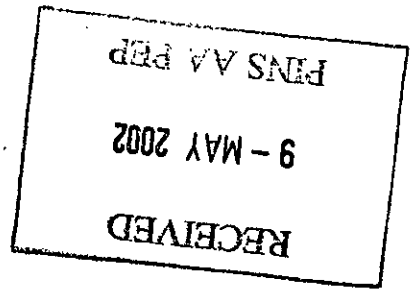
BS1 6PN



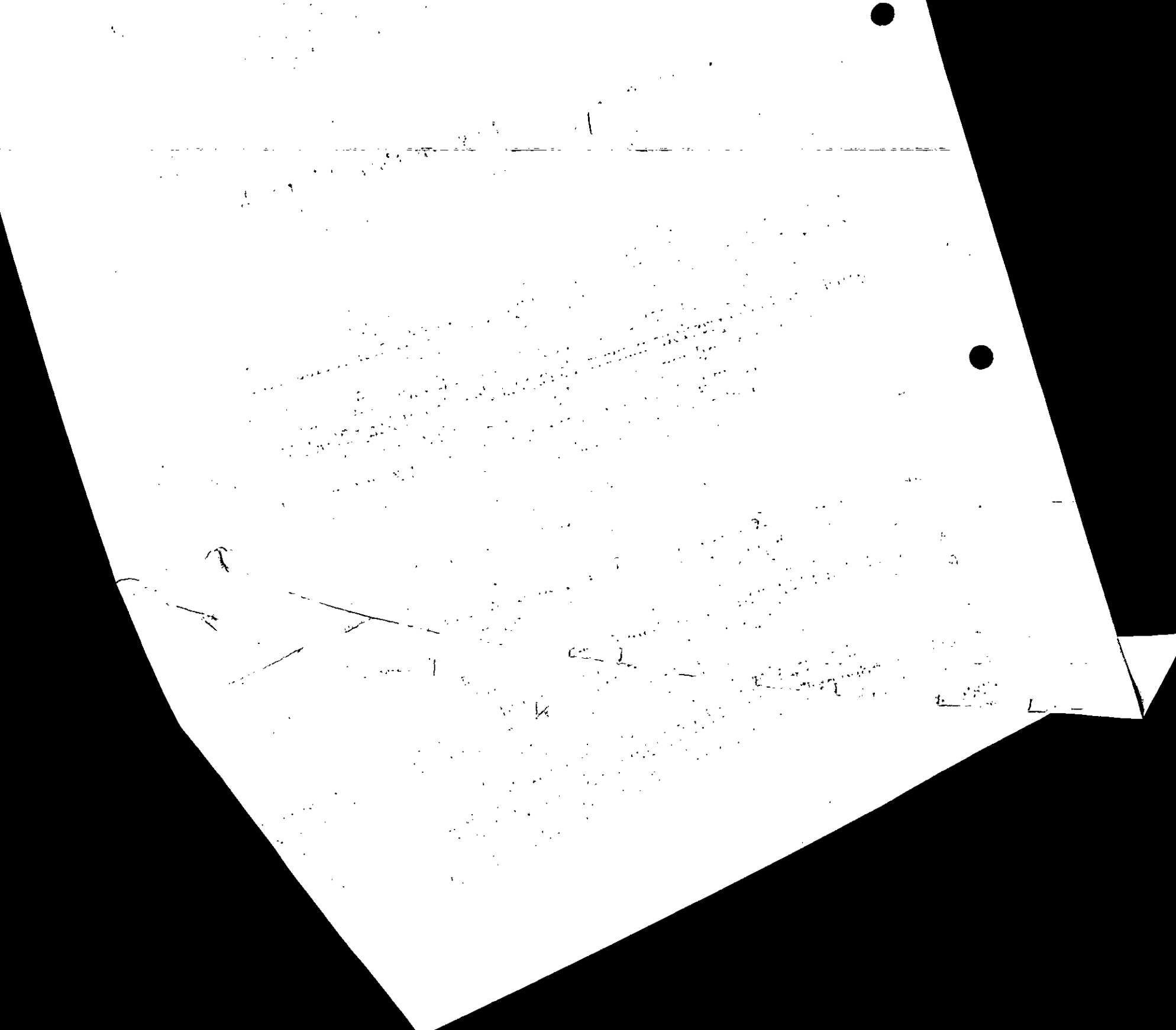
Dear Mrs Pocock

Re: Residency Appeal - Eurogolf Course Construction & Management, Woodcray Manor Golf Course, Wokingham.

We wish to lodge our objection to the above mentioned appeal, the hearing for which we understand will be held by yourself on Tuesday 14th May.

We are sure that you are aware of the lengthy history of this case, and we find it somewhat bewildering that we have to write with our objections yet again, on a case that was heard and dealt with over 2 years ago. Having appealed the original decision by the inspectorate, the Eurogolf Directors have contrived to stay in residency on site for a further 2 years.

Eurogolf Construction obtained a lease on this land in 1995. They were fully aware of the planning permission that had been granted in January 1995 and were willing to undertake the task of turning agricultural land into a golf course and clubhouse, pro-shop and greenkeeping facility in the full knowledge that there was no provision for any residential element. They immediately erected a pre-fabricated building in the area designated as "greenkeeping facility". This building was clearly unsuitable as such. (One has to consider that any "greenkeeping facility" would house standard greenkeeping machinery such as large mowers and other similar equipment. This pre-fabricated building would never have been suitable for this role). From the outset they have occupied this mobile home as their residential home. This is a clear breach of planning regulations, of the original development plan, and was done in full knowledge that it was illegal.



As a consequence of the appellants' residential occupation of this mobile home, the location of the greenkeeping facility has been altered. Again this is a breach of planning regulations. The result of this is that the current greenkeeping facility takes the form of several large metal containers and large tractors and mowers stored permenantly along the full length of the boundary with Woodcray Manor. This is both unsafe (Health & Safety), unsightly and would also be considered a nuisance due to the incredible amount of noise from machinery starting up early in the morning (particularly in the summer season) and being worked upon during the day (7days a week). The approved development plan clearly shows that the area occupied by these containers, tractors and mowers etc should be a fully landscaped car park. It would be impossible to implement the car park plans until the greenkeeping facility has been moved to a suitable location, (which should surely be well away from all residential dwellings), but this "greenkeeping facility" is currently being lived in by the appellants.

The Council has spent the last 6 years trying to persuade the developers to comply with the original plans (i.e. Clubhouse, pro-shop, car-park, and landscaping on the course itself). The operators of the golf course have failed to do so, and are therefore in direct contravention of plans, but the course is fully operational and has been for several years. This was confirmed in the previous inspector's appeal decision of May 2000. This remains the case, and suggests that these operators have never been fully committed to the completion of the course. This shows a total disregard for planning obligations from the outset. The appellants are still facing action, brought by other neighbouring properties and the council, regarding the landscaping, yet the operators continue to ride roughshod over the council planning department. A visit to their web site (http://business.virgin.net/woodcray.enid/index/html)suggests that the appellants have no desire to run an 18 hole golf course, but have much wider ambitions for property development which go way beyond the Berkshire Structure Plan 1991-2006/policy C2, The Statutory South East Area local plan 1994, The Wokingham District Local Plan and Planning Policy Guidance note 7 - "The Countryside".

Indeed, to grant permission for residency on this land would mean that it must be regarded as "mixed use" a) as a golf course and b) for residential purposes. If this "mixed use" was granted, it would no doubt open the flood gates for numerous applications of a similar vein, for residential use of the golf course and the surrounding land. How can the council then control building of residential property on this land itself? This land forms

part of a designated "gap" area.

The appellants have raised security as grounds for their appeal. However, as with any large holding there are other ways to ensure the grounds stay secure. Indeed, their neighbour Mr Brown who owns one of the largest health spas in the country has offered to advise them on this matter. Needless to say this offer has been rejected. The appellants have also slept through their own intruder alarm which woke us in the early hours of one morning and it was ourselves who alerted the police. Indeed the police found them asleep on the premises unaware of what was happening! Clearly an appropriate level of protection can be easily achieved without residency. In previous attempts to secure permission for residency, reference has been made to Woodcray Manor and Woodcray House, implying that we were being supportive of their residential occupation. This is a blatant untruth, and Wokingham Council have been made well aware of our opposition to this.

From the outset the appellants have shown no regard for planning laws, either in relation to their landscaping issues or that of their illegal residency. They show no regard for the distress they cause to neighbouring properties and many complaints have been lodged of their abusive nature. It is clear that they have no interest in completing and running a professional 18 hole golf course, but have much bigger plans in mind. It is also clear that the only way that the council has been able to persuade the appellants to comply with any of the regulations is through the courts. If the inspector does not recognise this breach of planning control and dismiss this appeal, we find the future a very worrying prospect for the people of Wokingham.

Yours sincerely,

Carolina Lukic

MR D AND MRS C LUKIC

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT

APPEAL SITE: WOODCRAY MANOR GOLF COURSE

REASON FOR APPEAL: REFUSAL TO GRANT TEMPORARY PLANNING PERMISSION FOR CHANGE OF USE OF GREENKEEPING FACLILTY TO ONE BEDROOM ACCOMODATION, PRO-SHOP AND OFFICES (RETROSPECTIVE)

LOCAL PLANNING AUTHORITY REFERENCE : TP/2001/3180

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/XO360/A/01/1078861

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 The site is located approximately 2km south of Wokingham Town Centre on the main A321 Finchampstead Road.

1.02 The golf course extends to approximately 64 hectares and is bounded by woodland to the north, the Wokingham to Guildford railway line to the east, Finchampstead Road and housing to the west and Sandhurst Road and housing to the south-west. To the south-east is woodland and a wildlife heritage site. Location plan scale 1:8000 attached as Appendix 1.

1.03 The building which is the subject of this appeal, is located towards the north-west corner of the golf course. There are two dwellings to the west, the golf clubhouse to the south and the course car park to the east and south. The building is approximately 18 metres long by 6 metres deep by 3.5 metres high and has a 4 metre by 4 metre projection to the front. The living accommodation is situated in the southern part of the building and extends to approximately 36 metres square. (See plate 1 attached as Appendix 2 together with a site plan scale 1:1250 attached as Appendix 3).

2.00 PLANNING AND ENFORCEMENT HISTORY OF THE APPEAL SITE

Appln. No.	Description of Development	Decision/Date
37738	Change of use of agricultural land to golf course, clubhouse, residential flat, storage buildings, pro shop, car park and new vehicular access.	Granted/Legal Agreement 28.08.91
42764	Change of use of agricultural land to golf course, clubhouse, pro shop, green-keeping facility, demolition of farm buildings and erection of house.	Granted O/L 16.01.95 Legal Agreement
96/6386/VAR	Variation to condition 8 on 42764 (to retain outbuildings).	Granted 21.03.96
96/63569/F	Erection of new dwelling and demolition of existing buildings.	Granted 07.06.96
26/63815/RM	Reserved matters on approval 42764 for golf course, clubhouse and green-keeping facility.	Granted 06.08.96
96/64777/A	Non illuminated boardings.	Granted 27.01.97
97/64983	Engineering, landscaping and moundings.	Granted 03.07.97
00181/E	Enforcement Notice issued against unauthorised raising of ground levels. Appeal against Enforcement Notice DOE Ref: APP/X0360/C/99/1022135	Upheld 18.11.99
99/70590/F	Erect clubhouse (retrospective)	Granted 29.11.99
00195/E	Enforcement Notice issued against unauthorised change of use of Green Keeping Facility to mixed use including use as a dwelling house Appeal against Enforcement Notice DOE Ref: APP/XO360/C/99/1035175	Dismissed 15/6/2000

00196/E	Enforcement Notice issued against unauthorised extraction of sand and its removal from site, importation and deposit of waste material and formation of access road and hard-standing Appeal against Enforcement Notice DOE Ref: APP/X0360/C/00/1040489	Dismissed 23/10/00
TP/2001/3180	Proposed Temporary change of use of green-keeping facility to one bedroom accommodation, pro-shop and offices (retrospective).	Refused 30.05.01

3.0 RELEVANT DEVELOPMENT PLAN POLICIES

3.01 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

3.02 The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the Statutory Structure Plan for the area. The following Policies are relevant to the consideration of this appeal::

OS1 The Overall Strategy
C2 Development Outside Built-up Areas and Settlements.

(copies of the above policies are contained in Appendix 4)

3.03 The South East Area Local Plan was adopted on 15 April 1994 and is the statutory local plan for the area. The Planning and Transportation Committee at their meeting on 21st November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up-to-date adopted policies, except in relation to housing provision". The relevant policies contained in this plan are:

STV2 Development in Rural Areas.
SC20 Conversion of Buildings in Rural Areas to Dwellings.
(Copies of the above policies are contained in Appendix 5)

3.04 The Draft Wokingham District Local Plan was placed on deposit from 21st October to 2nd December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the Structure Plan in May 1997. The public local inquiry into the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry with the exception of WSM1 was published by the Council on 22nd November 2001. However the Council has not yet formally considered these Inspector's recommendations. The following policies are relevant to this appeal:

WOS 2 General Development Principles
WOS3 Development Control Principles
WCC1 Developments in the Countryside.
WCC5 Re-use and Adaption of Buildings for Residential Purposes outside Settlement Boundaries.

(Copies of the above policies are contained in Appendix 6)

3.05 CENTRAL GOVERNMENT ADVICE

3.06 The following national policy guidance is relevant to this appeal:

PPG1 General Policy and Principles
PPG7 The Countryside and the Rural Economy.

3.07 Explanatory Comments

3.08 The dwelling has been constructed within the existing green keeping facility. The use of part of the building as a dwelling, pro-shop and offices has displaced the green keeping use to outside the building. This facility is currently being provided by metal storage containers which are situated in the car park. (See plate 2 attached as Appendix 7).

4.00 THE COUNCIL'S CASE

4.01 The change of use of part of the green keeping building to use as a dwelling house is contrary to the provisions of Policies OS1 and C2 of the Berkshire Structure Plan, Policies STV2 and SC20 of the South East Area Local Plan and Policy WCC1 and WCC5 of the Wokingham District Local Plan (Deposit Draft). These policies seek to restrict development in rural areas. The South East Area Local Plan and the Wokingham District Local Plan identify the site as being within a rural area.

4.02 Policy C2 states that development outside built-up areas and settlement boundaries will be strictly controlled and only permitted in certain circumstances. The development is not required for agriculture, is not a re-use of a building to assist the rural economy and clearly does not maintain or enhance the rural environment. In addition it is not development for which a rural location is essential. It is therefore contrary to Policies OS1 and C2.

4.03 Similarly, Policy STV2 of the South East Area Local Plan states that all land outside the identified settlements, as shown on the proposals map, is considered to be rural area within which development will not normally be allowed, unless it falls within a specific category. The part change of use of the green keeping facility to use as a dwelling does not fall within any of the specified categories. It is inappropriate development and conflicts with the rural character of the area.

4.04 Policy SC20 of the South East Area Local Plan refers to buildings in the countryside that are surplus to requirements. This policy is intended to relate to redundant buildings which are of architectural merit and whose retention can be ensured by allowing conversion. Similarly PPG7 states that the re-use of buildings can reduce demands for new buildings in the countryside, avoid leaving an existing building vacant and prone to vandalism and dereliction, and provide jobs. The green keeping facility is not a building that is surplus to requirements, but is fully used and has displaced the authorised use and caused pressure for another building on the site. This can be seen by the storage containers in the car park and the enquiry regarding an additional building to be used as a green keeping facility. The building will not be left vacant if it is returned to a green keeping facility and the proposal is therefore contrary to SC20 and PPG7. 3.14

4.05 Policy WCC1 of the Wokingham District Local Plan (Deposit Draft) states that development outside settlement boundaries will only be allowed in exceptional circumstances and will be strictly controlled. The Council considers that the change of use of the building to part dwelling does not fall within the definition of exceptional circumstances and is inappropriate development in the countryside.

4.06 PPG7, Annexe 1 refers to agricultural and forestry dwellings in the countryside. Although this is not an agricultural dwelling the appellants' justification for departure from the development plan policies is the security of the site. Para. 18 states 'The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for an agricultural dwelling, although it will not by itself be sufficient to justify one'. This proposal is not for the protection of livestock or on animal welfare grounds, but for the alleged protection of property.

4.07 The planning authority also considers that the dwelling does not fulfil the requirements of the functional test outlined in para. 16 of PPG7. This states that a functional test is necessary to establish whether a dwelling is essential for the proper functioning of the enterprise. If there is a problem with security on the site this may be provided by means other than establishing a dwelling. Alarm systems and Closed Circuit TV can provide 24 hour surveillance and deter theft. The previous Inspector at para 15 also felt that the use of security personnel, guard dogs, improved perimeter fencing and locked gates could provide solutions. The change of use is therefore contrary to the provisions of Policies C2, STV2, SC20 and WCC1. It is also contrary to the provisions of PPG7.

5.0 COMMENTS ON APPELANTS GROUNDS OF APPEAL

5.01 b) The Inspector in his report dated 15th June 2000 para 12 states the following:
"that it (the building) cannot be considered as the re-use or conversion of a rural building as the remainder of the building is used in connection with the golf course use and there is evidence of pressure for more buildings to accommodate greenkeeping facilities".
The circumstances have not changed.

502 c) The greenkeeping facility is not a redundant building. It is currently fully used and the residential use has displaced the greenkeeping equipment into areas allocated for car parking. The appellant has suggested that an additional building is required on site to house the greenkeeping equipment.

5.03 d) The re-use and adaptation of the existing building has been dealt with at b). The appellant claims that there is a need for an on-site dwelling for security reasons. This point was addressed at the previous appeal when the Inspector at para 15 stated "My conclusion on this matter is that the argument on security grounds does not amount to a justification sufficient to outweigh the contrary policy considerations". If there is a need for security this can be provided in many ways without the need to provide a dwelling.
Policy WCC6 is titled New dwellings required for agricultural and forestry workers. It is not relevant to this appeal.
Planning permission was granted for a golf course, clubhouse, pro-shop and green keeping facility including the demolition of farm

buildings and the erection of a house. The demolition of the buildings and erection of the house were incorporated into this application as it was claimed by the applicant that without it investment in the provision of the golfcourse was non viable. In fact the proposal involved the demolition of 1638 square metres of buildings and the replacement of 902 square metres including the erection of a clubhouse, green keeping facility and dwelling. This represented a significant reduction in the built form on the site and involved the removal of very bulky and unattractive ex-agricultural buildings. The nett loss of buildings together with the opportunities to improve the landscape and the attractive countryside character made the proposal acceptable.

5.04 e) Woodcray House, the new dwelling is fully explained in d) above . The vast majority of Billingbear Golf Club and all of Downshire Golf Club are located outside of Wokingham District Council. I can find no record of Wokingham District Council approving a dwelling on either of these sites.

5.05 f) The Inspector at para 17 states "My overall conclusion is that the justification, on security grounds or indeed any other, for a residential component of the golf course use is not of such weight as to indicate a decision other than in accordance with the development plan".

5.06 g) As outlined above the use of the building displaces the authorised use into the car park and creates pressure for additional buildings on the site. The building cannot therefore be redundant.

5.07 h) Decision are made with due regard to the Human Rights Act 1998. The Local Planning Authority takes into account private rights and public interest in determining applications. In this case there has been a balancing exercise between the private rights of the applicant and the development plan policies together with all other material considerations.

6.00 CONCLUSION

6.01 The proposal constitutes the provision of a dwelling in the countryside. As such the proposal clearly conflicts with Central Government Guidance and the development plan policies which control such development. If the proposal is allowed it could lead to pressure to construct an alternative separate dwelling house which would be difficult to resist and which would be an additional building constituting proliferation of buildings in the countryside and likely to further erode the relatively undeveloped appearance of the area. Indeed the

appellant has submitted a proposal to construct an additional building on the site to accommodate the displaced green keeping machinery. This would be unnecessary if the building was not used for residential purposes. It would also create a precedent which could be repeated too often in other places and circumstances to the detriment of the countryside. Security does not provide sufficient alternative justification.

7.02 In accordance with Section 54A of the Town and Country Planning Act applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

7.03 Consequently planning permission should not be granted and the Inspector is respectfully requested to refuse planning permission.

Mike Hamlin - 10th January 2002

List of Appendices

1 Location Plan

2 Plate 1

3 Site Plan 1:1250

4 Berkshire Structure Plan Policies

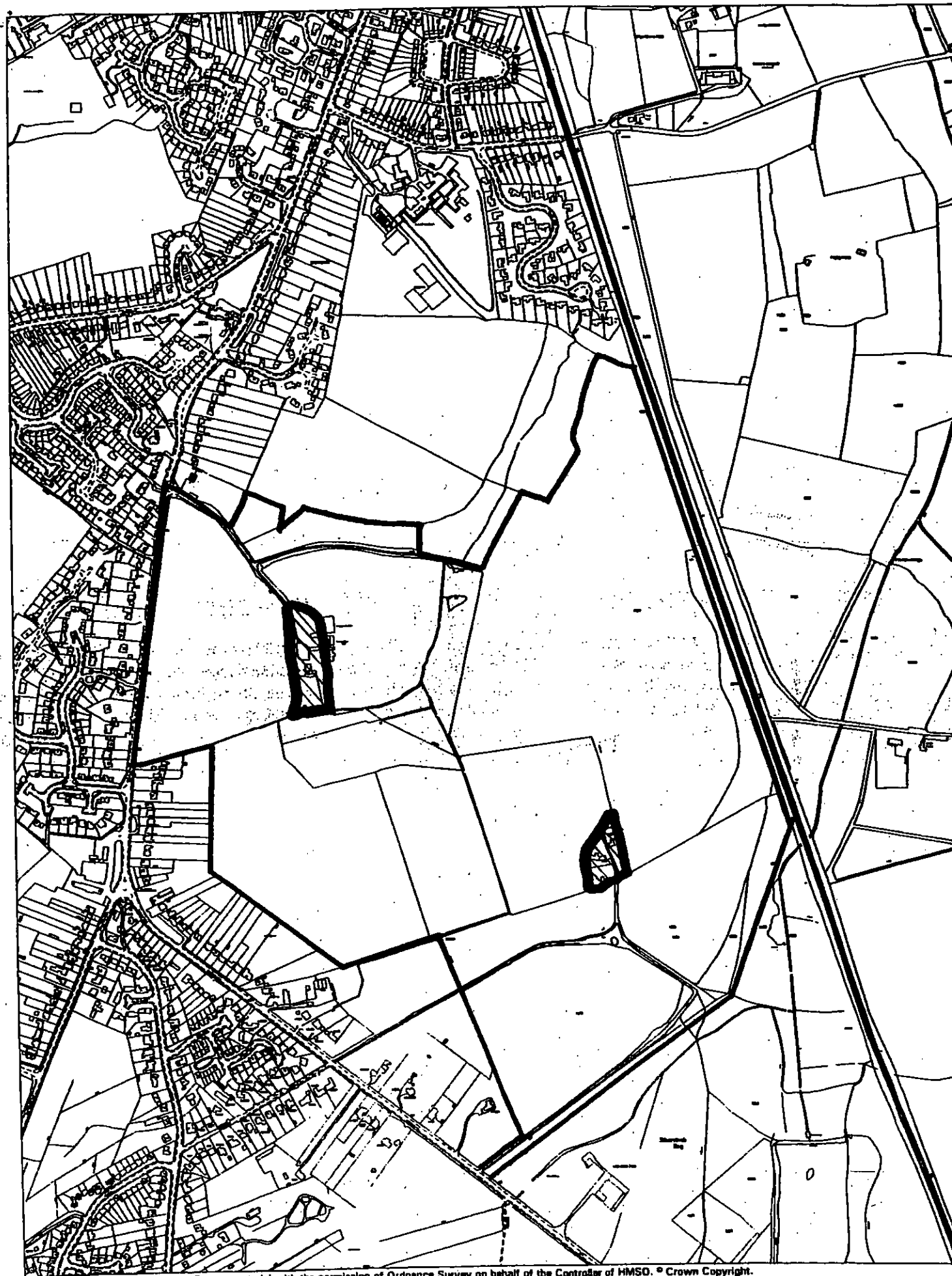
5 South East Area Local Plan Policies

6 Wokingham District Local Plan Policies

7 Plate 2

APPENDIX 1

PLAN A



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Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 8000

APPENDIX 2

GREENKEEPING FACILITY

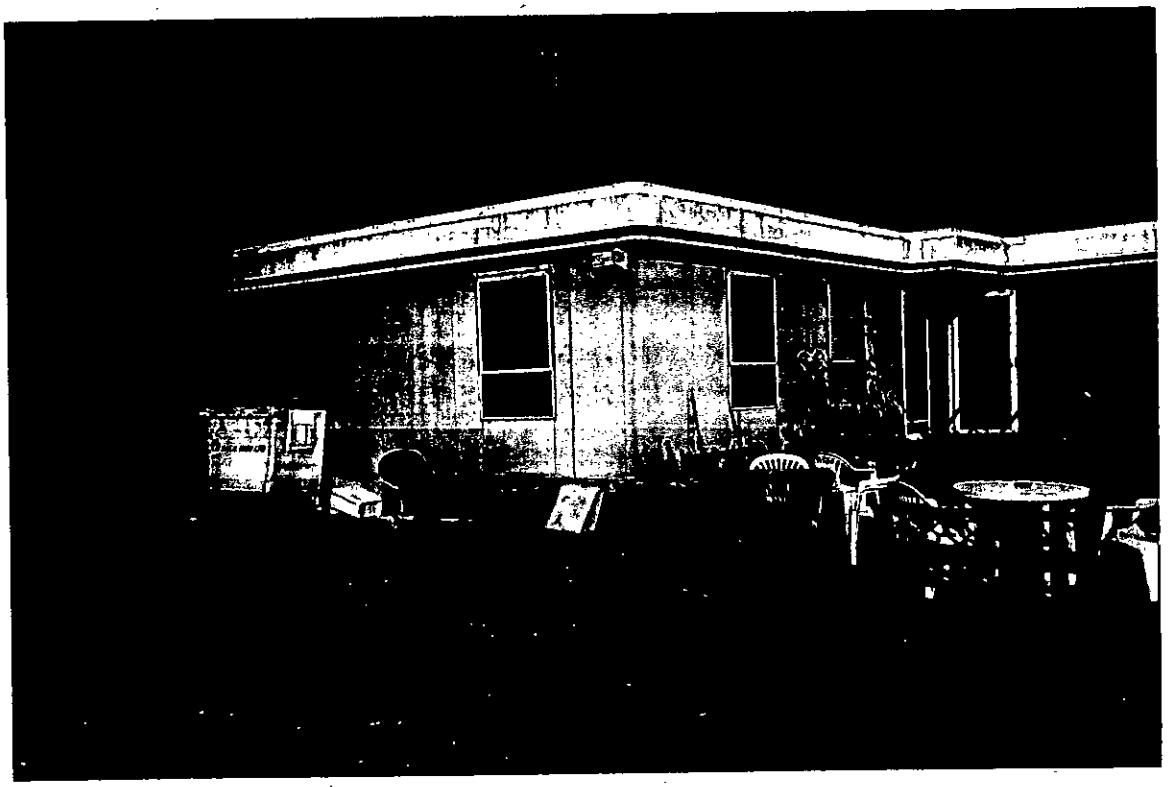
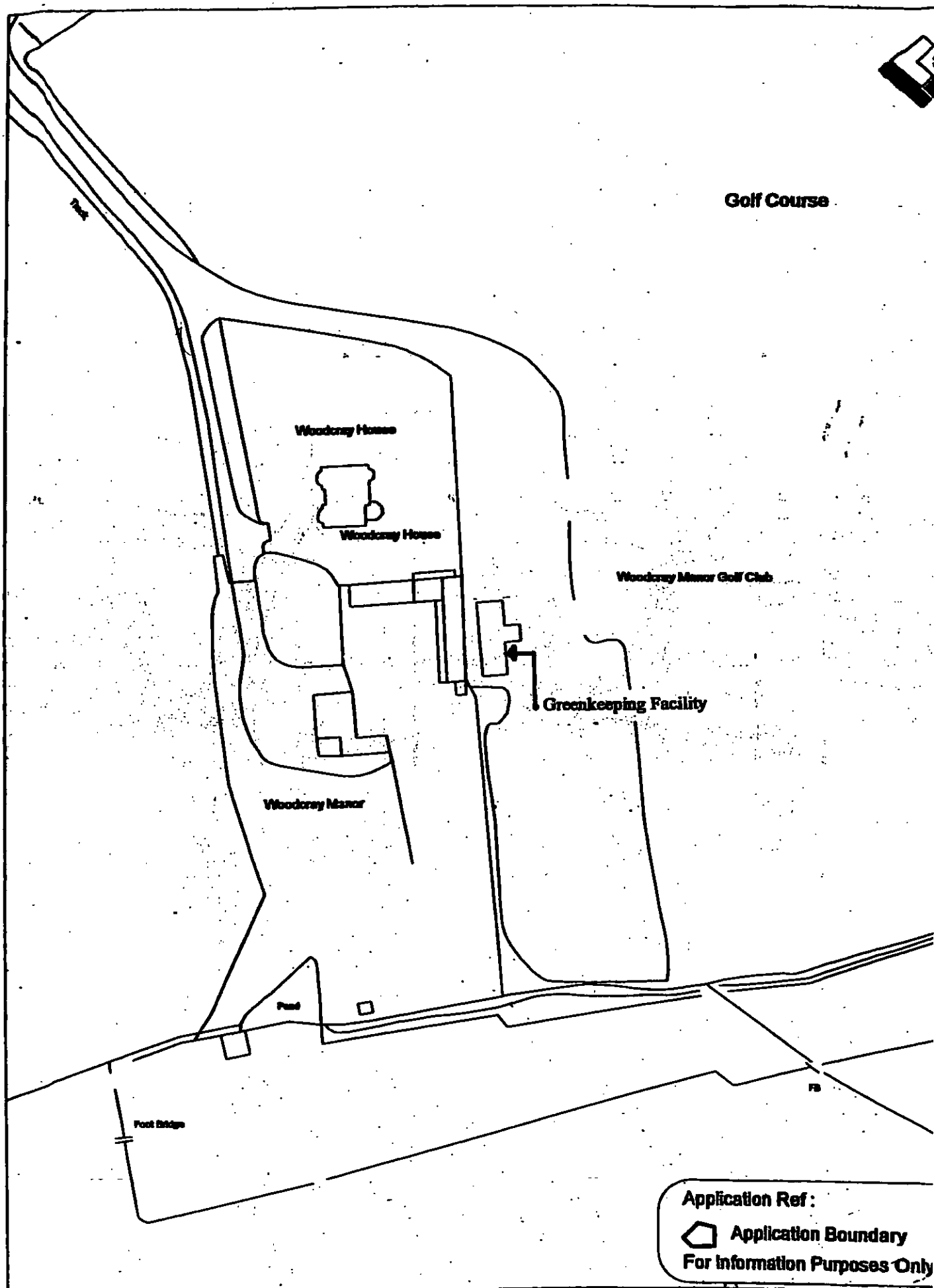


PLATE 1

APPENDIX 3

PLAN B



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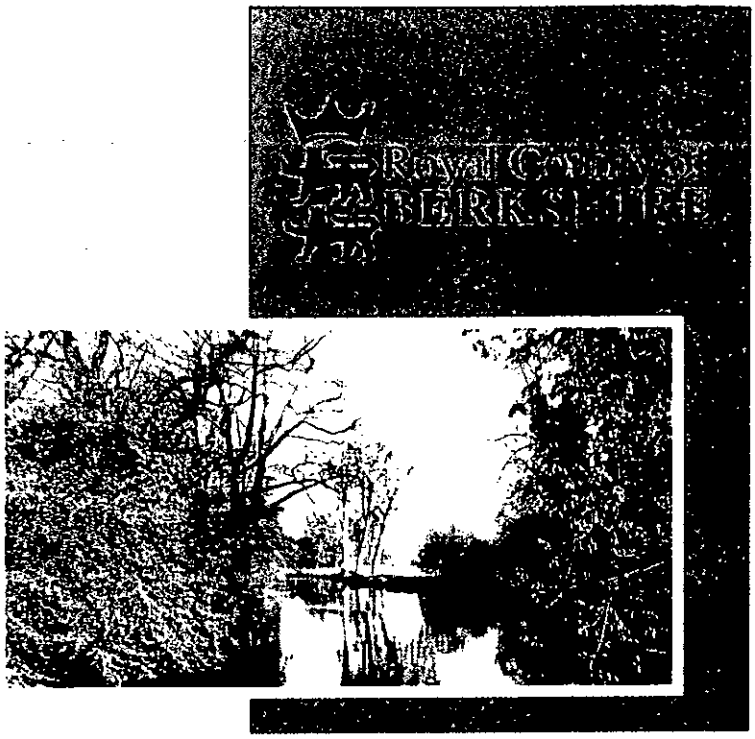
Development Control Section, Environmental Services, Wokingham District Council

APPENDIX 4



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie
Public Services Division

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need [illegible] and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.

APPENDIX 5

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.3.52 Within the rural areas only minor extensions to existing dwellings will normally be permitted, consistent with Policy EN1 of the Replacement Structure Plan for Berkshire. The cumulative effect of large extensions to existing dwellings would lead to an increasingly urbanised appearance of the countryside, and reduce the range of house types available in the rural areas. Extensions to buildings in other uses will be treated on their merits, but generally the District Council will adopt a similar approach, and will be particularly concerned to see that the requirements of policy SC15 are observed.

❖ SC19 EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS

APPROPRIATELY DESIGNED AND SITED MINOR EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS WILL NORMALLY BE ACCEPTABLE. MAJOR EXTENSIONS OR ANY PROPOSAL WHICH HAS AN ADVERSE IMPACT ON THE RURAL ENVIRONMENT WILL GENERALLY NOT BE APPROVED. WHERE A DWELLING HAS ALREADY BEEN EXTENDED THE CUMULATIVE EFFECT OF ALL OF THE EXTENSIONS TO THE ORIGINAL BUILDING WILL BE TAKEN INTO ACCOUNT.

NEW USES FOR EXISTING BUILDINGS IN RURAL AREAS

1.3.53 With changing agricultural patterns and practices and other changes in the rural economy, a number of farm buildings are now surplus to requirements. Many of these buildings are of considerable merit using traditional materials and vernacular styles. The retention of these buildings can be ensured by allowing conversion to residential or other appropriate use. Such conversions need to protect and retain the essential character of the building. In addition, the conversion should not detract from the amenities of the rural area by inappropriate fencing, large extensions and garages or the incorporation of extensive agricultural areas within the curtilage for amenity purposes. Where the existing buildings are unattractive or have an adverse impact on the rural environment their perpetuation by conversion would not be appropriate.

1.3.54 Evidence that a building is not redundant for its present use is not by itself sufficient grounds for refusing permission for a new proposed use. However, in circumstances where the District Council has reasonable cause to believe that an applicant has attempted to abuse the system by constructing a new farm building with the benefit of permitted development rights, with the intention of early conversion to another use, it will be appropriate to investigate the history of the building to establish whether it was ever used for the purpose for which it was claimed to have been built.

❖ SC20 CONVERSION OF BUILDINGS IN RURAL AREAS TO DWELLINGS

IN RURAL AREAS, PROPOSALS FOR THE USE OR CONVERSION OF BUILDINGS TO DWELLINGS WILL GENERALLY BE APPROPRIATE PROVIDED THAT ALL OF THE FOLLOWING CRITERIA APPLY:

A) THERE IS NO SIGNIFICANT CONFLICT WITH ANY OTHER LOCAL OR STRUCTURE PLAN POLICY;

B) THE BUILDINGS ARE STRUCTURALLY SUITABLE FOR CONVERSION OR ADAPTION. EVIDENCE THAT THIS IS SO WILL BE REQUIRED BEFORE PLANNING PERMISSION IS GRANTED. NORMALLY THIS WILL BE IN THE FORM OF A DETAILED REPORT PREPARED BY A SUITABLY EXPERIENCED AND QUALIFIED SURVEYOR OR ARCHITECT;

C) THE CONVERSION DOES NOT DETRACT FROM THE SCALE AND CHARACTER OF THE BUILDINGS;

D) THE BUILDINGS ARE NOT UNSIGHTLY OR OBTRUSIVE ELEMENTS IN THE LANDSCAPE;

E) THERE WILL BE NO ADVERSE EFFECT ON THE APPEARANCE, CHARACTER OR AMENITY OF THE COUNTRYSIDE OR NEARBY PROPERTIES;

F) THERE ARE NO HIGHWAY OBJECTIONS, AND SATISFACTORY PROVISION IS MADE FOR PARKING AND ACCESS;

G) ADEQUATE UTILITY SERVICES ARE AVAILABLE OR CAN BE PROVIDED SATISFACTORILY;

H) THE PROPOSAL INCLUDES AN ACCEPTABLE LANDSCAPING SCHEME.

1.3.55 Farm buildings may also bring opportunities to provide employment in the rural areas. Current Government advice stresses that where buildings can effectively be re-utilised, planning permission should not ordinarily be withheld. The opportunities offered will generally be small-scale and cater for the needs of the local population.

1.3.56 Despite this general presumption in favour of permissions for employment generating development in the rural areas, careful consideration will need to be given to the likely effects of any such proposal in terms of noise, smell, safety, health or excessive traffic generation. Wokingham District is not an area of high unemployment where there is an overriding need to provide new employment opportunities. For this reason the retention of unsuitable premises or those which currently have an adverse impact on the rural environment should not be perpetuated through conversion and in these cases permission will not normally be granted. Particular regard will need to be paid in the case of new uses for listed buildings, to ensure that they are suitable for adaptation or conversion, consistent with policies SBE16 and SBE17 of this plan.

❖ SC21 RE-USE OR CONVERSION OF BUILDINGS IN RURAL AREAS FOR NEW COMMERCIAL USES

IN RURAL AREAS, PROPOSALS FOR THE USE OR CONVERSION OF BUILDINGS FOR SMALL-SCALE COMMERCIAL ACTIVITIES WILL GENERALLY BE APPROPRIATE, PROVIDED THAT ALL OF THE FOLLOWING CRITERIA APPLY:

A) THERE IS NO SIGNIFICANT CONFLICT WITH ANY OTHER LOCAL OR STRUCTURE PLAN POLICY;

B) THE BUILDINGS ARE STRUCTURALLY SUITABLE FOR CONVERSION OR ADAPTATION. EVIDENCE THAT THIS IS SO WILL BE REQUIRED BEFORE PLANNING PERMISSION IS GRANTED. THIS WILL NORMALLY BE IN THE FORM OF A DETAILED REPORT PREPARED BY A SUITABLY EXPERIENCED AND QUALIFIED SURVEYOR OR ARCHITECT.

C) THE PROPOSAL DOES NOT DETRACT FROM THE SCALE AND CHARACTER OF THE BUILDINGS.

D) THE EXISTING BUILDINGS ARE NOT UNSIGHTLY OR OBTRUSIVE ELEMENTS IN THE LANDSCAPE.

E) THERE WILL BE NO ADVERSE EFFECT ON THE APPEARANCE, CHARACTER OR AMENITY OF THE COUNTRYSIDE OR NEARBY PROPERTIES.

F) THERE ARE NO HIGHWAY OBJECTIONS, AND SATISFACTORY PROVISION IS MADE FOR PARKING AND ACCESS.

G) ADEQUATE UTILITY SERVICES ARE AVAILABLE OR CAN BE PROVIDED SATISFACTORILY.

H) THE PROPOSAL INCLUDES AN ACCEPTABLE LANDSCAPING SCHEME.

IN ADDITION, PARTICULARLY FAVOURABLE CONSIDERATION WILL BE GIVEN TO PROPOSALS WHICH WOULD PROVIDE PLANNING BENEFITS WHICH ARE CONSISTENT WITH OTHER POLICIES IN THE PLAN. SUCH BENEFITS COULD INCLUDE:-

A) THE MAINTENANCE OR IMPROVEMENT OF A LISTED OR ARCHITECTURALLY IMPORTANT BUILDING;

B) THE PROVISION OF ONE OR MORE SMALL STARTER UNITS FOR OCCUPATION BY LIGHT INDUSTRIAL USERS;

APPENDIX 6



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**

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS	SHINFIELD
BARKHAM HILL	SINDLESHAM
CHARVIL	SPENCERS WOOD
EARLEY/SONNING/WOODLEY	SWALLOWFIELD
FINCHAMPSTEAD	THREE MILE CROSS
FINCHAMPSTEAD NORTH	TWYFORD
HURST	WARGRAVE
PINEWOOD	WINNERSH
RISELEY	WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

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.

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN (AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

a) DEVELOPMENT FOR AGRICULTURE/FORESTRY

b) OUTDOOR SPORT/COUNTRYSIDE RECREATION

c) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

d) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

e) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1

Cont.

f) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

g) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT.

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

2.28 The green wedges and gaps designation is now shown on those areas that had either a dual settings and separation of settlements function, or the separation of settlements designation only, in the adopted local plans. Where an area was only important to the setting of settlements, these areas will remain subject to a separate policy found in the Landscape section of this chapter (Policy WLL6).

POLICY WCC4: NEW BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES (AND OUTSIDE THE METROPOLITAN GREEN BELT)

WHERE NEW BUILDING IS ACCEPTABLE IN PRINCIPLE IN THE COUNTRYSIDE (UNDER POLICY C2 OF THE BERKSHIRE STRUCTURE PLAN AND POLICY WCC1 OF THIS PLAN), BEFORE GRANTING CONSENT THE COUNCIL MUST BE SATISFIED THAT:

A) THERE ARE NO SUITABLY LOCATED EXISTING BUILDINGS THAT COULD BE ADAPTED TO MEET THE REQUIREMENT

B) ANY NEW BUILDING IS OF A SIZE NO LARGER THAN THAT NECESSARY FOR ITS INTENDED USE

C) ANY NEW BUILDING IS WELL SITED , DESIGNED AND INTEGRATED INTO ITS SURROUNDINGS, ~~*AND WILL BE BUILT USING LOCAL MATERIALS, SO*~~ **(PA 2/16)** SO AS TO HAVE NO ADVERSE VISUAL, PHYSICAL OR ECOLOGICAL IMPACTS UPON THE COUNTRYSIDE.

Implementation: The development control process.

Monitoring: Planning applications determined.

Re-use of Rural Buildings for Residential Purposes

2.35 Residential conversions can often have a detrimental effect on the fabric and character of farm buildings, particularly where they have a historic importance. Further, the creation of a residential curtilage can undermine the countryside character of an area. Garden and house features such as patios, potted plants, car parking, sheds, post boxes and lamps are all small scale details that can erode the ~~farm character, which the original~~ *RURAL CHARACTER, WHICH THE* **[A4]** farm building conversions often sought to retain. These small scale details can formalise an area and have urbanising impacts. The rural economy is not, usually, boosted by such conversions, whereas conversion to a holiday use may be of benefit. The current national policy is set out in PPG 7 which makes it clear that residential conversions will not be permitted unless strict criteria are complied with (as set out in paras. 3.14 - 3.17 of the guidance). For these reasons a more cautious approach is proposed than for non-residential uses.

POLICY WCC5: RE-USE AND ADAPTATION OF BUILDINGS FOR RESIDENTIAL PURPOSES OUTSIDE SETTLEMENT BOUNDARIES (AND OUTSIDE THE METROPOLITAN GREEN BELT)

CONVERSION OF BUILDINGS FOR RESIDENTIAL USE IN THE COUNTRYSIDE WILL NOT BE PERMITTED UNLESS:

A) THE APPLICANT HAS MADE EVERY ATTEMPT TO SECURE SUITABLE BUSINESS RE-USE AND THE APPLICATION IS SUPPORTED BY A STATEMENT OF THE EFFORTS THAT HAVE BEEN MADE; OR

B) RESIDENTIAL CONVERSION IS A SUBORDINATE PART OF A SCHEME FOR BUSINESS RE-USE.

C) ~~THE BUILDING IS NOT IN EMPLOYMENT USE ALREADY, OR ITS CONVERSION WILL NOT LEAD TO A LOSS OF EMPLOYMENT~~. **(PA 2/17)**

Cont.

IN ALL CASES, THE FOLLOWING FACTORS WILL NEED TO BE COMPLIED WITH:

I. THE BUILDING IS SUITABLE FOR RESIDENTIAL USE WITHOUT MAJOR REBUILDING OR ALTERATIONS AND THE FORM, BULK AND GENERAL DESIGN OF THE BUILDING IS IN KEEPING WITH ITS SURROUNDINGS

II. CONVERSION DOES NOT LEAD TO A DISPERSAL OF ACTIVITY ON SUCH A SCALE AS TO PREJUDICE TOWN OR VILLAGE VITALITY

III. THERE ARE NO OVERRIDING AMENITY, ENVIRONMENTAL, HIGHWAY OR OTHER PLANNING OBJECTIONS THAT CANNOT BE OVERCOME BY IMPOSING REASONABLE CONDITIONS ON A PLANNING PERMISSION.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Re-Use of Rural Buildings for Non-Residential Uses

2.36 National policy is set out in PPG 7. The re-use of rural buildings for new commercial, industrial, tourism, sport and recreational uses can help to reduce the demand for new building in the countryside and encourage a healthy rural economy. Farmers increasingly look to diversify beyond the agricultural industry in order to supplement their farm incomes. Farm shops or any related enterprise issues and policies are contained in the Rural Economy section of the Economic Development and Employment chapter of this plan.

New Dwellings required for Countryside Land Uses

2.37 The principle of allowing new dwellings in the countryside where they are essential to a viable agricultural enterprise is established in the adopted local plans. As a result of the trend towards diversification, there may in future be other uses in rural areas that may require a continuous presence on the site, for operational or security reasons. In such instances, as for agricultural dwellings, the need for accommodation needs to be firmly proved by way of functional and financial tests. Detailed guidance on this issue is contained in Annex I (paras. I6 - I13) of PPG 7.

2.38 If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should normally for the first three years be provided by a caravan, a wooden structure which can easily be dismantled, or other temporary accommodation. It will need to comply with detailed guidance set out in Annex I (paras. I14 - I21) of PPG 7.

2.39 Where the need to provide accommodation to enable farm or forestry workers to live at *OR* **(PA 2/18)** near to their place of work has been accepted as justifying isolated residential development in the countryside, it will be necessary to ensure that the dwellings are kept available for this need. As a result the planning permission will be subject to an occupancy condition. This can be imposed not only on a proposed dwelling but also on any existing dwellings on the unit, under the control of the applicant.

APPENDIX 7

STORAGE CONTAINERS

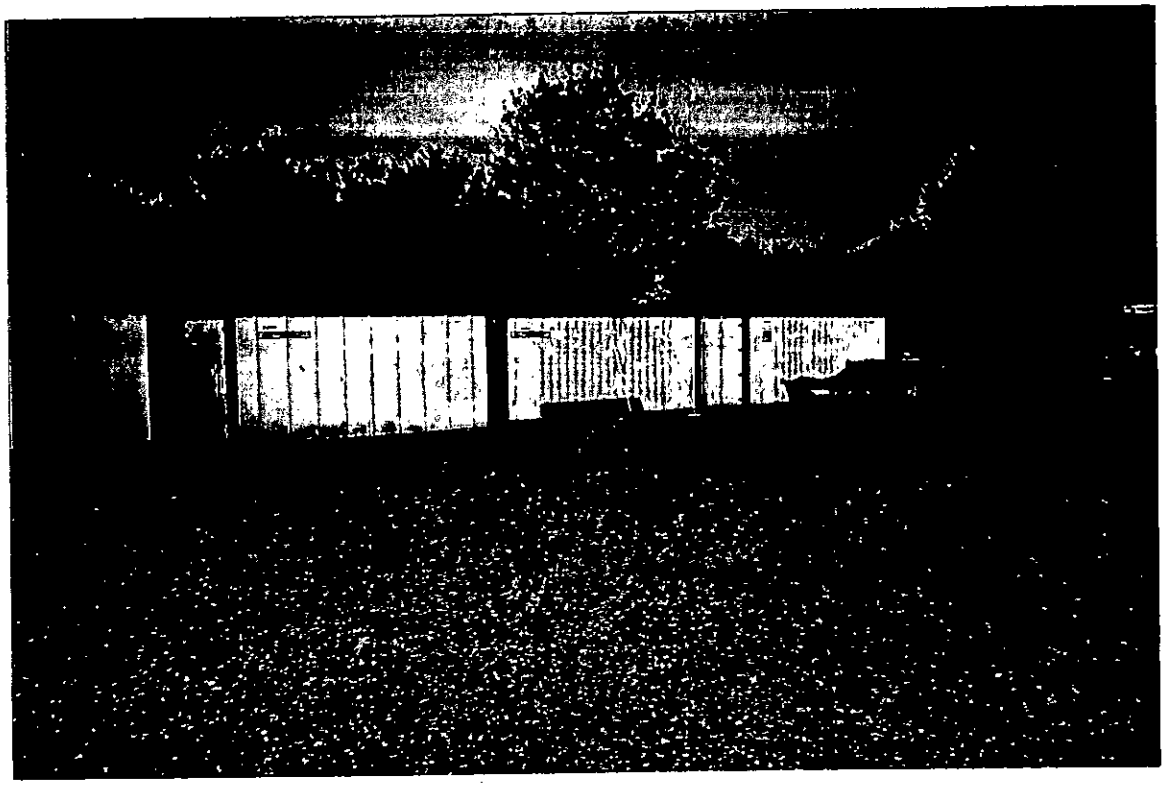


PLATE 2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Eurogolf Course Construction & Management Ltd**
SITE: **Woodcray Manor Golf Club, Finchampstead Rd, Wokingham**
APPLICATION NO.: [redacted] 3180
PROPOSAL: **Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)**

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wescott

Mr J P Green

Mr R J Wyatt

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, Market Place, Wokingham RG40 1AS

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 John Mullaney

Leisure & Cultural Services, WDC

P C Stubbs, Crime Prevention Design Adviser, Police Station, Chapel St, Thatcham RG18 4QL

Applicationo	Name & Address
TP/2001/3180	**K Thompson** **The Old Stables** **Pinewood Avenue** **Crowthorne** **RG45 6RS**
Application refused **Letter sent 05/06/01**	
TP/2001/3180	J G Charlesworth 7 Edgewood Close Crowthorne RG45 6TA
TP/2001/3180	D Dunkley 11 Coleridge Avenue Yateley Hants GU46 6BJ
TP/2001/3180	Richard Eva 57 Coleridge Avenue Yateley Hants GU46 6BJ

Tel. (0118) 974 6448 (Direct Line)
Date. April 25, 2002
My ref: TP/2001/3180
Your ref:

Richard Eva
57 Coleridge Avenue
Yately
Hants
GU46 6BJ

WOKINGHAM UNITAR
Aiming for Excellenc

Environmental Services Departm
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

NOTICE OF INFORMAL HEARING

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham
PROPOSAL: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro shop & offices (retrospective)

Further to my letter of December 19, 2001, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday, May 14, 2002.

If you wish, you may attend the Hearing and, at the Inspector's discretion, take part in the discussion.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

Anyone with a disability who wishes to attend the Hearing is advised to contact the Council to check that suitable provisions are available.

As previously advised, if you wish to be notified of the decision, you should write to Mrs M Pocock, The Planning Inspectorate, Room 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference number APP/X0360/A/01/1078861.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date. December 19, 2001
My ref: TP/2001/3180
Your ref:

Mr D Dunkley
11 Coleridge Ave
Yateley
Hants
GU46 6BJ

Environmental Services Departm
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

NOTICE OF INFORMAL HEARING

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham
PROPOSAL: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham on a date to be advised.

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A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the decision on this Appeal, you should write to Mrs Pocock & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

AGENDA FOR DISCUSSION

Appeal by Eurogolf Course Construction and Management Ltd

Further information:

1. Copy of the 2000 appeal decision.

Main Agenda:

1. The effect of the proposal on the character and appearance of the surrounding rural area.
   - Present character and appearance
   - Re-use of building in policy terms (Development Plan and PPG7).
   - Security matters

2. Any other points relating to the merits of the case.

3. Human Rights claim – explanation.

4. Consideration of suggested conditions.

5. Cost applications.

6. Arrangements for site visit.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Eurogolf Course Construction & Management Ltd**
SITE: **Woodcray Manor Golf Club, Finchampstead Rd, Wokingham**
APPLICATION NO.: [redacted] 3180
PROPOSAL: **Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)**

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wescott

Mr J P Green

Mr R J Wyatt

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, Market Place, Wokingham RG40 1AS

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 John Mullaney

Leisure & Cultural Services, WDC

P C Stubbs, Crime Prevention Design Adviser, Police Station, Chapel St, Thatcham RG18 4QL

Applicationo	Name & Address
TP/2001/3180	**K Thompson** **The Old Stables** **Pinewood Avenue** **Crowthorne** **RG45 6RS**
Application refused **Letter sent 05/06/01**	
TP/2001/3180	J G Charlesworth 7 Edgewood Close Crowthorne RG45 6TA
TP/2001/3180	D Dunkley 11 Coleridge Avenue Yateley Hants GU46 6BJ
TP/2001/3180	Richard Eva 57 Coleridge Avenue Yateley Hants GU46 6BJ

Tel. (0118) 974 6448 (Direct Line)
Date. April 25, 2002
My ref: TP/2001/3180
Your ref:

WOKINGHAM UNITAR
Aiming for Excellenc

Richard Eva
57 Coleridge Avenue
Yately
Hants
GU46 6BJ

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If you wish, you may attend the Hearing and, at the Inspector's discretion, take part in the discussion.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

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Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date. December 19, 2001
My ref: TP/2001/3180
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Mr D Dunkley
11 Coleridge Ave
Yateley
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GU46 6BJ

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WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Eurogolf Course Construction & Management Ltd**
SITE: **Woodcray Manor Golf Club, Finchampstead Rd, Wokingham**
APPLICATION NO.: [redacted] 3180
PROPOSAL: **Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)**

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Denise Gumbrell (Mrs)
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Date. December 19, 2001
My ref: TP/2001/3180
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Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

N/95 46

This permission shall be personal to Mrs Vallely and Mr Manion and shall not enure for the benefit of the land, and upon the aforementioned ceasing to use the premises for the use herein permitted, this permission shall cease and become null and void.

In granting this permission the LPA has had regard to the special circumstances of the case. The use ? security used as Dwelling

2 year period.

The limited use hereby permitted shall be until .....; on or before the expiration of which period the use shall be discontinued, and the building returned to use as a greenkeeping facility.

To allow the LPA an opportunity to assess the effect of the use hereby permitted

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no buildings, extensions or alterations permitted by Classes A, B, C D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out without the prior written permission of the Local Planning Authority.

To safeguard character of the premises and the surrounding area

No part of the site shall be used as residential curtilage or separated from the golf course.

To ensure adequate parking space is available on the site and to safeguard visual amenity.

- Domestic Paraphernalia
- Car parking spaces / landscaping.

Residential Curtilage.

Defined Area.

TO Mike

REMINDER Any final comments

for Woodcroy Manor

dùe at the Inspectorate on 7/2 **at the latest.**

Thanks

Den

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
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PLANNING SERVICES | HPT 52193
POL | TLS
HC | ENF
APP |
CS |
23 JAN 2002
COPIES TO: | ACK:
FILE:

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 22 January 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

I enclose a copy of the appellants statement relating to the above appeal.

07/02/02

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector.

Yours faithfully

Mrs M Pocock

211AL(BPR)

TOWN AND COUNTRY PLANNING ACT

SECTION 78 APPEAL

APPELLANT: **EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED**

APPEAL SITE: WOODCRAY MANOR GOLF COURSE

REASON FOR APPEAL: REFUSAL OF PLANNING PERMISSION FOR CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BED ACCOMMODATION, PRO. SHOP AND OFFICES.

APPEAL REFERENCE: **APP/XO360/A/01/1078861**

1.0 DESCRIPTION OF SITE AND SURROUNDINGS.
The appeal site is situated at the centre of the Woodcray Manor Golf Course and is adjacent to two freehold properties. One of these freehold properties was granted planning permission within the overall Golf Course planning permission. The fact that this could result in a need for further housing with regard to the golf course is raised in a forward planning consultation sheet dated 6th May 1994. This document suggests that it would be preferable to make the residential element part of the new clubhouse. (Appendix 1)

2.0 The residential conversion is a subordinate part of a scheme for business re-use. (policy WCC5)

3.0 The greenkeeping facility is a redundant building in the countryside/urban fringe. The close proximity of freehold residential properties makes it unsuitable to house noisy equipment, which would undoubtedly give rise to a nuisance claim and injunctive action. Mr Evans the Enforcement Planning Officer has written to me suggesting that I built a new purpose greenkeeping facility in a more appropriate location. (Appendix 2)

4.0 Policy WCC1: d) re-use and adaptation of existing buildings for b) sport and leisure.

5.0 Policy PPG7 (16-113) recognises that as a result of the trend towards diversification of farmland there may in future be other uses that require a continuous presence on site for operational and security reasons.

6.0 The Inspectors report on the Wokingham District Plan at 2.218 "PPG 7 does not rule out residential conversions". The residential use of the greenkeeping facility has no impact on employment.

7.0 A precedent has been set with regard to new residential use within this site and on other golf courses in the area:

1) The new house allowed with the golf course planning permission;
2) The new house approved for the Billingbear Golf Course, Wokingham Berks;
3) The conversion of a disused barn to residential use within the Woodcray Manor Golf Course allowed at the same time as planning permission for the golf course was obtained;
4) The Downshire Golf course previously co-owned by Wokingham District Council and Bracknell District Council has 3 bedroom living accommodation within the clubhouse for a manager. It has other residential properties on site.

8.0 Section 17 Crown Crime and Disorder Act 1998 requires the local authority to take their decision in the light of the need to do all that they can to reduce crime and disorder. Thames Valley Police support this planning application (Appendix 3).

9.0 The Planning Officers request that we consider the location of a suitable greenkeeping facility building away from residential properties is a material change on site. The Statement for Human Rights Acts brought

into force in this country on the 2nd October 2000 are forced to be considered when making planning application decisions. In particular Article 8 and Article 1 of Protocol 1 apply to planning decisions. Wokingham District Council granted planning permission for a golf course, and the members and pay and play golfers are entitled to expect that the Council take into account the public interest. A recent case that was taken to the European Court of Human Rights (Appendix 4) was upheld by the Court. In December 2000 a High Court declaration decided that English Planning Law was incompatible with the Human Rights Act.

APP1 / SIDE 2

To a golf course. Sonep policy SCIS relates to new buildings in rural areas. The Dutch Council is looking to keep new building to an absolute minimum and for it to be designed an integrated into its surroundings and avoid areas covered by SCI. I don't believe this proposed dwelling to a minimum in size. It is [illegible] the size of the flat it replaces and as a separate dwelling, unrelated to the golf course, is not integrated into its surroundings.

2. I feel that the clubhouse and storage facility are not unreasonable but that the erection of an additional new house unrelated to the golf course is unacceptable.

3. The clubhouse should also be kept as close to the existing farmhouse so as to minimise the effect of the built development in this sensitive open gap between settlements.

KAT
13/5/94.

APP. 2.

Tel: 0118 974 6454 (Direct Line)
Fax: 0118 974 6491
Email: mike.evans@wokingham.gov.uk
Date: 24/9/2001
My ref: 1110(S)

Director of Environmental Services
Environmental Services Department
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Tel: (0118) 974 6000
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Mrs Vallely
Woodcray Manor Golf Course
Finchampstead Road
Wokingham
Berkshire
RG40 3HG

Dear Mrs Vallely

VARIOUS ENFORCEMENT ISSUES

I am writing to you under the following headings.

LANDSCAPING OF CAR PARK
There is an approved landscaping scheme submitted under application 96/63815/RM. This is shown on plan no L.02 A. You are currently in breach of this condition and are liable to a breach of condition notice. I need to know whether you are willing to carry out this landscaping and, if so, when? If you are not willing to comply this Council will have to consider serving a Breach of Condition Notice against which there is no right of appeal. Unless I hear from you by the 8th October that you are willing to comply I will have to assume that you are not willing to comply.

GREENKEEPING STORAGE
At present this is stored in the area which would be landscaped under the above condition. It would therefore need to be removed in order to comply with this condition. Such items are obviously a necessity for running any golf course. However it would be more desirable for them to be stored inside a building. I would, therefore , ask you to consider the erection of a building in an alternative location to serve this purpose. Obviously such a building would need planning permission and I would invite you to discuss the matter with me prior to making a planning application.

STORAGE OF BUILDERS RUBBLE ON FOOTPATH
The rubble stored on the line of the footpath approved under application 96/63815/RM is unacceptable. I do not accept your justification andin any case it clearly impedes the footpath. Unless this material is removed from the footpath by the 8th October this Council will have no option but to consider formal enforcement action in relation to this matter.

I hope the above is clear but please contact me if you require further clarification.

APP. 3

THAMES VALLEY
POLICE

PLANNING SERVICES	HPI
POL	TLS
DC GC	ENF 39801
APP	
CS	
02 FEB 2001	
COPIES TO:	ACK:
	FILE:

PC Dave STUBBS
Crime Prevention Design Adviser
(Berks.)

Police Station
20 Chapel Street
Thatcham
Berks.
RG18 4QL

Tel. 01635 295156
Fax. 01635 295126

Ms. E Connor
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Date 5th February 2001

For 'Secured by Design' Standards and application forms, visit the 'SBD' website at www.securedbydesign.com

Your Ref. 3180

Dear Ms. Connor

Wooderay Manor Golf Club

Thank you for the details of the above application.

I can confirm support for the desirable presence of a residential occupier on golf club premises for the added purpose of deterring crime.

Golf clubs in country areas have a particularly high crime profile, suffering break ins and theft of green keeping machinery, golf equipment, and consumables from club houses and bar facilities. The presence of a 'capable guardian' on site does much to reduce this risk.

With regard to the duty on local authorities under Sec. 17 Crime & Disorder Act 1998, to take all their decisions in light of the need to do all that they can to reduce crime & disorder, the crime risks facing this golf club include a high risk of burglary, theft and damage to sports equipment and club facilities.

The council can help discharge its duty under Sec 17 by taking the above comments into account when making its decision in respect of this application.

I trust this will be of help, and thank your for your consultation.

Yours sincerely.

P.C. Dave STUBBS
Thames Valley Police
CPDA (Berks.)

The Planning Inspectorate

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PLANNING SERVICES 52954
POL TLS
DC DG ENF
APP
CS
11 FEB 2002
COPIES TO: ACK:
FILE:

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 8 February 2002

Dear Madam

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APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Mrs M Pocock

217L(BPR)

WOODCRAY MANOR GOLF COURSE
FINCHAMPSTEAD ROAD
WOKINGHAM
BERKSHIRE
RG40 3HG

EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD.

Mrs Pocock
3/03 Kings Walk
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

6th February 2002

Ref: APP/X0360/A/01/107886

Dear Madam,

I wish to make the following comments with regard to the L.P.A's statement.

The Council correctly state that the Development Plan, which applies to this area, comprises: Berkshire Structure Plan and South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

<u>The Berkshire Structure Plan.</u>

Planning Permission was granted 28.08.91 for Change of use of agricultural land to golf course, clubhouse, **residential flat**, storage buildings, pro shop, car park and vehicular access. It was not considered that residential use was contrary to the Plan, The Overall Strategy or Development Outside Built Up Areas and Settlements.

The South East Area Local Plan.

Planning Permission was granted 16.01.95 for Change of use of agricultural land to golf course, clubhouse, pro shop, greenkeeping facility, demolition of farm buildings and erection of a **HOUSE.** It was not considered that residential use was contrary to the Plan or Development in Rural Areas.

The Greenkeeping facility already has the benefit of planning permission so was considered appropriate development. Unfortunately its position adjacent to two freehold residential units is inappropriate and complaints have been made to the council by the owners of these properties. This could result in a nuisance complaint and give rise to injunction action. The Council have suggested that I consider a new building, big enough to house all the necessary equipment, in a different location. Discussions are continuing with the Council and it is our intention to provide such a building.

When construction of the golf course commenced, heavy plant was required for this work, which was much bigger than equipment required for ongoing maintenance of a golf course. The construction of the golf course is not yet finished. From the outset the greenkeeping facility building was used as a site office, rest room for the construction team and overnight accommodation for security of the site and machinery. We opened the golf course, on temporary greens and tees, whilst construction continued. The greenkeeping building then provided offices, pro shop, rest room and overnight accommodation for security. The insurance policy requires 24-hour occupation of the building.

SC20. The Council state that this policy is intended to relate to redundant buildings of architectural merit. I can find no specific reference to this. In fact the wording is as follows: "In rural areas, proposals for the use or conversion of buildings to dwellings shall generally be appropriate." Nothing in the following text would suggest this building would not be suitable.

The Draft District Local Plan. (Not yet adopted)

When reporting on the above plan the Inspector rebukes the Council saying: "It would be wrong for the Council to try to pursue the overall strategy in Para. 0.9 and Objection A) of Policy WOS1 in continuing to slow down the rate of development within the plan area". Such an approach to new development is not advocated in either the Structure Plan or Government Policy. The strategy set out in the Local Plan does not take account of the duty of the Council to comply with Structure Plan requirements to find sufficient homes for local people working in the wider Reading area. The ultimate objective of the Local Plan is to improve life for all sectors of the community, not to give in to the demands of the privileged few.

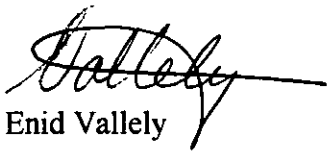
One of the roles of the planning system is to ensure that homes are provided in the right place at the right time, whether through new development or for conversion of existing buildings. PPG3 focuses development onto previously developed land in urban areas including the urban fringe. "Previously developed land" is that, which is or was occupied by a permanent structure and associated fixed surface infrastructure. Previously developed land may occur in both built up and rural settings.

The golf course required a rural location. Any security required would need to be in that rural location. The development has an extant planning permission therefore cannot be inappropriate and does not impact on the rural character. The building is not suitable nor is its position appropriate and therefore is surplus to requirements as a greenkeeping facility. The Council have requested a building capable of housing all the equipment in another location away from residential properties.

The Council suggest alarm systems and CCTV and the previous Inspector made other suggestions, but the Police hold a different view, point out the limitations of other solutions and recommend an on site presence as the best means of securing the golf course. They are the experts. Clear guidelines exist, laid down by the government, stating that all planning applications must be viewed with a regard to security.

5.04 Woodcray House, and the permitted residential use allowed on the Billingbear Golf Course and the Downshire Golf Course, were considered and approved having regard to the Berkshire Structure Plan and the South East Area Local Plan. The same plans are relevant when considering this application and appeal. The plan policies allow for residential use where there is a need, be it operational or security. The Police confirm a NEED. The plan policies also allow for rounding off or infill. Residential use in this instance is a subordinate part of a scheme for business re-use.

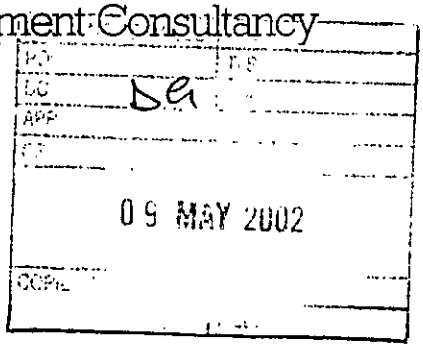
Yours faithfully



Enid Vallely

Robin Bradbeer Limited

Planning & Development Consultancy



Steepways Farm
Nether Lypiatt
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GL6 7LS

Telephone
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E-Mail
planning@bradbeer.co.uk

The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PM

Your ref: APP/XO360/A/01/1078861
Our ref. RWB/334
3 May 2002

For the Attention Mrs M Pocock

By fax to 0117 3723624
and first class post

Dear Mrs Pocock

APPEAL BY EUROGOLF COURSE CONSTRUCION AND MANAGEMENT
SITE : WOODCRAY MANOR GOLF COURSE FINCHAMPSTEAD ROAD WOKINGHAM BERKSHIRE

I represent a third party, Mr & Mrs S Brown, who are the owners/occupiers of the adjacent residential property Woodcray House on whose behalf I made representations at application stage.

Further to my telephone conversations on 2 May with yourself and with Mrs Gumbrell, the LPA Appeals Assistant, it is evident that the LPA failed to notify my clients of this appeal as required under Rule 4, 7(ii) of the Town and Country Planning (Hearings Procedure) (England) Rules 2000. In consequence my clients have been denied opportunity to express their comments in accordance with the appeal timetable. In the circumstances, and having spoken to the appointed Inspector, you confirmed that any written submissions my client makes will be taken into account. Furthermore, you confirmed that my clients and myself may attend and contribute to the Hearing to make a brief statement and to deal with any questions which may assist the Inspector. Your request that written material is supplied as soon as possible is noted and this will be forwarded to you within the next few days.

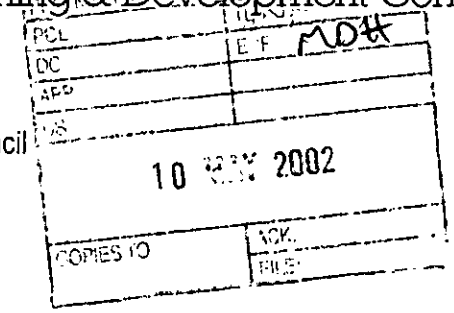
Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

c.c. Mrs D Gumbrell. Planning Appeals Assistant, Wokingham District Council

334wmg.pi1





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10 MAY 2002
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FILE

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

Our ref. RWB/334
8 May 2002

For the attention of Mr M D Hamlin
Senior Enforcement Officer

By fax to 0118 974 6484
and by first class post

Dear Mr Hamlin

SITE : WOODCRAY MANOR GOLF COURSE
UNAUTHORISED DEVELOPMENT: MOBILE HOME IN RESIDENTIAL USE LOCATED TO THE EAST OF WOODCRAY HOUSE

I refer to our telephone conversation on 8 April 2002 when I called to enquire whether the above development was subject to enforcement investigations. You advised that this is not currently the case but suggested that I should write to your formally drawing the breach of planning control to the Council's attention. This I now do.

As you are aware I act on behalf of Mr and Mrs SPW Brown who have lived at Woodcray House since 28 January 2000. The unauthorised mobile home is located close to the east boundary of my clients property from where it is readily visible from a number of first floor windows.

On the basis of my clients first hand knowledge this mobile home has been both in place and in use residentially since they have occupied Woodcray House. If it would be of assistance to your investigations appropriate statutory declarations could be made available to the Authority.

You may recall that during Inspector Garnham's site visit on 9 May 2000 regarding enforcement notice appeal 00195/E, at which we were both present, this mobile home attracted the Inspector's attention because it is located in close proximity to the greenkeeping facility. My contemporaneous file note confirms that Inspector Garnham asked the appellant's representative by Mrs E Vallely what the mobile home was used for. Mrs Vallely replied to the effect that it was lived in by a greenkeeper.

334wmg.41

Given Mrs Valley's admission on 9 May 2000 of a breach of planning control in this matter my clients are clearly disappointed at the Council's subsequent inaction which will I trust now be remedied promptly.

I shall be grateful if you will keep me informed of your action in response to this letter.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

APP. TP/2001/3180.

57, Coleridge Avenue
Yateley
Hampshire GU46 6BJ

February 16, 2001

Dear Mr. Mitchell,

Re: Woodcray Manor Golf Club

I am a member of Woodcray and have been since 1996.

This excellent facility is not able to complete its' development for what appear to be reasons of deliberate obfuscation on the one hand and unwarranted impedance on the other.

As a keen member, I am interested, naturally, in the ability of the club to provide the facilities that I understand were agreed by Wokingham District Council in their granting of planning consent for the golf course.

It seems curious in the extreme, after nearly five years of procrastination, that a council should continue to create obstacles that deny me and all other members and users of the club, the facilities which were mutually agreed between the District Council and the proprietors of Woodcray so long ago.

One may appreciate that such an area of undeveloped countryside may be seen as fair game by many vested interests. However, having agreed to the development and granted full planning permission, I believe the council has a duty to members of the club, whether Wokingham ratepayers or not, to ensure that the golf club be allowed, finally, to develop and operate as envisaged under the original plan, including on site accommodation to provide the very necessary security of the club.

Yours sincerely

Richard Eva

APP. TP/2001/3180

11, Coleridge Avenue
Yateley
Hampshire GU46 6BJ

February 16, 2001

Dear Mr. Mitchell,

Re: Woodcray Manor Golf Club

I am a founder member of the golf club and a very keen supporter of this public facility.

Having seen the course develop as a highly successful project, it is unbelievable that five years after commencement, obstacles that appear dubious continue to be placed in the path of final completion of this very worthwhile course.

The facilities that I understand were agreed by Wokingham District Council in their granting of planning consent for the golf course are all part of a normal provision to members of any golf club.

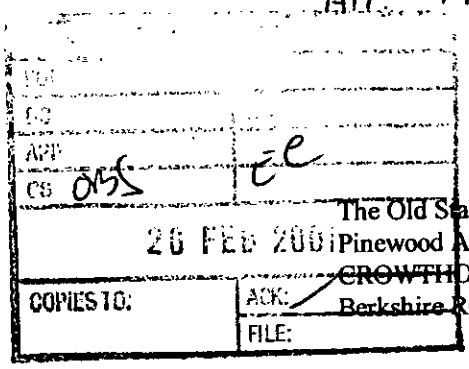
It seems curious, therefore, that any council should continue to deny me and all other members and users of the club, the facilities which were mutually agreed between the District Council and the proprietors of Woodcray so long ago.

If the project was fully compliant with the necessary processes laid down by the District Council so many years ago, why is the council still denying the proprietor of Woodcray and all members the ability to enjoy completely the facilities agreed in 1996, including the provision of on site accommodation to ensure complete security of the club

Yours Sincerely

Dennis Dunkley

APP TP/2001/3180



Mr. J. Mitchell
Chief Development Planning Officer
Wokingham District Council
Shute End
WOKINGHAM
Berkshire

The Old Stables
Pinewood Avenue
~~CROWTHORNE~~
Berkshire RG45 6RS

21st February 2001

Dear Sir,

Woodcray Manor Golf Club

I write as a member of the above club to express my concern as to the consequences upon members and the club if no residential facilities were permitted on site.

The club offers members and green fee payers a licensed club house and a well stocked pro-shop and, with the much publicised lack of resources that the police are having to endure, I do not see how the security of these could be reasonably maintained without the responsible people being resident on site.

I greatly value the enjoyment and recreation that the club affords me as I know do all members most of whom, like me, are tax payers to Wokingham District Council. This facility within the District enhances the town's attraction and I believe that the Council should, wherever possible, be supportive of such amenities.

Given its fairly isolated location and the enhancement to security that it would provide, it is difficult to envisage any valid objection that could be offered against residential use. Refusal might mean that the clubhouse and pro-shop facilities could not be viably provided in their present form, to the detriment of members and pay and play users.

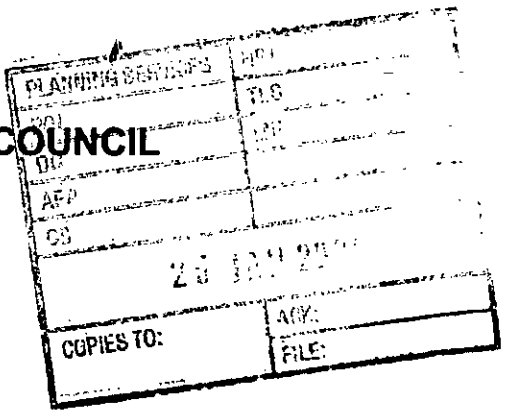
I would urge that the planning decision takes into account the effect that rejection would have on the whole membership and users of the club, and therefore look favourably on the application for residential use on the site.

Yours faithfully,

Keith A Thompson

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM



From: John Mullaney
Environmental Health

To: Elaine Connor
Planning

My Ref:

Your Ref: TP/2000/3180

Date. January 23, 2001

PROPOSED: TEMPORARY CHANGE OF USE OF GREEKEEPERS FACILITY TO ONE BEDROOM ACCOMODATION AND OFFICES

LOCATION: WOODCRAY GOLF COURSE, FINCHAMPSTEAD ROAD

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

JOHN MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

THAMES VALLEY
POLICE

PC Dave STUBBS
Crime Prevention Design Adviser
(Berks.)

Police Station
20 Chapel Street
Thatcham
Berks.
RG18 4QL

Tel. 01635 295156
Fax. 01635 295126

PLANNING SERVICES	HPT
POL	TLS
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APP	
CS	
02 FEB 2001	
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	FILE:

Ms. E Connor
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Date 5th February 2001

For 'Secured by Design' Standards and application forms, visit the 'SBD' website at www.securedbydesign.com

Your Ref. 3180

Dear Ms. Connor

Woodcray Manor Golf Club

Thank you for the details of the above application.

I can confirm support for the desirable presence of a residential occupier on golf club premises for the added purpose of deterring crime.

Golf clubs in country areas have a particularly high crime profile, suffering break ins and theft of green keeping machinery, golf equipment, and consumables from club houses and bar facilities. The presence of a 'capable guardian' on site does much to reduce this risk.

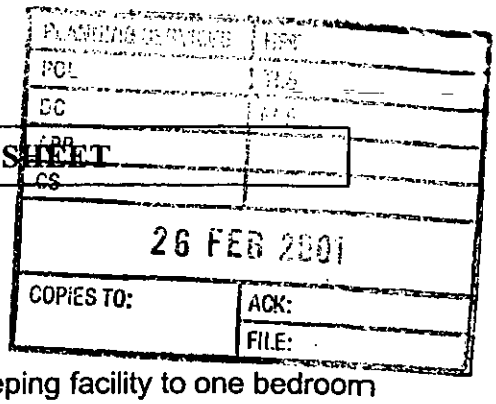
With regard to the duty on local authorities under Sec. 17 Crime & Disorder Act 1998, to take all their decisions in light of the need to do all that they can to reduce crime & disorder, the crime risks facing this golf club include a high risk of burglary, theft and damage to sports equipment and club facilities.

The council can help discharge its duty under Sec 17 by taking the above comments into account when making its decision in respect of this application.

I trust this will be of help, and thank your for your consultation.

Yours sincerely.

P.C. Dave STUBBS
Thames Valley Police
CPDA (Berks.)



WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Elaine Connor

Application Number: TP/2001/3180

Proposal: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop and offices (retrospective).

Site Address: Woodcray Manor Golf Club, Finchampstead Road, Wokingham

Applicant: Eurogolf Course Construction & Management Ltd

Your observations are required in respect of this application **by 12/02/01**

No objections

SIGNED: PA Harcourt **DATE:** 23/02/01

pp **CLERK TO Wokingham Town Council**

ATTENDANCE LIST AT INFORMAL HEARING

Appellant: Eurogolf Course Construction & Management Ltd **Application number:** 3180

Site: Woodcray Manor Golf Club, Finchampstead Rd, Finchampstead

Proposal: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)

Name	Address

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham
APPLICATION NO.: [redacted] 3180
PROPOSAL: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wescott

Mr J P Green

Mr R J Wyatt

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, Market Place, Wokingham RG40 1AS

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 John Mullaney

Leisure & Cultural Services, WDC

P C Stubbs, Crime Prevention Design Adviser, Police Station, Chapel St, Thatcham RG18 4QL

Applicationo	Name & Address
TP/2001/3180	**K Thompson** **The Old Stables** **Pinewood Avenue** **Crowthorne** **RG45 6RS**
Application refused **Letter sent 05/06/01**	
TP/2001/3180	J G Charlesworth 7 Edgewood Close Crowthorne RG45 6TA
TP/2001/3180	D Dunkley 11 Coleridge Avenue Yateley Hants GU46 6BJ
TP/2001/3180	Richard Eva 57 Coleridge Avenue Yateley Hants GU46 6BJ

Tel. (0118) 974 6448 (Direct Line)
Date. April 25, 2002
My ref: TP/2001/3180
Your ref:

Richard Eva
57 Coleridge Avenue
Yately
Hants
GU46 6BJ

WOKINGHAM UNITARY
Aiming for Excellence

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir

NOTICE OF INFORMAL HEARING

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham
PROPOSAL: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro shop & offices (retrospective)

Further to my letter of December 19, 2001, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday, May 14, 2002.

If you wish, you may attend the Hearing and,at the Inspector's discretion, take part in the discussion.

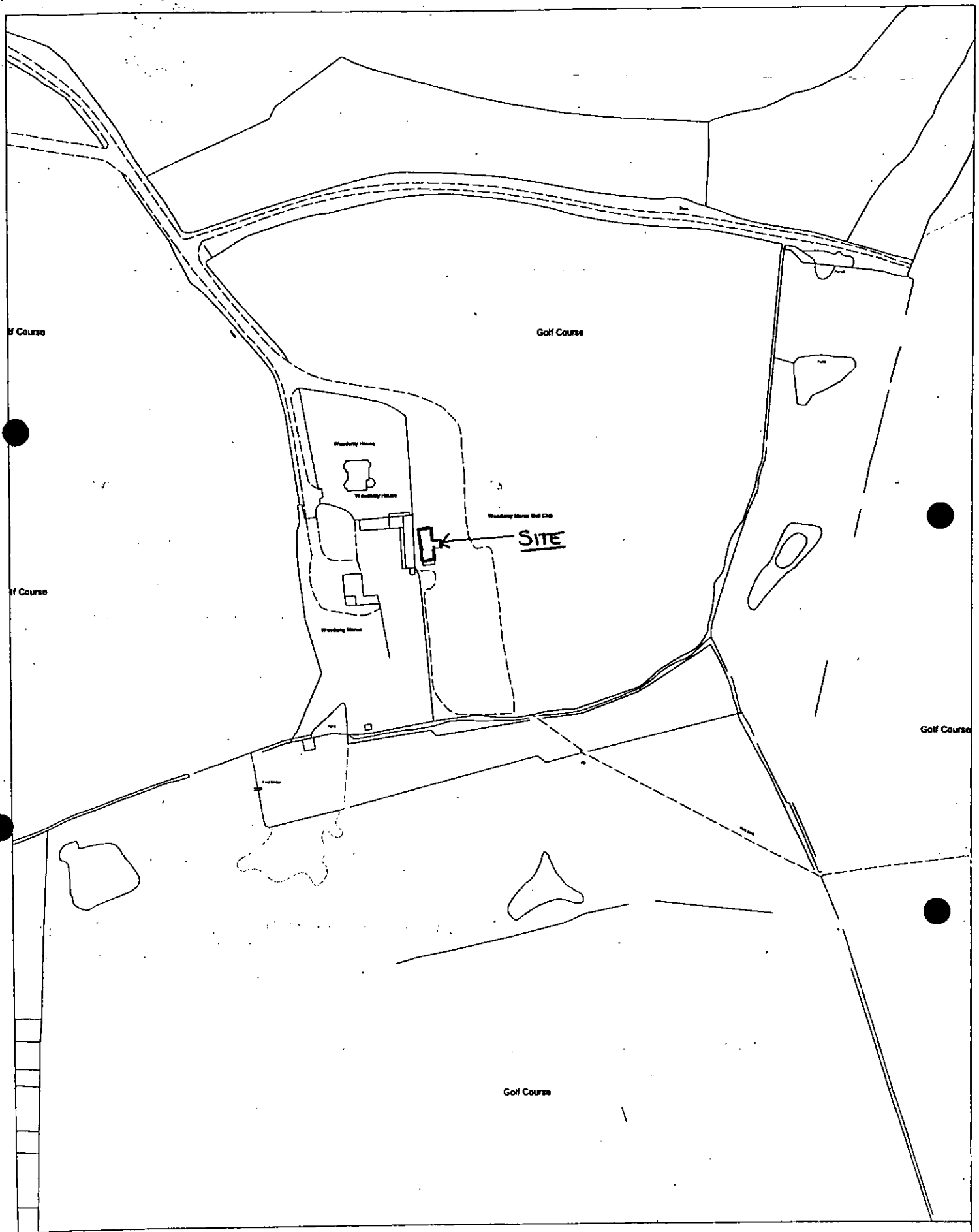
Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

Anyone with a disability who wishes to attend the Hearing is advised to contact the Council to check that suitable provisions are available.

As previously advised, if you wish to be notified of the decision, you should write to Mrs M Pocock, The Planning Inspectorate, Room 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference number APP/X0360/A/01/1078861.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 19 December 2001

N
W E
S

Tel. (0118) 974 6448 (Direct Line)
Date. December 19, 2001
My ref: TP/2001/3180
Your ref:
Mr D Dunkley
11 Coleridge Ave
Yateley
Hants
GU46 6BJ

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

NOTICE OF INFORMAL HEARING

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham
PROPOSAL: Proposed temporary change of use of greenkeeping facility to one bedroom accommodation, pro-shop & offices (retrospective)

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, quoting reference APP/X0360/A/01/1078861. Comments received after 17/01/02 will not normally be seen by the Inspector & will be returned.

The application, decision notice, and the appellant's grounds of appeal can 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 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the decision on this Appeal, you should write to Mrs Pocock & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP APP/X0360/A/01/1078861 **GRID REF:** _____

APPEAL BY: Eurogolf Course Construction + Management Ltd.

SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

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 / NO~~ / 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	~~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;	1	
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?	17/01/02	
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	5	
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 UNITARY AUTHORITY ~~Council~~

Date sent to us and the appellant 19/12/01 Our Ref: TP2001/3180

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

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Norwich NR3 1BQ

APPEARANCES

FOR THE APPELLANT:

Mrs E Vallely	Director, Eurogolf Course Construction & Management Ltd, Woodcray Manor Golf Course, Finchampstead Road, Wokingham, Berks., RG40 3HG.

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Hamlin BSc MA MRTPI	Planning Officer with the Council.

INTERESTED PERSONS:

Mr K Thompson	Golf course member, The Old Stables, Pinewood Avenue, Crowthorne, Berks., RG40 3HG.
Mr R Bradbeer BA MRTPI	On behalf of Mr & Mrs Brown, Robin Bradbeer Ltd, Steepways Farm, Nether Lypiatt, Stroud, Glous., GL6 7LS.
Mr Brown	Local resident, Woodcray House, Finchampstead Road Wokingham, Berks., RG40 3HG.
Mrs C Lukic	Local resident, Woodcray Manor, Finchampstead Road Wokingham, Berks., RG40 3HG.

DOCUMENTS

Document	1	List of persons present at the inquiry
Document	2	The Council's letters of notification of the Hearing and list of those notified.
Document	3	Appendices 1 to 4 of Mrs Vallely's Statement of Case.
Document	4	Appeal Ref. T/APP/X0360/C/99/1035175, submitted by Mrs Vallely.
Document	5	Appendices 1 to 7 of Mr Hamlin's Statement of Case.
Document	6	Appendices 1 to 4 of Mr Bradbeer's representations.
Document	7	The Council's list of suggested conditions.
Document	8	Letter from Mr Thompson dated 21 February 2002, submitted at the Hearing.
Document	9	3 letters of representation following the Council's notification of the Hearing.

PLANS

Plans	A - D	The application plans: 1:2500 site location plan (Plan A); location plan (Plan B); elevation and layout – GF/1 (Plan C); and golf course plan (Plan D).

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

57075
SG
31 MAY 2002

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 29 May 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

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

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 0117-3728775
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8775

PLANNING SERVICES HP 52299
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APP
COPIES TO: ACK:
FILE

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 22 January 2002

Dear Madam

17/12

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

I am writing to advise you that the hearing into this appeal will start at 10:00 on Tuesday 14 May 2002 at Council Offcies, Shute End, Wokingham. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference number. done 01/02/02

The name of the Inspector will be confirmed to you at a later date.

Please write to those persons you consider appropriate, telling them about the hearing details at least 2 weeks before the hearing date. Your letter should cover: diaried 25/04/02

- An Inspector has been appointed by the Secretary of State to determine this appeal;
- The location of the site and a description of the appeal proposals;
- Where your, and the appellant's, statements and future comments can be inspected;
- that they may attend the hearing, and at the Inspector's discretion, give their views;
- that we will send a copy of the decision letter only to those who ask for one in writing;
- what facilities are available for people with disabilities e.g. parking spaces, access and seating arrangements etc.

If you have not already done so, please send 2 copies of your written statement to the case officer and one copy to any statutory party. We must receive it within 6 weeks of the starting date.

If you consider it appropriate, please notify the press of the hearing. Please also note that people with disabilities who may be concerned about facilities at the hearing venue have been advised to write to, or contact your Council to confirm that proper provisions are in place.

We aim to issue decisions within 7 weeks of the close of the hearing. If there is likely to be significant delay, we will let you know.

Yours faithfully

K Hallett

Miss Kate Hallett

206J(BPR)

Tel: (0118) 974 6448 (Direct Line)

Fax: (0118) 974 6484

Date: February 1, 2002

My ref: TP/2001/3180

Your ref: APP/X0360/A/01/1078861

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Mrs Pocock

APPEAL BY: Eurogolf Course Construction & Management Ltd

SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

HEARING DATE: Tuesday 14th May 2002.

Enclosed with this letter is a leaflet showing the venue for the Hearing & the car park recommended for the Inspector's use. Both are circled in red.

Please forward this letter & the leaflet to the Inspector concerned.

I hope this is helpful, and that the Inspector finds a parking space without a problem.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
Enc.

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 0117-3728768
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8768

PLANNING SERVICES | HP 55083
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DC | ENF
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CS
09 APR 2002
COPIES TO

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 8 April 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANOR GOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Mr David Vickery DipT&CP MRTPI.

You have already been given notice of the arrangements for this hearing.

Yours faithfully

Mr Mark Edwards

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

206C

Tel. (0118) 974 6448 (Direct Line)
Date. May 2, 2002
My ref: TP/2001/3180
Your ref:RWB/334

WOKINGHAM UNITARY
Aiming for Excellence

Robin Bradbeer
Robin Bradbeer Ltd
Steepways Farm
Nether Lypiatt
Stroud
Gloucs
GL6 7LS

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

APPEAL BY: **Eurogolf Course Construction & Management Ltd**
SITE: **Woodcray Manor Golf Club, Finchampstead Rd, Wokingham**

I refer to our telephone conversations earlier today.

I reiterate my apologies for the fact that you & your client at Woodcray House were left uninformed about this appeal. This was because of an administrative oversight.

As I believe you know, the appeal is due to be heard at an Informal Hearing at 10:00 on14/05/02 at the Council Offices.

I enclose a copy of the letter faxed & posted to Mrs Pocock at the Planning Inspectorate today. I understand you have been in contact with her, as have I, and that she is aware of the situation.

The officer representing the Council at the Hearing is Mike Hamlin & his direct line number is 0118 974 6449.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc
cc Mrs M Pocock

Tel. (0118) 974 6448 (Direct Line)
Date. May 2, 2002
My ref: TP/2001/3180
Your ref:

WOKINGHAM UNITARY
Aiming for Excellence

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Mrs E Vallely
Eurogolf Course Construction & Management Ltd
Woodcray Manor Golf Course
Finchampstead Rd
Wokingham
RG40 3HG

Dear Madam

APPEAL BY: **Eurogolf Course Construction & Management Ltd**
SITE: **Woodcray ManorGolf Course**

With reference to this appeal, I enclose a copy of correspondence omitted from the documents accompanying the questionnaire.

I have also sent copies to The Planning Inspectorate.

Yours faithfully.

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: May 2, 2002
My ref: TP/2001/3180
Your ref: APP/X0360/A/01/1078861

WOKINGHAM UNITARY
Aiming for Excellence

Mrs M Pocock
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 Mrs Pocock

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

With reference to this appeal, I enclose a copy of the correspondence omitted from the documents associated with the questionnaire. I have also sent copies to the Appellant's agent.

Also enclosed is a copy of a letter sent today to Robin Bradbeer.

Please accept my apologies for this oversight and the extra work it has caused.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
Enc
cc Robin Bradbeer

WOKINGHAM UNITARY
Aiming for Excellence

PLANNING SERVICES

Fax Cover Sheet

DATE: 02.05.02

TO: Margaret Pocock

FROM: Dennis Adkin. Planning Services.

NUMBER OF PAGES INCLUDING THIS HEADER SHEET: 6.

RECIPIENT FAX NUMBER: 01173728624

OUR FAX NUMBER: (0118) 974 6484

SUBJECT: APP/X0360/A/01/1078861

NOTES: As discussed today.

* * * TRANSMISSION RESULT REPORT (2.MAY.2002 15:28) * * *

TTI WDC PLAN&TRANSPORT

DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	FILE
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S : STANDARD
M : MEMORY
D : DETAIL
P : POLLING
F : FINE
L : SEND LATER
E : ECM
* : PC

Rec'd 10.30AM 19.2.01

Robin Bradbeer Limited

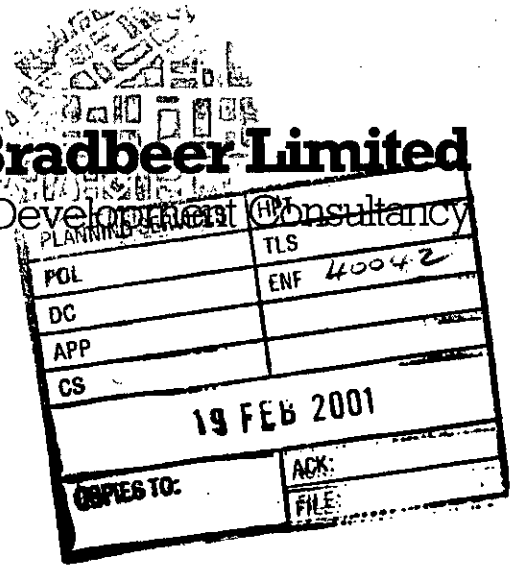
Planning & Development Consultancy

PO Box 168
Cheltenham
GL53 0XX

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk



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

Ref. No. RWB/334
19 February 2001

For the attention of Ms E Connor **By Hand**
Development Control

Dear Ms Connor

PLANNING APPLICATION TP/2001/3180
SITE : WOODCRAY MANOR GOLF COURSE
DEVELOPMENT : CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BEDROOM ACCOMMODATION, PRO-SHOP AND OFFICE

I act for the owners of Woodcray House which is located adjacent to the structure the subject of this application.

My clients maintain their objection to this retrospective application on precisely the same grounds which were set before the Inspector who considered the enforcement appeal last year. For your convenience I attach a copy of my letter to The Planning Inspectorate of 4 May 2000.

In view of Inspector Garnham's decision of 15 June 2000 to refuse the deemed application before him and to uphold the Enforcement Notice requiring compliance within 12 weeks, this application clearly represents a case where the Council should exercise its discretionary power under S70A of the Act to decline to determine the application.

There has been no material change in planning circumstances relating to the proposal since the Inspector's decision last June and therefore this application is no more than an undisguised attempt by the applicant to buy further time.

Please inform me of your conclusions in relation to S70A.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner Enc.

334wgc.34

FAX 01242 527151 Robin Bradbeer
01242 527151

Robin Bradbeer Limited
Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH
Telephone
01242 577151
Fax
01242 527151
E-Mail
planning@bradbeer.co.uk

The Planning Inspectorate
Room 1111(1)
Tollgate House
Houlton Street
Bristol BS2 9DJ

My Ref. RWB/334
Your Ref. APP/XO360/C/99/1035175
4 May 2000

For the attention of Mr R Marsden
Case Officer

Dear Mr Marsden

HEARING AT WOKINGHAM DISTRICT COUNCIL ON 9 MAY 2000
APPEAL BY EUROGOLF COURSE CONSTRUCTION & MANAGEMENT LTD
SITE AT LAND AT WOODCRAY MANOR GOLF COURSE FINCHAMPSTEAD ROAD WOKINGHAM

This firm acts on behalf of the owners of Woodcray House which adjoins the appeal site.

Planning consent for Woodcray House was first granted in 1995 in an outline consent which also referred to the golf course, club house, pro shop and greenkeeping facility - subject to approval of details, including approval of the layout of the golf course.

Our clients moved in to Woodcray House, with their young children, on the 28th January 2000, the house having previously been occupied by the builder/developer, Mr Chris Krzak, since construction was completed in about November 1996.

This firm was instructed following our clients receipt from Wokingham District Council of notification of this appeal. We have advised that the unauthorised residential occupation of part of the greenkeeping facility is contrary to both the development plan and Government guidelines, in particular:

(i) The statutorily approved Berkshire Structure Plan 1991-2006 Policy C2.

(ii) The statutorily approved South East Area Local Plan Policies STV2, SC20.

(ii) The emerging deposit draft Wokingham District Local Plan Policy WCC1.

(iv) Planning Policy Guidance note 7.

We note that, of the 5 letters in support of the appeal, 3 made reference to Woodcray House implying that past/present occupiers are supportive of the golf operator's residential occupation quoting security grounds (as have the appellants). At no time has this been discussed with our clients nor can we find any evidence of consultation with the previous owners of Woodcray House. Our client is a Director of a leisure company in the district who deploys security contractors to protect valuable assets. Our client knows that an appropriate level of protection can be achieved without seeking a residential planning permission. In seeking to be helpful our client offers to work with the golf developers on security. For example, the construction of gates on the entrance drive adjoining Finchampstead Road would be an invaluable help to start addressing this problem. There is no need for the golf operators to live on site simply to maintain security.

Our clients strongly feel that it would be quite inappropriate to permit retention of the unauthorised residential accommodation contrary to the permitted use and in conflict with the development plan.

Whilst not strictly relevant to the present appeal our clients have very serious concerns over the risk of injury, particularly to their young children - from golf balls. In the three month period since they have been living at the house over 50 balls have been found in the garden, and they have had to stop their children playing in the worst affected areas. Our clients have drawn this problem to the attention of the golf operators and have also requested that their complaint is brought to the attention of the operators' insurers. It now appears that this problem was evident in the time in which their vendor (the builder/developer of the house) was living there - but he failed to disclose it to them.

FAX 01242 527151 Robin Bradbeer
01242 527151

Our clients understand that the golf course operator designed and constructed the course without specialist professional design assistance. Unfortunately the design did not take adequate account of the fact that consent had been granted to construct their house, or, for that matter, the location of their neighbour's mature house at Woodcray Manor which suffers from similar golf ball problems.

In our clients' brief experience the appellants have not complied with planning and other legislative obligations which the Inspector will doubtless take into account. It would be unreasonable for the developer to achieve a planning gain given the numerous issues created by their conduct that require resolution.

It is also our understanding that the hard surfaced area adjacent to the east boundary of Woodcray House should be a landscaped area under the approved layout. The Council has been asked to follow this up as necessary.

Therefore, to conclude we would submit that it would be wholly inappropriate and contrary to the development plan to perpetuate the continuation of the present residential occupation of the unsightly and unsatisfactory structures on the appeal site. Accordingly, we request that the appeal should be dismissed in accordance with the provisions of Section 54A of the Town and Country Planning Act 1990.

Yours sincerely

ROBIN BRADBEER

Tel. (0118) 974 6448 (Direct Line)
Date: April 25, 2002
My ref: TP/2001/3180
Your ref: APP/X0360/A/02/1078861

Mrs M Pocock
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 Mrs Pocock

APPEAL BY: Eurogolf Course Construction & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

With reference to this appeal, I enclose 2 copies of the Hearing notification letter.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: January 11, 2002
My ref: TP/2001/3180
Your ref: APP/X0360/A/01/1078861

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
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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 Mrs Pocock

APPEAL BY: Eurogolf Construction & Management
SITE: Woodcray Manor Golf Course

With reference to this appeal, I enclose 2 copies of the Authority's statement of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: December 19, 2001
My ref: TP/2001/3180
Your ref: APP/X0360/A/01/1078861

Mrs M Pocock
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 Mrs Pocock

APPEAL BY: Eurogolf Course & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent copies to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. December 19, 2001
My ref: TP/2001/3180
Your ref:

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Mrs E Vallely
Eurogolf Course Construction & Management Ltd
Woodcray Manor Golf Club
Finchampstead Rd,
Wokingham
RG40 3 HG

Dear Madam

APPEAL BY: Eurogolf Course & Management Ltd
SITE: Woodcray Manor Golf Club, Finchampstead Rd, Wokingham

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

20/12

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 HP 50746
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APP
10 DEC 2001
COPIES TO:

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

Your Ref: TP/2001/3180

Our Ref: APP/X0360/A/01/1078861

Date: 6 December 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LIMITED
SITE AT WOODCRAY MANORGOLF CLUB, FINCHAMPSTEAD ROAD, WOKINGHAM

We have decided that a hearing will be held into this appeal and we will now arrange a date.

I am the case officer and, 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 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 and supporting documents, including relevant development plan policies to the appellant and me.

Within 6 weeks from the starting date -

You and the appellant must submit 2 copies of your hearing statement to me. I will send a copy of your hearing statement to the appellant and send you a copy of their hearing statement. You and the appellant must send a copy of your hearing statements to any statutory parties. 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.

You **must keep to the timetable** set out above and ensure that 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. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours faithfully

Mrs Margaret Pocock

H4B(BPR)

Questionnaire

The appeal questionnaire must be sent complete with copies of all necessary documents referred to in it. It is particularly essential to us that details of all relevant development plan policies are included with the questionnaire at this early stage.

Hearing Statement

In your hearing statement you will need to give full details of the case which you will put forward at the hearing. You must include copies of any documents, including copies of maps and plans, to which you intend to refer. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. The format of a statement for hearing cases is in Annex 2(i) of DETR Circular 05/2000.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the application or appeal. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your hearing statement is due.

Late Representations

Comments or representations received after any of the time limits will normally be disregarded and we will send them back. Late representations will only be considered in extraordinary circumstances.

Costs

Costs can be awarded in hearing cases. If a hearing is subsequently adjourned because of the submission of late evidence, there is the possibility of a successful claim of costs. DOE Circular 8/93 gives more advice.

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, a final draft must be submitted at least 10 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Reed 2.50pm 30.11.01.

DG

The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

PLANNING SERVICES	TPT
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APP	For official use only
CS	Date received
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	2 NOV 2001
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PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 8939.

Please use a separate form for each appeal

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 EUROGOLF COURSE CONSTRUCTION AND MANAGEMENT LTD.

Address WOODCRAY MANOR GOLF COURSE, FINCHAMPSTEAD ROAD, WOKINGHAM, BERKS.

Daytime phone no 0118 9771142

Fax no 0118 9771029

Postcode RG40 3HG

E-mail address woodcray.enid@virgin.net

B. AGENT DETAILS (if any)

Name MRS. ENID VALLEY

Address AS ABOVE

Your reference

Daytime phone no

Fax no

Postcode

E-mail address

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

LPA's application reference no TP/2001/3180

Date of the planning application 19 JANUARY 2001

Date of LPA's decision notice (if issued) 30.5.2001

D. APPEAL SITE ADDRESS

Address WOODCRAY MANOR GOLF COURSE,
FINCHAMPSTEAD ROAD,
WOKINGHAM, BERKS.

Postcode RG40 3HG

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

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

CHANGE OF USE OF GREENKEEPING FACILITY TO 1 BED RESIDENTIAL PROP. SHOP AND OFFICES.

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 to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

6. 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. CHOICE OF PROCEDURE

[redacted]OOSE ONE PROCEDURE ONLY

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 note that when we decide how the appeal will proceed, we take into account the LPA's views

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☑

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

a) THE GREENKEEPING FACILITY HAS A FULL PLANNING PERMISSION, GRANTED 06.07.94 NO. 42764 - RESERVE MATTERS 06.08.96 - 96/63815/RM

b. THE RESIDENTIAL CONVERSION IS A SUBORDINATE PART OF A SCHEME FOR BUSINESS RE-USE (POLICY WCC5)

c. THE GREENKEEPING FACILITY IS A REDUNDANT BUILDING IN THE COUNTRYSIDE/ URBAN FRINGE, DUE TO ITS CLOSE PROXIMITY TO TWO FREEHOLD RESIDENTIAL PROPERTIES. ONE BEING THE EXISTING MANOR HOUSE TO THE FARM, THE OTHER WAS GRANTED PLANNING PERMISSION AS PART OF THE GOLF COURSE APPLICATION 06.07.94 - NO 42764. THE NEW HOUSE WAS SEPARATED AND SOLD FREEHOLD BY THE LANDOWNER IN APRIL 1996. BOTH OWNERS HAVE COMPLAINED TO THE COUNCIL OF THE INAPPROPRIATE POSITION. THE NOISE FACTOR SO CLOSE TO THESE HOUSES (VALUED AT £1M + £875K) COULD GIVE RISE IT IN NUISANCE CLAIMS AND INJUNCTION ACTION. THE OWNER OF "WOODCRAY HOUSE" SOUGHT AND OBTAINED AN INJUNCTION TO STOP GOLF BALLS GOING IN THE GARDEN. THE ACTION PREVENTS GOLF BEING PLAYED ON HOLES 1 AND 2 AND HALF OF HOLE 10. THE COUNCIL'S ENFORCEMENT OFFICER MR. EVANS, HAS WRITTEN TO ME SUGGESTING I CONSIDER A GREENKEEPING FACILITY LOCATED AWAY FROM THESE RESIDENTIAL PROPERTIES.

d. POLICY WCC1 : d) ALLOWS FOR RE-USE AND ADAPTATION OF EXISTING BUILDINGS FOR SPORT AND LEISURE PURPOSES.

PPG7 (16-113) THESE GUIDELINES RECOGNISE, THAT AS A RESULT OF THE TREND TOWARDS DIVERSIFICATION OF FARMLAND, THERE MAY IN THE FUTURE BE OTHER USES IN RURAL AREAS THAT MAY REQUIRE A CONTINUOUS PRESENCE ON SITE, FOR OPERATIONAL AND SECURITY REASONS. IN THE NEWLY RELEASED INSPECTORS REPORT ON THE WOKINGHAM DISTRICT PLAN, HE COMMENTS @ 2-218 " PPG7 DOES NOT RULE OUT RESIDENTIAL CONVERSIONS " AND 2-219 " ALTHOUGH BUSINESS CONVERSION USE IS A PREFERRED OPTION, PPG7 DOES NOT SAY THAT CHANGES FROM EMPLOYMENT TO RESIDENTIAL USE ARE UNACCEPTABLE. FURTHERMORE IF THE BUILDING IS ALREADY IN EMPLOYMENT USE, ITS CONVERSION TO RESIDENTIAL USE WOULD ALMOST CERTAINLY LEAD TO A LOSS OF EMPLOYMENT" IN THIS INSTANCE THERE WILL BE NO LOSS OF EMPLOYMENT DUE TO RESIDENTIAL USE OF PART OF THE BUILDING. IT WILL ONLY SERVE TO SUPPORT THE EMPLOYMENT PROVIDED AND HELP KEEP THE GOLF COURSE SECURE AND VIABLE. THE INSURANCE POLICY COVERING THE GOLF COURSE REQUIRES A 24HR PRESENCE WITHIN THE BUILDING, WHICH IS ALSO ALARMED TO THE CLUBHOUSE. WITHOUT THIS CONDITION SATISFIED THE POLICY WOULD BE NULL + VOID. ANY SUITABLE ALTERNATIVE WOULD BE TOO EXPENSIVE. WOKINGHAM DISTRICT COUNCIL IS CURRENTLY PREPARING A BID FOR £800K WHITEHALL CASH FOR C.C.T.V IN THE TOWN CENTRES. RUNNING COSTS ARE REPORTED AT £130K-£180K P.A. THE GOLF COURSE EXTENDS TO 158 ACRES, PROBABLY A BIGGER AREA THAN THE COUNCIL IS CONSIDERING TO COVER, AND GOVERNMENT FUNDING IS NOT AVAILABLE, WE MUST CUT OUR COAT ACCORDING TO OUR CLOTH. SECURITY FIRMS ARE ALSO EXPENSIVE AND DO NOT HAVE THE COMMITMENT AND VESTED INTEREST OF OWNERS. TO BE A "CAPABLE GUARDIAN". THE INSPECTORS REPORT ON THE LOCAL PLAN (2.223) POLICY WCC6 (P.A. 2/19) ACKNOWLEDGES "THERE ARE INSTANCES WHERE A NEW HOUSE MAY BE NECESSARY IN CONNECTION WITH FARM DIVERSIFICATION AND WILL NEED TO BE TREATED ON THEIR INDIVIDUAL MERITS" HE ALSO ACCEPTS THE NUMBER OF CASES MAY BE RELATIVELY SMALL. AS MENTIONED PREVIOUSLY "WOODCRAY HOUSE", THE NEW HOUSE, WAS ALLOWED WITH THE GOLF COURSE PLANNING PERMISSION, BUT SOLD FREEHOLD AND NOT INCLUDED WITH THE GOLF COURSE LEASE (99 YRS). ITS INTERESTS, THEREFORE, ARE NOT THOSE OF THE GOLF COURSE, AS WAS WITNESSED BY THE INJUNCTION, WITH REGARD TO GOLF BALLS. THAT THIS COULD PREVENT FUTURE PROBLEMS INDICATED IN A "FORWARD PLANNING CONSULTATION SHEET" FROM DEVELOPMENT CONTROL TO FORWARD PLANNING (LAT) DATED 6 MAY 1994. IT IS POINTED OUT THAT ANY

H. GROUNDS OF APPEAL (continued)

RESIDENTIAL USE SHOULD BE PART OF THE CLUBHOUSE AND RELATED TO THE USE OF THE GOLF COURSE.

e) THE NEW HOUSE "WOODCRAY HOUSE" WAS A NEW DWELLING IN A RURAL AREA AND UNRELATED TO THE USE OF THE GOLF COURSE, AND AS SUCH SETS A PRECEDANT

WOKINGHAM DISTRICT COUNCIL HAVE RECENTLY GRANTED PLANNING PERM. FOR A NEW HOUSE ON NEARBY BILLINGBEAR GOLF COURSE. THIS GOLF COURSE HAD ALL ITS MACHINERY STOLEN, WHEN THE GREENKEEPING FACILITY WAS RAM-RAIDED WITH LOSSES OF £150K. THE PLANNING APPLICATION FOR RESIDENTIAL USE ON THE SITE WAS SUPPORTED BY THE LOCAL POLICE FORCE, TAKING INTO ACCOUNT THE CRIME AND DISORDER ACT REQUIREMENTS ETC. THE NEED FOR ON SITE SUPERVISION WAS ACCEPTED BY WOKINGHAM DISTRICT COUNCIL AND PLANNING PERMISSION GRANTED AND AS SUCH SETS A PRECEDANT.

THE DOLNSHIRE GOLF COURSE WAS CO-OWNED BY WOKINGHAM DISTRICT COUNCIL AND BRACKNELL DISTRICT COUNCIL. IT HAD TWO RESIDENTIAL PROPERTIES FOR KEY WORKERS AND ALSO 3 BED LIVING ACCOMMODATION, WITHIN THE CLUBHOUSE, FOR A MANAGER AND AS SUCH SETS A PRECEDANT

f THE PROPOSED TEMPORARY CHANGE OF USE OF THE GREENKEEPING FACILITY APP. TP/2001/3180, WAS SUPPORTED BY THE POLICE, A NUMBER OF OUR MEMBERS, WITH ONLY 1 LETTER OF OBJECTION COMING FROM "WOODCRAY HOUSE" (THE NEW HOUSE) ALLOWED WITH THE GOLF COURSE PERMISSION.

g IN THE NOTIFICATION OF REFUSAL OF PLANNING PERMISSION, MR. MITCHELL CONTENDS THAT "NO CHANGE HAS TAKEN PLACE ON SITE SINCE THE INSPECTORS DECISION OF THE 5TH JUNE 2000. DUE TO PRESSURE FROM THE ADJOINING PROPERTIES, THE CURRENT ENFORCEMENT OFFICER HAS ASKED "THAT WE CONSIDER THE ERECTION OF A BUILDING IN AN ALTERNATIVE LOCATION TO SERVE THIS PURPOSE (GREENKEEPING FACILITY)." THIS IS SOMETHING I HAVE BEEN ASKING FOR SINCE 1999 AND ESPECIALLY SO SINCE THE INJUNCTION FOR NUISANCE IN JULY 2000. AS PREVIOUSLY STATED THE GREENKEEPING FACILITY IS NOT SUITABLE, IS INAPPROPRIATELY POSITIONED. ALTHOUGH REDUNDANT AS A GREENKEEPING FACILITY IT WILL PROVIDE MUCH NEEDED OFFICES, PRO. SHOP AND 1 BED ACCOMMODATION FOR OVERNIGHT SECURITY.

h. THE STATEMENT FOR HUMAN RIGHTS ACT 1998, WHICH CAME INTO FORCE ON 2.10.2000, NOW FALLS TO BE CONSIDERED WHEN MAKING APPLICATION DECISIONS. IT IS NOW UNLAWFUL FOR A PUBLIC AUTHORITY TO ACT IN A WAY THAT IS INCOMPATIBLE WITH A CONVENTION RIGHT.

IN PARTICULAR, ARTICLE 8 (RESPECT FOR PRIVATE AND FAMILY LIFE) AND ARTICLE 1 OF PROTOCOL 1 (PEACEFUL ENJOYMENT OF PROPERTY) APPLY TO PLANNING DECISIONS.

I AM AWARE THAT THE PUBLIC AUTHORITY MUST TAKE INTO ACCOUNT THE PUBLIC INTEREST. I ENCLOSE THE 1 LETTER OF OBJECTION TOGETHER WITH THE LETTERS OF SUPPORT SENT TO THE ENFORCEMENT APPEAL, TOGETHER WITH LETTERS OF SUPPORT SINCE THEN.

I HOPE YOU WILL FEEL ABLE TO UPHOLD THIS APPEAL AND GRANT PLANNING PERMISSION FOR THE CHANGE OF USE

Please turn over

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, 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 only* ✔

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 the notice was served	Date the notice was served
EUROSOLAR COLESE CONSTRUCTION MANAGEMENT LTD	WOODCRAM MANOR FARM	29/11/01
GROUP NORT WEST	" " "	29/11/01
WOODCRAM MANOR FARM PARTNERSHIP	THE OLD RECTORY LILLEY NR. NEWBURY	29/11/01

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 the notice was served	Date the notice was served

J. ESSENTIAL SUPPORTING DOCUMENTS

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 all **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:	☐

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents 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 relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature _____ (on behalf of) BURGOYNE LTD

Name (in capitals) ENID VALLEY Date 29/11/01

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
  Customer Support Section
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **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, send them any supporting documents not previously sent 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 and who is dealing with it.

2) Tell you and the LPA the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.

   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are received late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

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

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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LIVING ACC.



WOODCRAY HOUSE.



VIEW FROM WOODCRAFT HOUSE



CONTAINERS AND MACHINERY.



VIEW OF THE GOLF COURSE

BILLINGBEAR PARK GOLF COURSE



The Straight Mile, Wokingham, Berks. RG40 5SJ. Tel. 01344 869259

DOWNSHIRE CLUBHOUSE
FLOOR PLAN

This plan is for identification purposes only. Its accuracy can in no way be guaranteed

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Scale:
NOT TO SCALE

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