APPLICATION NO:
CLE/2000/0998

LOCATION:
Paddock Farm Nine Mile Ride, Finchampstead Wokingham.

APPLICANT:
Mrs T Blair

PROPOSAL:
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

EARLIEST DATE FOR DECISION: **27/04/2000**

APPLICATION EXPIRY DATE: **19/05/2000**

CASE OFFICER: **Elaine Connor**

APPROVED

RAILEX
Marbleboard

EASIFILE EP7

Application No : CLE/2000/0998

WOKINGHAM DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990, SECTION 191 AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995: ARTICLE 24

Certificate of Lawful Use or Development

The Wokingham District Council hereby certify that on the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, edged & coloured red, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

The use commenced more than 10 years before the date of this decision.

Signed .....

John Mitchell
Development Control Manager

On behalf of Wokingham District Council, Shute End, Wokingham, Berkshire RG40 1WH

Date: 16TH March, 2001.

FIRST SCHEDULE;
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

SECOND SCHEDULE;
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.

Notes :

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the Use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

24.MAR2000* 0998 2.

H.M. LAND REGISTRY			TITLE NUMBER 143298 BK 14[illegible]	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECT
	BERKSHIRE	XLVI 6		

Scale: 1/1250 Enlarged from 1:2500 WOKINGHAM DISTRICT

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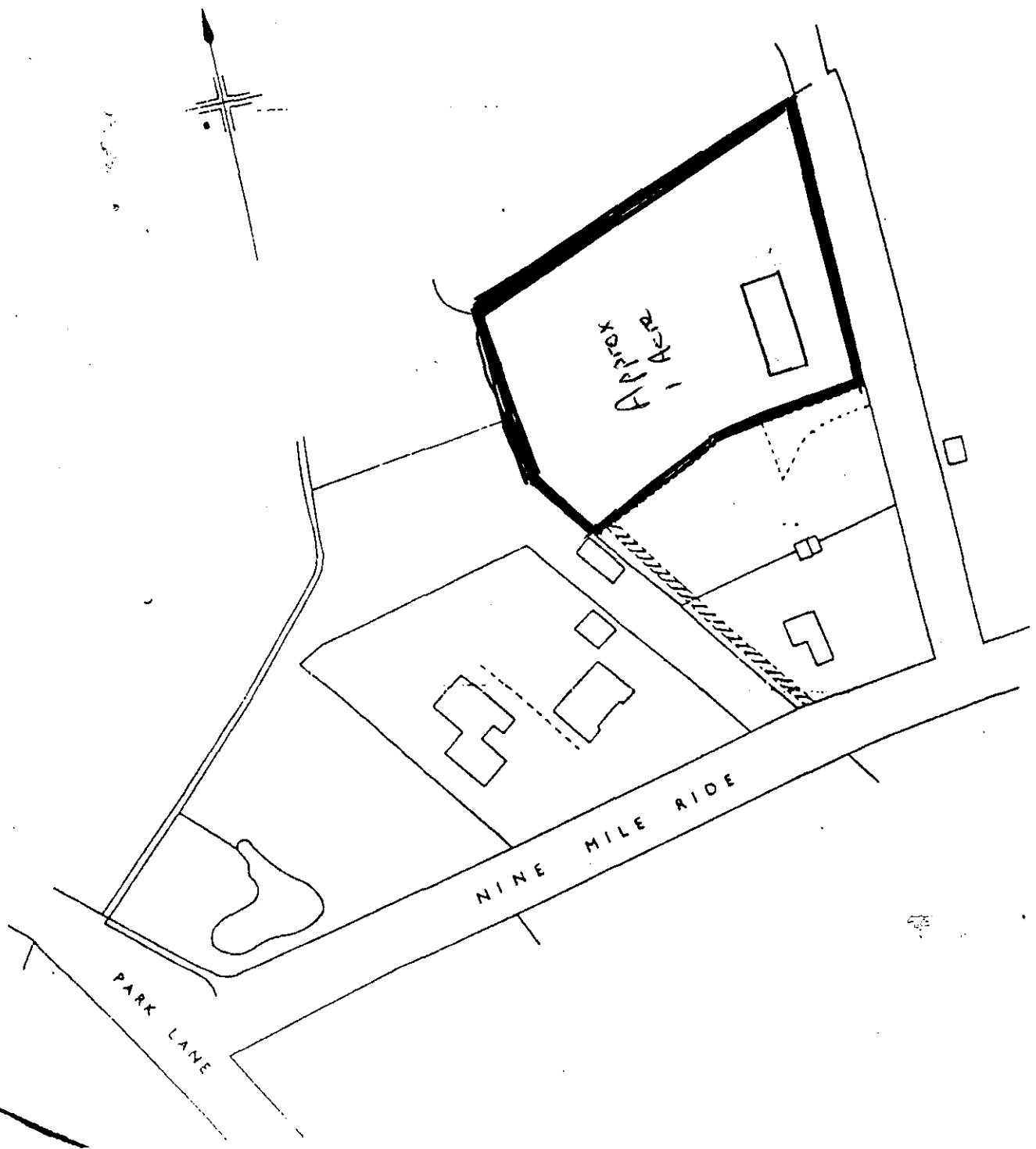
FINCHAMPSTEAD PARISH



24.MAR2000* 0998 5.

Thatching Advisory Services
Faircross Offices, Stratfield Saye,
Reading, Berkshire
RG7 2BT
Telephone: (01256) 880828
Fax: (01256) 880866

PART 1 REGISTER

NFU Mutual

To Whom It May Concern

24 February 2000

Dear Sirs,

I confirm that Mrs Tessa Blair of Paddock Farm,Coleshill Lane,Wokingham worked in full employment for this Company for twenty five years and retired at the end of April 1998.

Yours faithfully,

Colyer-Short

Mrs Linda Colyer-Short
Insurance Manager

Branch Office Agent reports to:
P O Box 143, Scholars Lane,Stratford upon Avon, CV37 6ZR
Tel: (01789) 265140 Fax: (01789) 265149

Representative only of NFU Mutual. Members of which are regulated by the Personal Investment Authority and IMRO for Life Assurance, Pensions and Unit Trust business only.

The official insurer of the National Farmers' Unions of England and Wales, Scotland, Isle of Man, the Ulster Farmers' Union and the Scottish Crofters' Union

Parent Company: NFU Mutual Insurance Society Ltd (No. 111982)
Regulated by the Personal Investment Authority. Member of ABI and IOB

Subsidiaries: Avon Insurance plc (No. [illegible]) Member of ABI and IOB
NFU Mutual Unit Managers Ltd (No. 1837277)
Regulated by the Personal Investment Authority and IMRO. Member of Autif

NFU Mutual Investment Services Ltd (No. [illegible]) Regulated by IMRO
NFU Mutual Insurance Association Ltd (No. [illegible])
Registered in England Registered Office Stratford upon Avon CV37 7[illegible]

PART 1 REGISTER 2.

H.M. LAND REGISTRY

TITLE NUMBER	
143298	BK 14[illegible]

ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECT
	BERKSHIRE	XLVI 6		

Scale: 1/1250 Enlarged from 1:2500 WOKINGHAM DISTRICT

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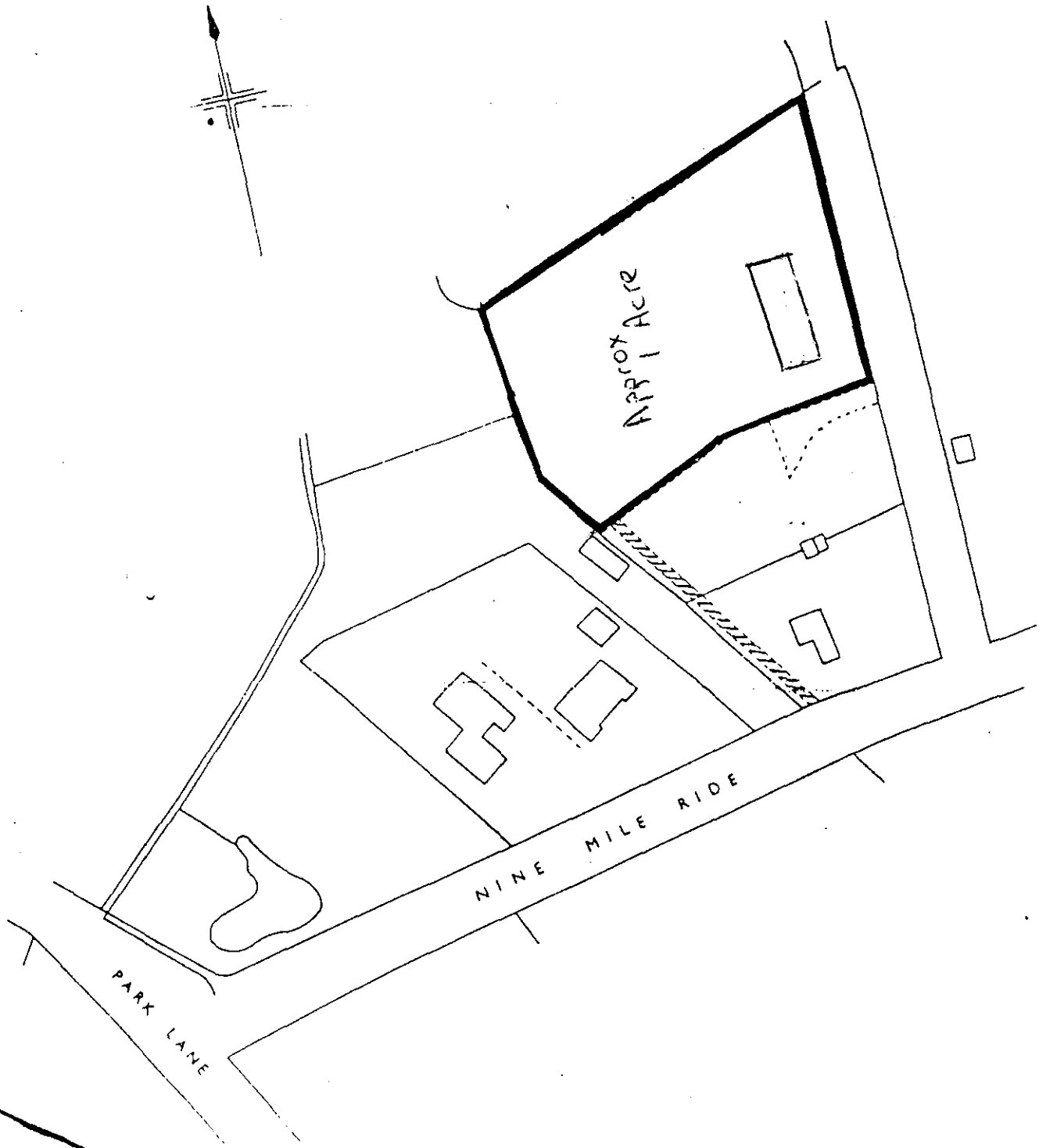
FINCHAMPSTEAD PARISH



HIGHWAYS CONSULTATION SHEET

From: Elaine Connor

Date: 03 April 2000

Application Number: CLE/2000/0998

Proposal: Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

Site Address:
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.

Applicant:
Mrs T Blair .

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).

Signed: N.S. Trotter **Print name:** N Trotter

18-4-00

FROM: Elaine Connor

DATE: 03 April 2000

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: CLE/2000/0998

Proposal: Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture..

Site Address: Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.

Applicant: Mrs T Blair .

Your observations are required in respect of this application **by 27/04/2000** .

The Parish Council has no objections to this application.

SIGNED: C.S. Cl DATE: 20-4-00

Clerk To Finchampstead Parish/Town Council.

24.MAR2000* 0998 2.

H.M. LAND REGISTRY			TITLE NUMBER 143298 BK 14[illegible]	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECT
	BERKSHIRE	XLVI 6		

Scale: 1/1250 Enlarged from 1:2500 WOKINGHAM DISTRICT

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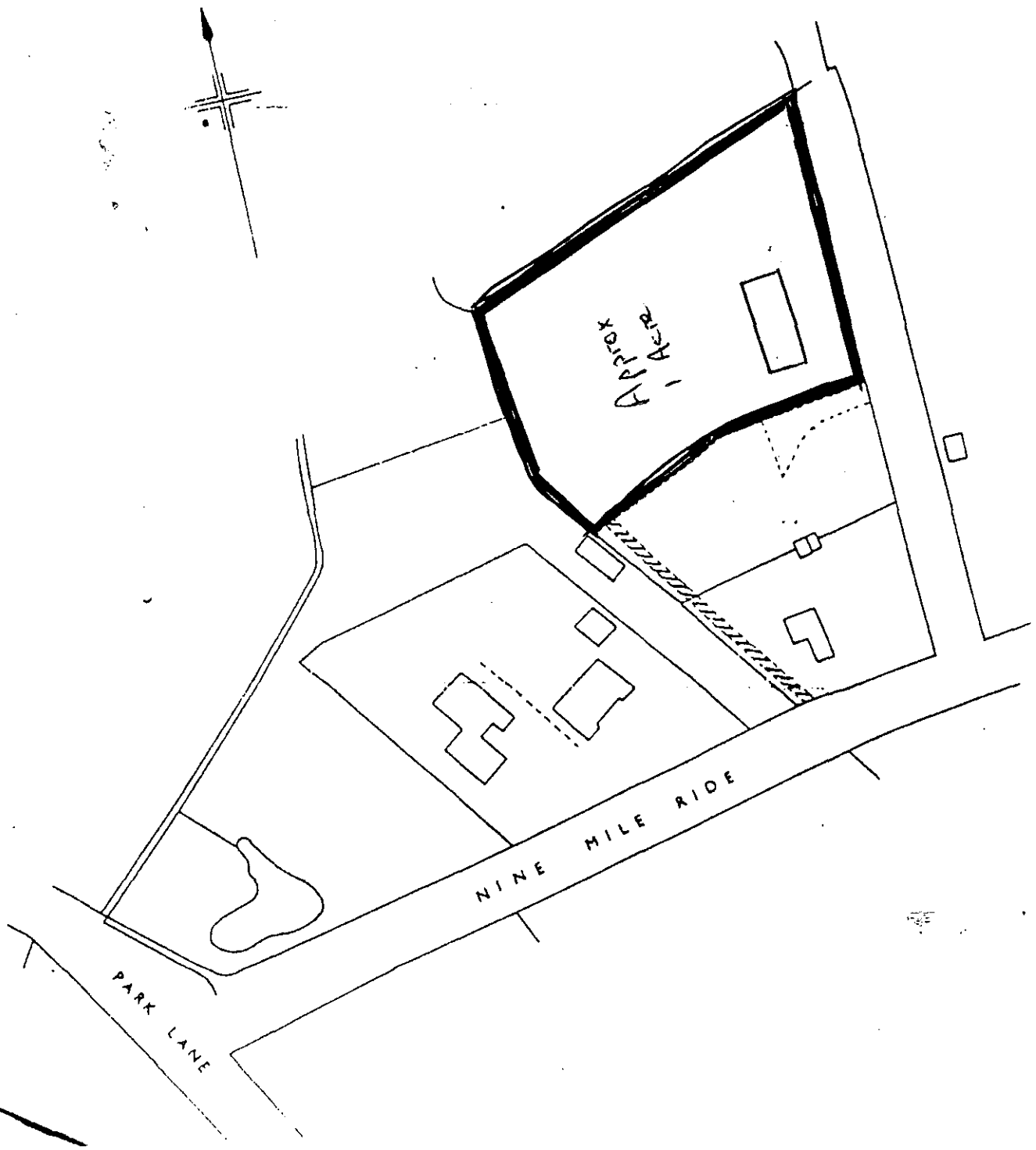
FINCHAMPSTEAD PARISH



1789a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

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 PLANNING OFFICER
WOKINGHAM DISRTICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE
RG11 1BN

FOR OFFICE USE ONLY

DELEGATED

30 JUL 1987

£33

28460

1. **APPLICANT'S NAME** Robert Smith.
ADDRESS Paddock Farm House Nine Mile Ride
Finchampstead Berkshire
POSTCODE RG11 4QA **PHONE**

2. If the applicant has an agent, all correspondance will be sent to the agent.
AGENT'S NAME Giles Shillito.
ADDRESS 220 Fleet Road Fleet Hants.
POSTCODE GU12 9BY **PHONE** 0252 622851.

3. Show the site outlined in **RED** on the plans. Other land in the applicant's ownership or control must be shown outlined in **BLUE**
SITE LOCATION Edges Rd as Plans Annexed.

4. Give the area in hectares or part of a hectare
AREA OF SITE

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

6. List all the plans and drawings submitted with the application
PLANS/DRAWINGS

7. **WHAT IS THE APPLICATION FOR?**
Give brief details and state for what purpose the site and any buildings will be used
Relaxation of Condition.

8. **DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING?**
Tick the box(es)

CHANGE OF USE	☐	NEW BUILDING	☐
DEMOLITION	☐	REDEVELOPMENT	☐
		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	
TEMPORARY PERMISSION	☐	State period required	
RELAXATION OF CONDITIONS	☑	State relevant application number	1873.(a)
		Conditions to be relaxed	5.

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

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

11. WHAT IS THE EXISTING USE OF THE LAND ? Residential / [illegible]

e.g. residential, industrial, etc. If the site is vacant, say so, and also state its previous use and when that ceased.

12. IS THERE ANY PUBLIC RIGHT OF WAY ACROSS THE SITE ? No — If so, show it clearly on the plans.

13. ARE THERE ANY TREES ON THE SITE ? Yes

b) IF SO, ARE ANY TO BE FELLED ? No — If so, show their positions, spread and [illegible] on the plans and [illegible], if any, are to be felled.

14a. STATE MATERIAL AND COLOUR OF WALLS — AS AT PRESENT TO [illegible]

b) STATE MATERIAL AND COLOUR OF ROOFS

If more than one material or colour is used, show their use on the plans.

15. HOW WILL THE SITE BE ENCLOSED ?

Say whether walls, fences or hedges, and give height, colour and materials etc. If the site is divided into plots, say how each is to be enclosed.

16. HOW WILL SURFACE WATER BE DISPOSED OF ?

17. HOW WILL FOUL SEWAGE BE DISPOSED OF ?

If you are unsure of the position of the main sewer, check with this Council.

If a septic tank or cesspool is proposed, refer to notes to help applicants.

18. EXISTING ACCESS TO THE SITE - GIVE DETAILS — FROM COLESHILL LANE.

19. IS IT PROPOSED TO CONSTRUCT A NEW ACCESS OR ALTER AN EXISTING ACCESS ? No.

Give details. An access could be used for fire fighting purposes and you may need to obtain advice from the local fire station.

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT COMPLETE THE FOLLOWING TABLE

	No. OF NEW DWELLINGS PROPOSED	EXISTING DWELLINGS TO BE RETAINED	DWELLINGS TO BE LOST THROUGH DEMOLITION OR CHANGE OF USE
HOUSE	0 / *	0 / *	0 / *
BUNGALOW	0 / *	0 / *	0 / *
FLAT / MAISONETTE	0 / *	0 / *	0 / *
OTHER	0 / *	0 / *	0 / *

*STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANYTHING OTHER THAN HOUSING, HOUSE EXTENSIONS OR WORK WITHIN THE CURTILAGE OF A HOUSE ? 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 ? No. — If YES please ask for and complete part 3 of the form.

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION — £33

The current scale of fees is enclosed. If you believe a reduced fee is payable say why.

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. I certify that, if planning permission is granted, I will ensure that the development is carried out strictly in accordance with the approved plans.

SIGNED [signature] Agent ON BEHALF OF ROBERT SMITH DATE 29/07/87

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. AN INCORRECT APPLICATION WILL BE RETURNED. Every application must be accompanied by the appropriate certificate and fee. See NOTES TO HELP APPLICANTS.

Planning Inspectorate
Department of the Environment
Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321
Direct Line 0272-218827
Switchboard 0272-218811
GTN 2074

Giles Smeath and Company
Solicitors
220 Fleet Road
Fleet
Hampshire
GU13 8BY

Your Reference:
GMS/HD/5519
Our Reference:
APP/E0330/A/88/91815/P5
Date:
3 NOV 1988 1 NOV 88

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR R SMITH
PLANNING APPLICATION NO: 28760

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. This is against the decision of the Wokingham District Council to refuse planning permission for the relaxation of condition No.5 of planning consent Ref.18773 concerning the agricultural occupancy of Paddocks Farm, Coleshill Lane, off Nine Mile Ride, Finchampstead, Berkshire. I have considered the written representations made by you, by the council and by the Parish Council. I held an informal hearing and visited the site on the 4th October 1988.

2. The occupancy of Paddocks Farm is restricted by condition No.5 of the outline planning permission Ref. 18773 of the 15th February 1983, which states:

> "The occupancy of the dwelling hereby permitted shall be limited to a person solely of mainly employed or last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971 (including any dependants of such a person residing with him) or a widow or widower of such a person."

That permission was also conditional upon the submission of detailed reserved matters for subsequent approval and the improvement of the pig breeding buildings, to the satisfaction of the local planning authority. This latter condition was imposed in order to ensure that a viable agricultural unit was erected before a permanent dwelling on the site. All of these conditions were complied with.

3. From the evidence that I have heard and read and from my observations of the site and its surroundings, I find that there are 2 main issues in this appeal; firstly, whether the removal of condition No.5 would harm agricultural and countryside interests in the area; and secondly, whether there are special circumstances to justify the removal of this condition.

4. The appeal site comprises about 1 acre of land situated on the northern edge of a strip of housing ribbon development along Nine Mile Ride, in an area which the council defines as being in open countryside beyond the boundary of the settlement of Finchampstead. The council has pointed out that new houses are not normally allowed in this part of the district because they would be contrary to the Berkshire Structure policies EN2, which aims to protect the rural area, and policy EN5, which presumes against residential development in the open countryside unless required for agriculture or other approved rural needs. In addition the Structure Plan Review policies H6 and EN1 restrict residential development to urban areas, the edges of

...an areas and certain classified settlements, which do not include the appeal site, because that is defined as the open countryside. On the other hand you point out that the majority of houses along Nine Mile Ride lie within the council's definition of the built-up settlement of Finchampstead in the South East area Local Plan, and whereas the boundary of development stops immediately to the east of the appeal site, in your view it should have included the existing houses on Coleshill Lane and the western end of Nine Mile Ride.

5. Finchampstead is a very dispersed settlement with ribbons of housing development spread along the "rides" through the heavily wooded countryside. It appears to me that the council has attempted to define in the local plan those continuously built-up road frontages as settlement and those areas which are more dispersed as isolated houses in the open countryside. It so happens that the western limit of the ribbon of development fronting Nine Mile Ride stops short of the house on the corner of Coleshill Lane, which lies between the appeal site and the Ride. Whilst it is arguable whether the rest of the houses fronting Nine Mile Ride should have been included in the settlement boundary, I consider it reasonable that the settlement should have been drawn as tightly as possible in order to protect the surrounding open and wooded countryside. In this respect, I support the council's policy of opposing the development of the backland areas such as the appeal site, which lie behind the frontage strip of existing housing development. In my view the appeal site could not be considered to be infill development in the settlement area, but rather constitutes an expansion of the depth of the existing ribbon development into the adjoining countryside.

6. Accordingly, I take the view that, although the house exists on site, it is quite appropriate for its use to be limited to an agricultural occupancy, related to the land on which it stands and the surrounding countryside. On the council's evidence, there are other houses restricted to agricultural occupancy in the area, and I consider it likely that, unless there are exceptional circumstances for doing so, the removal of the condition could set an unfortunate precedent in the locality.

7. With regard to the second issue, you claim that the land holding is no longer an economically viable farm unit due to the unforeseen drop in pork prices in the 1980's, which led to your client closing the pig unit and taking premature retirement. An unsuccessful attempt was made to acquire more adjoining land in order to enlarge the scale of the operations and build larger buildings, but the combination of this, ill-health and the non-interest of the appellant's son led to the unit falling into disuse in 1985. In 1985 however, MAFF and ADAS supported the application for a permanent dwelling on the land on the grounds that the piggery could, with some improvements to the buildings, form a viable agricultural holding to support a full-time worker, who would need to reside on the site. No similar evidence has been produced to support your claim of non-viability for the land, nor in my opinion is there any proof that the acre or so of land could not be put to another productive use by a future occupier of the house. In this respect, I regard the proposed removal of the condition as being tantamount to a reduction of agricultural land in the locality, because the holding would become a residential curtilage.

8. Although your client attempted to sell the property upon the open market during the latter part of 1986 and 1987, without success due to the planning condition, it appeared to me that the full market price was sought for the house and small holding, whilst the restriction on occupancy was not made explicit, nor reflected in the asking price. Neither was any attempt made to interest the farming community in the property through trade journals, the National Farmer's Union or by direct contact in the locality. I conclude therefore that there is no evidence of proper efforts being made to continue the farming interest in this land, and I am unable to find that there is no local need for a dwelling for agricultural occupancy in the area.

urb. Consequently, whilst I find regrettable the personal circumstances of Mr [illegible]th and his family, I conclude that there are no sound reasons why this house should not continue to be occupied by a person employed, or last employed, wholly or mainly, in agriculture. It should be appreciated that the condition No.5 is so worded as to be far less onerous on the owner of the dwelling than were the local planning authority's original requirements that the agricultural unit should support full-time occupation.

10. I have taken into account all other matters raised in the evidence and representations, including the existence of other houses along Colenhill Lane, but I can find nothing of more importance than the issues that I have considered in reaching my decision on this appeal. I find that the proposed removal of the condition would be contrary to the countryside and agricultural interests expressed in the approved Structure Plan, in that there would be no extenuating circumstances to justify a house in this location and, consequently, the proposal would be harmful to agricultural and landscape interests in the locality.

11. For the above reasons and in exercise of the powers transferred to me I hereby dismiss your appeal.

I am Gentlemen
Your obedient Servant

C.I. Cochrane

C I COCHRANE DipArch MSc MRTPI
INSPECTOR

REFUSAL OF PLANNING
PERMISSION

P
C6

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

To: MR R SMITH
C/O MR GILES SMEATH
220 FLEET ROAD
FLEET
HANTS GU13 8BY

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No. 28760 (Var)

Proposal:
RELAXATION OF CONDITION 5 OF CONSENT 18773 RELATING TO
AGRICULTURAL OCCUPATION OF DWELLING
PADDOCKS FARM COLESHILL LANE OFF NINE MILE RIDE
FINCHAMPSTEAD

The Wokingham District Council in pursuance of their powers under the above Acts hereby REFUSE to grant planning permission in respect of the above development as described in the application and the accompanying plans submitted by you to the Council, for the following reasons:

01 The proposed development is contrary to policies of the Central Berkshire Structure Plan which state that:(R230)

01 "It is the County Council's policy that the local planning authorities, in considering proposals for development and in drawing up local plans to guide this development, should take full account of the need:
(a) To safeguard areas of special architectural, historic, townscape or landscape character, whether or not they are designated conservation areas.
(b) To prevent additions to existing sporadic or dispersed development which is not within an existing settlement possessing a basic range of services.
(c) To ensure, in towns, villages and suburbs that undeveloped land that has a special visual significance in relation to the character of the place is identified and safeguarded from development.
(d) To protect important open land between settlements particularly between Wokingham and Bracknell." (Policy EN2)

01 "Within areas wholly or partly given over to rural land uses (whether or not productive) or having a rural character, the conservation of productive land and the landscape should predominate and there is a presumption against development except in the following categories:
(a) Development essential to the use of land for agriculture or forestry.
(b) Mineral extraction.

continued/-

Application 28760 continued

(c) Development associated with recreation of a scale and type appropriate to the countryside.
(d) Public utilities which cannot be located elsewhere.
(e) Any other purpose wholly appropriate to a rural area." (Policy EN5)

01 "The County Council proposes some continued development on small sites on the fringes of the main urban areas, and in other settlements outside the confines of the existing built-up areas of Reading, Wokingham and Bracknell. Normally such development will only be permitted if it involves infilling, rounding-off or small scale redevelopment; development should be appropriate to the physical, social and visual character and structure of the settlement; and conform with other policies in this plan." (Policy H6)

02 Approval of this application would be likely to create an unfortunate precedent for further similar applications which the District Planning Authority would then find difficult to resist. (R238)

03 The proposed development is contrary to the following proposed policies contained in the Review of Berkshire's Structure Plans Submission Document:- (R235)

03 Policy H H3 (Housing Development within and on the edge of existing settlements outside the Green Belt)(RV2)

03 Policy H H6 (Housing Development outside existing settlements)(RV4)

03 Policy EN1 (General policies limiting the spread of development- Land outside settlements)(RV18)

03 "The County Council will seek to maintain a clear physical and visual distinction between built areas and the countryside." (Policy EN1)

04 The proposed development is contrary to policies relating to this type of development contained in the South-East Area Local Plan - Approved Development Control Draft, which state that:-

04 Planning permission will not normally be given for residential development in the countryside unless it can be proven to be essential to meet cases of special need, and it can be demonstrated that such development cannot reasonably be located in a nearby settlement.(WH11)

04 There will be a presumption against development within the rural areas, as defined on the Proposals Map, subject to the provisions of other policies in the Local Plan, in order to maintain the balance between urban and rural areas, to prevent the consolidation of existing scattered development and to maintain tracts of open land between settlements.(WRA1)

05 The District Planning Authority is not satisfied from the available facts that satisfactory justification exists at this time to remove the condition, (No.5 Application Number 18773) limiting the use of the dwelling in the way specified in that condition, without detriment to the policies mentioned above.

continued/-

WORK SHEET FOR : Elaine Connor

Application Number : CLE/2000/0998

Applicant : Mrs T Blair .

Location : Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.

Proposal : Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

Site Notice Displayed ? :

YES	NO	DATE

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 24/03/2000

Earliest Date for Decision : 27/04/2000

Latest Consultation Date/Site Notice Expiry Date : 27/04/2000

Application Expiry Date: 19/05/2000

Consultation Responses :

Planning Issues :

Application Number: CLE/2000/0998

Appraisal :

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

Application Number CLE/2000/0998
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal

RECORD OF SITE VISIT

SITE ADDRESS: Paddock Farm Nine Mile Ride Finchampstead Wokingham.

APPLICATION NUMBER: CLE/2000/0998

OFFICER: Elaine Connor

DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING

4. RELATIONSHIP TO ADJOINING PROPERTIES

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

Received by Wokingham District Council

Application No: CLE/2000/0998

Proposal:
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

Location:
Paddock Farm, Nine Mile Ride, Finchampstead, 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 letter 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 27/04/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

Tel: (0118) 974 6451

Date:

My ref: CLE/2000/0998

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

CONFIDENTIAL

Councillor G Cockroft
113a Nine Mile Ride
Finchampstead
RG40 4HX

Dear Councillor

Application Number: CLE/2000/0998
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

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 Sub-Committee for decision please fill in the form below.
This form must be received no later than _____

Yours faithfully

Head of Planning and Transportation

LISTING FORM

Case officer: **Elaine Connor** Application Number: **CLE/2000/0998**
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor G Cockroft

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:

My ref: CLE/2000/0998

CONFIDENTIAL

Councillor M Long
Foxfield
Wick Hill Lane
Finchampstead
RG40 3PY

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: CLE/2000/0998
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

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 Sub-Committee for decision please fill in the form below.
This form must be received no later than _____

Yours faithfully

Head of Planning and Transportation

LISTING FORM

Case officer: **Elaine Connor** Application Number: **CLE/2000/0998**
Paddock Farm, Nine Mile Ride, Finchampstead, Wokingham.
Application for certificate of existing lawful use of dwelling for occupation by person not employed in agriculture.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____
_____

Signed: _____ Date: _____

Councillor M Long

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

1850/2

TO ELAINE CUNNER
DEVELOPMENT CONTROL

SENDER Send blue and yellow copies intact. Retain pink for file.	TWO WAY MEMO — NO CARBON REQUIRED WRITE OR TYPE	Reply before parting set. Return yellow copy to sender. RECIPIENT

FROM
COLIN LANLEY
LEGAL Dpt

[redacted]

SUBJECT CWI(E) 2000/0998

MESSAGE DATE

REPLY DATE 19/3/01

Agreed –

A certificate of lawful use for residential without agricultural occupation condition should be issued

C.J.L

APPLICATION FOR CLU(E) 2000/0998

Location: Paddock Farm, Nine Mile Ride, Finchampstead
Applicant: Mrs T Blair
Use: Dwelling for occupation by person not employed in agriculture

Planning History

Paddock Farm has a planning history, which dates back to the early 1960s, and relates mostly to the agricultural use of the site. The planning history also includes the temporary siting of a mobile home which was renewed twice, before planning consent was given in 1983 for a permanent dwelling with an agricultural occupancy condition attached. Planning permission to relax this condition was sought in 1987 but was refused and an appeal against this decision was dismissed.

The planning records show that an application to vary the agricultural occupancy condition was made by the then owner Mr Robert Smith. However, the next entry on the history card was a building control application for connection to the main sewer, and was made by Mrs Blair, suggesting that the ownership of Paddock Farm changed hands between 1988 and 1990.

Electoral Register

Mrs T Blair was registered between 1993 and 1999, but is not on the current register, (February 2000 to 2001).

Community Charges

Mrs T Blair was registered from when Council tax was introduced (1.4.93) until 30.11.98, and then again from 1.12.99, at Paddock Farm.

Supporting Information

The application includes an;

- Inland Revenue PAYE Notice of Coding, in Ms T Blair's name, addressed to Paddock Farm, and dated 14.12.89
- A letter from Mrs Blair's employees NFU Mutual confirming Mrs Blairs Employment for the company for 25years
- A covering letter from Mrs Blair's title deeds for Paddock Farm, dated 11th Dec. 1989
- The application also includes a sworn affidavit from Mrs Blair stating that she worked in full time employment in the Insurance Department of Thatching Advisory Services from 1973 to 1998, when she retired.

Conclusion

The evidence presented in this application would suggest that the dwelling at Paddock Farm has not been used for agricultural workers accommodation for a period of at least 10 years. The planning history record clearly shows that Mr Smith was the owner of Paddock Farm until 1988, and that some time between this date and 1990, the ownership changed hands to Mrs T Blair. There is also evidence in the Inspectors Decision (appeal against planning refusal 28760), that due to a drop in pork prices in the 1980s, the landowner Mr Smith claimed that the holding was no

longer an economically viable farm unit, which led to its closure. Because of this it seems evident from the inspectors decision that the applicant at that time had attempted to sell the property on the open market, at full market price, without success.

Therefore, it is considered that Mrs T Blair has resided at Paddock Farm for a period of more than ~~4~~ 10 years, and was at no time during this period employed in agriculture.

Elaine Connor
22.01.01

16.3.01

Elaine Connor

From: K Hannington
Sent: 28 November 2000 11:53
To: Elaine Connor
Subject: RE:

Hi Elaine,
Paddocks Farm, Nine Mile Ride we have Mrs T Blair registered from when council tax came in 1.4.93 to 30.11.98 and then again registered from 1.12.99.

New Bungalow at Farley Hill Farm we have Mr A Chandler from 1.6.99

Blackcroft Farm is am unable to find.

Regards Kim

-----Original Message-----
From: Elaine Connor
Sent: 27 November 2000 09:49
To: K Hannington
Subject: RE:

Hi Kim

Thanks for getting back to me.

The first one is Paddock Farm, Coleshill Farm, Finchampstead. The applicant is a lady called Mrs Blair who is claiming she has lived there for the last 10 years.

The second query involves two dwellings, Farley Hill Farm House, Church Lane, Swallowfield. However, there are two properties on Church Lane with this name, one is owned by Mr Canon (a listed building) and the other is owned by Mr Chandler (a fairly new bungalow). It is the one owned by Mr Chandler that we are interested in. The other property I need to find out about is Blackcroft Farm, also Church Lane, Swallowfield.

Thanks for your help
Regards

Elaine

-----Original Message-----
From: K Hannington
Sent: 27 November 2000 09:24
To: Elaine Connor
Subject: RE:

Hi Elaine,

If you let me know the addre[illegible] tell you who we've got registered as the council tax payer.

Regards Kim

-----Original Message-----
From: Elaine Connor
Sent: 24 November 2000 15:18
To: K Hannington
Subject:

Dear Kim
I am dealing with a couple of applications at the minute that require particular attention and I need to find out who the properties are registered to with regards to the payment of Council Tax. Are you able to help me with such a query?

Regards

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 12 MAR 2000 VALID 21 MAR 2000	Map No. 105 Site 0:45
Officer: EC | Application No. CLE/2000/0998	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☐ Delegated ☐ Sec. State
☐ Incorrect Fee ☑ Invalid ☐ PD

Description: APPLICATION FOR CLU(E) A CERTIFICATE OF EXISTING LAWFUL USE OF DWELLING FOR OCCUPATION BY PERSON NOT EMPLOYED IN AGRICULTURE

Location: PADDOCK FARM COLES HILL LANE NINE RIDE MILE

Parish: FINCHAMPSTEAD Ward: Finch South.

3.6.2000

Applicant: MRS T BLAIR

Fee Received (1) 190-00 Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red	mark dwelling on plan ✓	21/3	
2	1:500 block plan showing existing & proposed dev. + adj. Properties		24 MAR 2000	
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 3.4.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	NF: .....
Landscape	NK: .....
Trees	NK: .....
Conservation Officer	NK: .....
Environmental Health	NA: .....
Housing	NA: .....
Leisure & Cultural services	PA: .....
Public Rights of Way	PA: .....
Property	NG: .....
District Secretary (only if called in by SOS)	MA: .....
Policy & Plans	QA: .....
Strategic Planning (JSPU)	HA: .....
Minerals (BABTIE)	GA: .....
Archaeological Site (BABTIE)	: .....
Education	AP: .....
Social Services	BT: .....
Highways	XA ✓ .....

EXTERNAL CONSULTATIONS

Adjacent D P A	: .....
Adjacent Parish	: .....
Southern Electricity Board	BN: .....
British Gas	BM: .....
PSA Oil Pipeline	BD: .....
Transco	: .....
Environment Agency	BP: .....
Rail Track	BI: .....
Police Arch. Liaison Officer	PC: .....

HERITAGE BODIES

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

OTHERS:

.....

.....

.....

NEIGHBOURS:

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24.MAR2000* 0994

Inland Revenue
PAYE-Notice of coding

Please keep this notice for future reference and let me know of any change in your address. The enclosed notes explain the entries.

Issued by
H.M. Inspector of Taxes
READING 5
10 FRIARS WALK
READING
RG1 1BU

603

MS T A BLAIR
PADDOCK FARM
COLESHILL LANE
9 MILE RIDE
FINCHAMPSTEAD RG11 4QB

Please use this reference if you write or call. It will help to avoid delay.

603/2634/HD

ZM	69	87	78	D

Date 14-12-89

This notice cancels any previous notice of coding for the year shown below. It shows the allowances which make up your code. Your employer or paying officer will use this code to deduct or refund the right amount of tax under PAYE during the year shown below.
Please check this notice. If you think it is wrong please return it to me and give your reasons. If we cannot agree you have the right of appeal.
Please let me know at once about any change in your personal circumstances which may alter your allowances and coding.

See Note	Allowances	£	See Note	Less Deductions	£
12	RET ANNUITY RELIEF	2700			
13	LOAN ETC INTEREST	1656			
17	PERSONAL	2785			
				Less total deductions	
	Total allowances	7141		Allowances set against pay etc. £	7141

Your code for the year to 5 April 1990 is **714L** Please see Part C overleaf

P2 (T)

NFU Mutual

Thatching Advisory Services
Faircross Offices, Stratfield Saye,
Reading, Berkshire
RG7 2BT
Telephone: (01256) 880828
Fax: (01256) 880866

To Whom It May Concern

24 February 2000

Dear Sirs,

I confirm that Mrs Tessa Blair of Paddock Farm,Coleshill Lane,Wokingham worked in full employment for this Company for twenty five years and retired at the end of April 1998.

Yours faithfully,

Mrs Linda Colyer-Short
Insurance Manager

Branch Office Agent reports to:
P O Box 143, Scholars Lane,Stratford upon Avon. CV37 6ZR
Tel: (01789) 265140 Fax: (01789) 265149

Representative only of NFU Mutual. Members of which are regulated by the Personal Investment Authority and IMRO for Life Assurance, Pensions and Unit Trust business only.

The official insurer of the National Farmers' Union of England and Wales, Scotland, Isle of Man, the Ulster Farmers' Union and the Scottish Crofters' Union

Parent Company: NFU Mutual Insurance Society Ltd (No. 111982)
Regulated by the Personal Investment Authority. Member of ABI and IOB

Subsidiaries: Avon Insurance plc (No. 296966) Member of ABI and IOB
NFU Mutual Unit Managers Ltd. (No. 1827277)
Regulated by the Personal Investment Authority and IMRO. Member of AUTIF

NFU Mutual Investment Services Ltd. (No. 1885125) Regulated by IMRO
NFU Mutual Insurance Association Ltd. (No. 2717231)
Registered in England Registered Office Stratford-upon-Avon CV37 7BJ

Paddock Farm
Coleshill Lane
Nine Mile Ride
Wokingham
Berkshire
RG40 4QB

24 MAR 2000 0098

AFFIDAVIT

I confirm that I Tessa Blair am the sole owner and occupant of Paddock Farm. I bought and moved into the property on the 16th October, 1989 and have lived here on my own.

I worked in full time employment in the Insurance Department of Thatching Advisory Services Ltd. from 1973 to 1998 when I then retired.

Signed ....T. Blair....

Dated ....24 - 3 - 00....

SWORN before me at
121 Yorktown Road
Sandhurst, Berkshire
this 24th day of March, 2000.

JOHN DAVID BUCKLAND
COMMISSIONER FOR OATHS

24.MAR2000* 0998

3

Blakeney Greene

P.O. Box 33 7 High Street Market Place Reading RG1 2DG Tel: (0734) 586321 DX: READING 4026 Fax: (0734) 575820

Your ref:

Our ref: LA AH BLAIR

Date: 11 December 1989

National Westminster Home Loans Limited
DX 13200 BIRMINGHAM

Dear Sirs

re: T A Blair - M89071244
Paddock Farm, Nine Mile Ride

We enclose in duplicate schedule of title deeds. Please receipt and return one copy by way of acknowledgment.

Yours faithfully,

Blakeney Greene.

BLAKENEY GREENE.

Application 18773 continued

REASONS FOR 2 & 3 These conditions are deemed to be attached by virtue of Section 42(2) (a & b) of the Town and Country Planning Act, 1971 (4)

4. Details and samples of all the materials to be used in the elevations of the proposed development shall be submitted to and approved in writing by the District Planning Authority before building work commences, and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.

REASON To ensure that the materials harmonise with the surroundings. (18)

5. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act, 1971 (including any dependants of such a person residing with him), or a widow or widower of such a person.

REASON The site is within an area where building development is severely restricted and the development is justified only on agricultural grounds. (85)

6. Car parking shall be provided in accordance with the District Planning Authority's Car Parking Standards before the proposed dwelling is occupied

REASON In the interests of road safety. (502)

7. The development hereby permitted shall not be commenced until the improvements to the pig breeding buildings indicated on drawing no. 462/5 are completed to the satisfaction of the District Planning Authority.

REASON To ensure a viable stage is reached before a permanent dwelling is provided.

INFORMATIVES:-

The Thames Water Authority or their Agents have requested the following informatives be attached to this permission and the Developer or Agent is requested to contact the Council's Engineer accordingly. (669)

/...

.....
District Secretary

ADDRESS R/O 7 Nine Mile Ride (Paddock Farm) PARISH Linch E

PLOT No. ~~0/207/63~~ 0/294/64 0/207/60 ORD. SHEET No.

BUILDER NOT CORRECT. NOT CORRECT.

Plan No.	Applicant	Description of Development	Date of Decision	Decision
12738	MR. R. SMITH	HARD STANDING, CARAVAN, METER	13.3.80	N/A REL.
BR12957	"	SEPTIC TANK	10.3.80	APP N/A
BR15225	" "	Erection of Pig sties & barn	22.6.80	APP NA
14439	"	C.S.L. Mobile Home	20.11.80	NA TP 30.11.81
14371	"	Siting " "	20.11.80	NA TP 30.11.81
BR17379	"	TOILET & WASHROOM	21.8.81	APP N/A
16222	"	" "	24.8.81	NA OA
16224	"	Site licence mobile home	24.8.81	NA TP 30.11.82
16225	"	Renewal 14371	24.8.81	NA TP 30.11.83
18104, 6	"	RENEWAL 16225 SITE LICENCE	23.9.82	N/A TP 30.11.83
18105	"	[illegible]	23.9.82	NA 30 [illegible]

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS Caravan site licence 14439 - 16224

DRAINAGE

091074

18773 " " 10.2.83 N/A CIA

ADDRESS Paddock Farm PARISH Linchmere E

PLOT No. R/O 7 Nine Mile Ride ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
19841	MR. R. SMITH	FARM DWELLING & GARAGE	28.7.83	N/A CIA
BR21161	"	"	3.8.83	APP N/A
28760 APPEAL	"	RELAX. COND. 3 18773	1.10.87	REL
BRA8707	MRS. T. BLAIR	(AGR. OCCUPATION) CONN TO MAIN SEWER	27.3.90	APP

DATE OF COMPLETION

MINISTRY DECISION 28760 - APPEAL DISMISSED - 3.11.88

SPECIAL ORDERS

DRAINAGE

091074

1943

24 MAR 2000* 0998

For the Council's use only:

Application No: .....

Date received: .....

WOKINGHAM DISTRICT COUNCIL

Town and Country Planning Act 1990, Section 191, as amended by Section 10 of the Planning and Compensation Act 1991.

Town and Country Planning General Development (Amendment) Order, 1992.

APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN *EXISTING* USE OR OPERATION OR ACTIVITY IN BREACH OF A PLANNING CONDITION.

---

1. Description of existing use or operation or activity applied for:

RESIDENTIAL

---

2. Applicant (in block capitals)

Name: ..Mrs..TESSA BLAIR.....

Address: ...PADDOCK FARM..COLESHILL LANE.....

.....NINE MILE RIDE...WOKINGHAM...BERKS.....

Post Code: ..RG40 4QB.....

Tel. No: ...0118 9730567.....

---

3. Agent (if any)

Name: .....

Address: .....

.....

Post Code: .....

Tel. No: .....

4. (1) Nature of applicant's interest in the land, e.g. owner, lessee, occupier. OWNER

(2) If you do not have an interest:

(a) give name(s) and address(es) of anyone you know who has an interest in the land.

(b) state the nature of their interest (if known).

(c) state whether they have been informed about this application.

YES/NO

---

5. Address or exact location of the land to which this application relates:

Paddock Farm, Coleshill Lane
Nine Mile Ride, Wokingham, Berks RG40 4QB

Describe here and enclose (|) copies of an OS-based plan showing the boundary of the land edged in red.

Plan Reference - Berkshire County XLVI 6

---

6. This application is for:

~~*an existing use;~~

24.MAR2000* 0998

~~*an existing operation~~:

✓ an existing use, operation or activity in breach of a condition;

being a use, operation or activity subsisting on the date of this application.

(*Tick whichever is applicable).

---

7. If there is more than one subsisting use of, or operation or activity on the land at the date of this application, describe fully each of them and, where appropriate, show to which part of the land each use, operation or activity relates.

---

8. When was the use or activity begun, or the operation substantially completed?

OCTOBER 1989

---

9. Under what grounds is the certificate sought?

(Delete those which are not applicable)

(1) ~~The use began more than ten years before the date of this application; or~~

✓(2) The use, operation or activity in breach of condition began more than ten years before the date of this application; or

(3) ~~The use began within the last ten years, as a result of a change of use not requiring planning permission in the last ten years; or~~

(4) ~~The operations were substantially completed more than four years before the date of this application~~; or

(5) ~~The use as a single dwellinghouse began more than four years before the date of this application~~.

(6) ~~Other - specify (this might include claims that the change of use or operation was not development, or that it benefited from planning permission granted under the Act or by the General Development Order)~~.

24 MAR 2000 0998

10. If the certificate is sought for a use, operation or activity in breach of a condition or limitation, specify the condition or limitation which has not been complied with, and attach a copy of the relevant planning permission. Condition not complied with: Application 18773 (Copy enclosed) I purchased Paddock Farm and moved here on 16:10:89 (see copy of letter from my Solicitor Blakeney Greene of 11:12:89 sending Schedule of the Title Deeds to my Mortgagees Nat West Home Loans Ltd. ALSO see Notice of my PAYE Coding addressed to me at Paddock Farm, from the Inland Revenue dated 14:12:89.

---

11. Give any additional information you consider necessary to substantiate your claim.

I confirm that I worked in full time employment for Thatching Advisory Services Ltd., Roofing Contractors (recently taken over by NFU Mutual) for 25 years from 1973 - 1998 (please see their letter confirming this dated 24:02:00).

I confirm that at no time have I carried out any operation or activity connected with agriculture and I have not been employed in the locality in agriculture.

(Continue on a separate sheet if necessary)

---

12. List here all the documents, drawings or plans which accompany this application.

1. Condition not complied with - Application 18773.
2. Ordnance Survey Plan showing boundary of land edged in red.
3. Copy of letter from Blakeney Greene, Solicitors, dated 11:12:89.
4. Notice of Coding dated 14:12:89 addressed to me at Paddock Farm.
5. Copy of letter from Thatching Advisory Services (NFU Mutual) dated 24:02:00.

I/We hereby apply for a lawful use or development certificate under Section 191 of the 1990 Act in respect of the existing use, operations or activity described in this application and the documents, drawings and plans which accompany it. I/We enclose the appropriate fee of £.199.00.

Signed: .....T.Blain..... Date: ....9.....3.....00

On behalf of: .....

(Insert name of applicant if signed by an Agent).

WARNING: The amended Section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the Council to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.