APPLICATION NO:
CLE/2000/1111

LOCATION:
Culham Park Farm Kentons Lane, Upper Culham Reading.

APPLICANT:
Peter & John Griffith C/O Severage Greaves

PROPOSAL:
Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

EARLIEST DATE FOR DECISION: **07/05/2000**

APPLICATION EXPIRY DATE: **23/05/2000**

CASE OFFICER: **Heather Morgan**

RAILEX
Marbleboard

EASIFILE FD7

Application No : CLU(E): CLE/2000/1111

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 31/7/00 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto, and edged 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 ago and there has been no other use during the last 10 years.

Signed ..... (Development Control Manager)

On behalf of Wokingham District Council, Shute End, Wokingham, Berkshire RG11 1WH

Date: 31/07/00.

FIRST SCHEDULE

Use of Culham Park as a dwellinghouse within the Class C3 without compliance with condition of detailed consent Ref No. 233/58 with a residential curtilage extending as far as the red line on that consent.

SECOND SCHEDULE

Culham Park Farm, Kentons Lane, Upper Culham, Wargrave RG10 8NU

Notes :

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

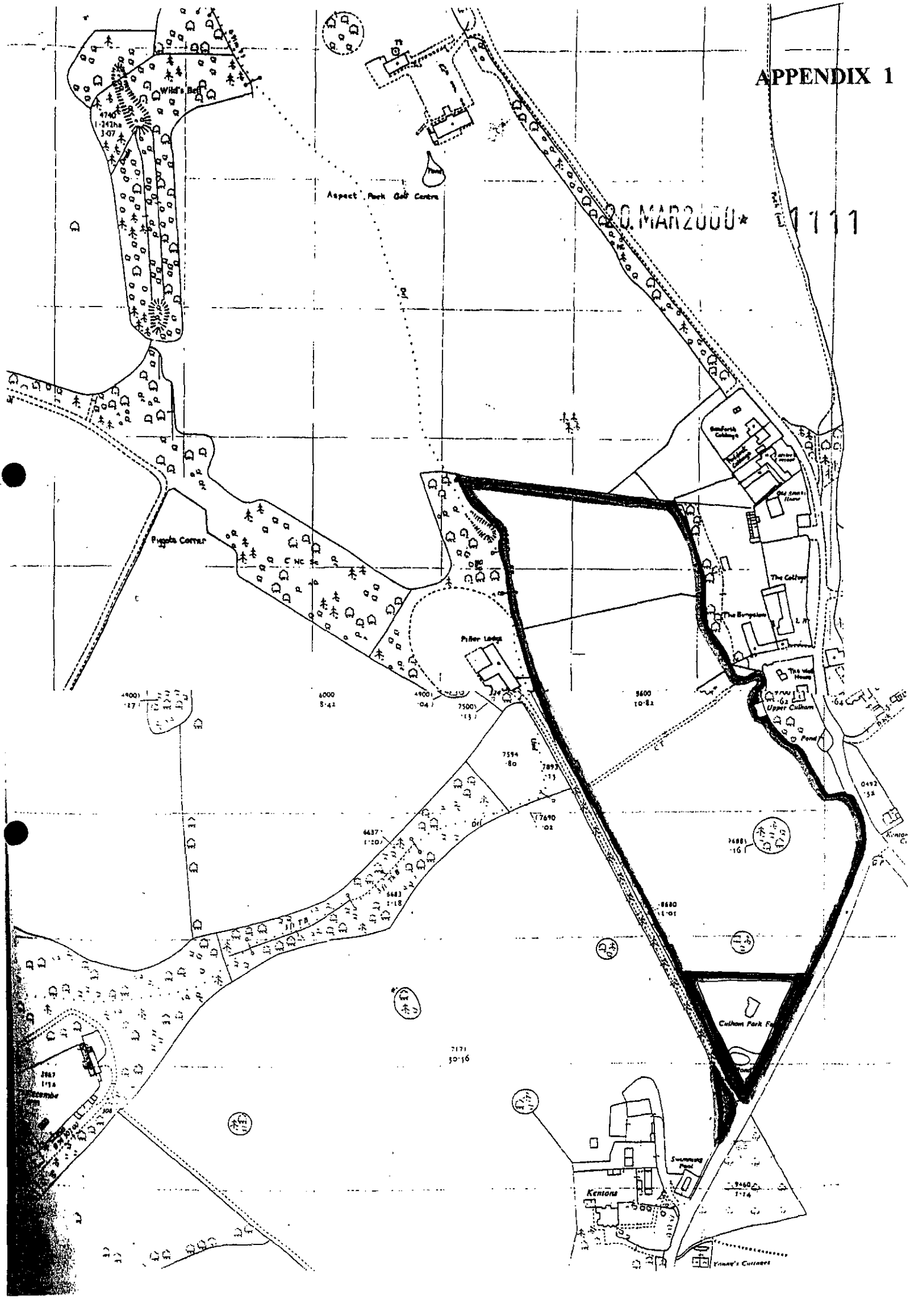
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.

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.

APPENDIX 1

20 MAR2000 * 1111



SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

13/07/00

BY FAX & POST

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136 Second application CLE/2000/111

I refer to a number of letters over the last few months since I made the second application on behalf of my clients on 24/3/00. You have indicated to me over the last four weeks that a decision might be forthcoming within the next few days but nothing transpires and despite the fact I have left a number of messages on the phone, I have heard nothing back from you recently.

I have no doubt that you have many other more pressing items to deal with but there is already an appeal pending for 24/10/00 on the first application submitted on 16/6/99 and refused on 4/11/99. The second application is well past the date on which we might lodge an appeal for non determination, and it seems that the only sensible recourse left open to my clients in the face of such lack of response is to lodge yet another appeal, so that the two can be heard together if necessary.

All this takes time and incurs costs for my clients. This should not be necessary. I would be surprised if in the circumstances it were not possible for my clients to claim back such costs from the Council, who have had more than a year to consider the facts of the case. As I mentioned I my last letter, my clients will very soon have to retain a solicitor and a barrister and experts to start to prepare for the appeal. Now that the holiday season is upon us, we effectively have about two and a half working months to prepare for the appeals.

However if you do require further information please let me know. If you do not then please let us know the results of your deliberations as soon as possible.

I have sent a copy of this letter to Jane Earl, the chief Executive, and John Mitchell the Head of development, and Jane Cronin, whom I understand will be your new head of Planning as from 24/7/00.

I look forward to hearing from you.

Yours sincerely

Nicholas Greaves

cc: P. & J Griffith

Please file

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

ENVIRONMENTAL SERVICES | HPT 31808
TLS
DC HM | ENF
APP
CS
14 JUL 2000
COPIES TO: | ACK:
FILE:

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

Peel's Reg

13/07/00

BY FAX & POST

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136
Second application CLE/2000/111

← 1111

I refer to a number of letters over the last few months since I made the second application on behalf of my clients on 24/3/00. You have indicated to me over the last four weeks that a decision might be forthcoming within the next few days but nothing transpires and despite the fact I have left a number of messages on the phone, I have heard nothing back from you recently.

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However if you do require further information please let me know. If you do not then please let us know the results of your deliberations as soon as possible.

I have sent a copy of this letter to Jane Earl, the chief Executive, and John Mitchell the Head of development, and Jane Cronin, whom I understand will be your new head of Planning as from 24/7/00.

I look forward to hearing from you.

Yours sincerely

Nicholas Greaves

cc: P. & J Griffith

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT
LEGAL SERVICES

MEMORANDUM

FROM: Colin Lawley
Principal Solicitor

MY REF: CJL/MM
EXT: 6524

TO: Heather Morgan
Planning

YOUR REF: CLE/2000/1111

DATE: 9th June 2000

P
C3
12 JUN 2000
COPIES TO:
ACK:
FILE:

CLU APPLICATION - CULHAM PARK FARM, KENTONS LANE

I refer to your memorandum dated 5th June, together with a copy of the application, etc.

I confirm that I agree with your conclusion that a Certificate of Lawful Use should be issued in this case.

I return the papers with this memorandum.

C.J.L.

Colin Lawley

Enc.

WOKINGHAM DISTRICT COUNCIL

ENVIRONMENTAL SERVICES DEPARTMENT

M E M O R A N D U M

From: Heather Morgan
Planning

To: Colin Lawley
Legal Services

My Ref: CLE/2000/1111

Ext: 6446

Your Ref:

Date: 05/06/00

CERTIFICATE OF LAWFUL USE APPLICATION

Please find attached a copy of my report and the supporting information which has been submitted as part of this application. An earlier application was refused on the lack of evidence of breeding. Additional information has now been provided in the Affidavit and in records from the breeding centre and the brewery for feed.

Do not hesitate to contact me should you wish to discuss further.

Regards

Heather Morgan

MI 1949

804001 02/01/ 97
P.T. Griffith, Esq.,
Culham Park Farm, Kentons Lane, Wargrave,
Reading, BERKS.

EDIT FOR NOVEMBER COLLECTION

NOV	1925 kg	(25 03)

CEMBER COLLECTIONS

DEC	3500 kg	45 50
DEC	2675 kg	34 78
DEC	3600 kg	46 80
DEC	4887.5 kg	63 54
DEC	3425 kg	44 52
DEC	5287.5 kg	68 73
DEC	4362.5 kg	56 71

1G)

335 55

335 55

111/000/041/002 BATCH No: 32540

MI 2496

804001 30-1-98
P.T. Griffith
Culham Park Farm, Kentons Lane,
Wargrave, Reading

January Collections.

5-1-98	2000 kg	26 00
6-1-98	3175 kg	41 28
12-1-98	2825 kg	36 73
19-1-98	3788 kg	49 24
26-1-98	3500 kg	45 50

198 75

198 75

G/L CODE: 111/000/041/002 BATCH No: 41422

This is the Appendix now produced to me and marked "6" referred to in the Affidavit of John Griffith

SWORN at Bartell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

FOAL IDENTITY AND VACCINATION CERTIFICATE

Issued by WEATHERBYS, SANDERS ROAD
WELLINGBOROUGH, NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

A veterinary surgeon should enter on the appropriate page all vaccinations given to the animal. Any certificates showing details of vaccinations already given to this animal must be attached to the relevant page.

Once a name has been registered for this animal it should be entered on the Certificate in the appropriate place.

This certificate, together with any additional vaccination certificates, MUST be passed to the Trainer who should then identify the animal. The Trainer MUST forward this document to the Turf Authority in order to obtain the Racing Passport.

In cases of animals that do not enter training this document must be retained and submitted at the time the animal is exported or retires to Stud.

This document is issued as an aid to the identification of the horse to which it refers and the information shown has been extracted from either the General Stud Book records or Register of Non-Thoroughbred records. It is not a certificate of ownership.

While the issuers of this document believe the information contained in it to be correct they cannot guarantee it's accuracy, in particular where it is dependant on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

PASS

NAME (NOM)	
YEAR OF FOALING (Année de Naissance)	1988
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 41
COLOUR (ROBE)	CHESNUT
SEX (SEXE)	Colt
SIRE (PERE)	NATIVE BAZAAR
DAM (MERE)	CHARLIES AUNT
G SIRE (G PERE)	ARTICULATE

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

DATE 22/08/88
VAT REGISTRATION NO.
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 1988 FOAL	REG. FEE	VAT @ %	AMOUNT PAID
	£	£	£
CH..C NATIVE BAZAAR CHARLIES AUNT	40.00	6.00	46.00
	40.00	6.00	46.00

RECEIVED BY
WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT
DO NOT SEND ANY MONEY

APPENDIX 9

Issued by [redacted]
WELLINGBOROU[redacted], NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

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Passport No: 7803561

WEATHERBYS

NAME (NOM)	COMMODORE BUNTY (GB)
YEAR OF FOALING (Année de Naissance)	1988
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 41 p. 372
COLOUR (ROBE)	CHESNUT
SEX (SEXE)	~~Entire~~, Mare
SIRE (PERE)	ORE
DAM (MERE)	COMEDOWN
G SIRE (G PERE)	ROYALTY

[redacted]SANDERS ROAD
[redacted]ELLINGBOROUGH
NORTHANTS
NN8 4BX

DATE 27/06/88
VAT REGISTRATION NO.
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 1988 FOAL	REG. FEE	VAT %	AMOUNT PAID
	£	£	£
CH..F ORE COMEDOWN	40.00	6.00	46.00
	40.00	6.00	46.00

RECEIVED BY
WEATHERBYS

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DO NOT SEND ANY MONEY

that a horse can be identified at all times.
orse.

identity of the horse from the markings
check the remaining information before
ncies should be reported immediately to

id to your racing authority with an
ime.

or out of training must be returned to the
in which the horse is currently resident

ership nor does it represent an Authority
issuing Authority and may be recalled at

eal (spine) is damaged or broken. In this
with the Racing Authority / Stud Book
country in which the horse is currently

st be notified immediately to the Racing
s appropriate) of the country in which

) AGENTS) OF HORSES WHICH HAVE NOT TRAINING

ne markings contained in the passport and
fore endorsing your acceptance on the
ancies to the Racing Authority/Stud Book
try in which the horse is currently resident.
ords all vaccinations on the appropriate

pplication for Registration of Name for the

oes to Public Auction, ensure the passport
. If the horse enters stud refer to Section

sport to your Racing Authority/
stination. The passport will
. (Should the horse not
dorsement. It must

DOCUMENT OF DESCRIPTION

for the identification of **FOALS & YEARLINGS, RACEHORSES, BROODMARES & STALLIONS**

Livret signalétique pour l'identification des poulains, des chevaux d'un an, des chevaux de course, des poulinieres et étalons

NAME *(NOM)*		
DATE OF BIRTH *(DATE DE NAISSANCE)*: 9th JUN 91	COLOUR *(ROBE)*: Chesnut	SEX *(SEXE)*: Filly
COUNTRY OF BIRTH *(PAYS DE NAISSANCE)*: Great Britain		
SIRE *(PÈRE)*: RABDAN		
DAM *(DAME)*: COMEDOWN		
GRANDSIRE *(GRAND-PÈRE)*: ROYALTY		
BREEDER *(ÉLÉVEUR)*: P. T. Griffith		
STUD BOOK REFERENCE *(REFERENCE AU STUD BOOK)*: SEE VOL 42 GSB	ISSUING AUTHORITY *(AUTHORITÉE D'ISSUE)*	
PASSPORT NUMBER *(NO. DE PASSEPORT)*: 1011690		
PARENTAGE TESTED		

This document is issued as an aid to the identification of the horse to which it refers and the information shown has been extracted from either the General Stud Book records, Non Thoroughbred Register records or the records of a recognised Foreign Stud Book Authority. It is not a certificate of ownership.

Whilst the issuers of the document believe the information contained in it to be correct they cannot guarantee its accuracy, in particular where it is dependent on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

If found this document should be returned at once to Weatherbys, Sanders Road, Wellingborough, Northants, NN8 4BX or Weatherbys Ireland, Tara Court, Dublin Road, Naas, Co. Kildare.

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

VAT REGISTRATION NO.
387 6216 24

WEATHERBYS IRELAND
TARA COURT
DUBLIN ROAD
NAAS
CO. KILDARE

VAT REGISTRATION NO.
4736808 P

02/09/91

P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

To registration of 1991
CH Filly out of
COMEDOWN
by
RABDAN

Reg Fee	£47.84
Vat	£8.37
Amount Paid	£56.21

RECEIVED BY WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT
DO NOT SEND ANY MONEY

issued by WEATHERBYS, SANDERS ROAD
WELLINGBOROUGH, NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

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NAME (NOM)	
YEAR OF FOALING (Année de Naissance)	1990
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 42
COLOUR (ROBE)	BAY
SEX (SEXE)	Colt
SIRE (PERE)	DERRING ROSE
DAM (MERE)	BOOKED
G SIRE (G PERE)	COUNSEL

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

DATE 23/08/90
VAT REGISTRATION NO.
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 19 90 FOAL	REG. FEE	VAT @ %	AMOUNT PAID
	£	£	£
B..C DERRING ROSE BOOKED	46.45	6.97	53.42
	46.45	6.97	53.42

RECEIVED BY
WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT
DO NOT SEND ANY MONEY

Tel: (0118) 974 6446

Date:

My ref: CLE/2000/1111

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

CONFIDENTIAL

Councillor F Browne
Rose Cottage
Bird Place
Remenham
RG9 2LN

Dear Councillor

Application Number: CLE/2000/1111
Culham Park Farm, Kentons Lane, Upper Culham, Reading.
Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

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 **Heather Morgan** on **(0118) 974 6446**. 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: **Heather Morgan** Application Number: **CLE/2000/1111**
Culham Park Farm, Kentons Lane, Upper Culham, Reading.
Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor F Browne

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

Received by Wokingham District Council

Application No: CLE/2000/1111

Proposal:
Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

Location:
Culham Park Farm, Kentons Lane, Upper Culham, Reading.

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 Heather Morgan P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 07/05/2000. 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

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

28.MAR2000* 1111

Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR
Attention: Heather Morgan

24/03/00

Dear Sirs

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

Please find attached four copies of an application form for a certificate of lawfulness for an existing use in breach of a planning condition for the farmhouse at the above address. This is further to a similar application made on 16/6/99, but with more detailed evidence.

Also attached are four copies of the associated OS extract showing the demise of the freehold property edged in green, and the actual farmhouse edged in red for purposes of clarification. There is also a rather faded copy of the original planning consent attached, but you will have the original of this in your records.

Also attached are sworn statements, one each from my clients Peter and John Griffith, together with appendices attached, explaining how the property has been used exclusively for the breeding and keeping of horses as part of their stud farm operation for comfortably more than ten years.

I would also mention in passing that the property, as part of Park Place and Temple Combe, is registered as Grade two Historic Park Land. My clients are both past retiring age, and would, in any event, have some difficulty in running the property as a farm.

The Council granted permission in 1988 for the majority of the farm to be used for purposes other than agriculture, referred to in the condition attached to the planning permission. The condition itself requires that the building be occupied and used in

connection with the use of the then Upper Culham Farm for agriculture. It is not a normal agricultural occupancy condition.

Land forming part of the farm was sold off over the years, reducing the 55 acres by 1988, at which time the golf course was permitted. The Council would no doubt have appreciated at the time the effect of its decision. Not withstanding this, since at least 1988 the remaining land has been used for a stud farm, no part of it being used for any agricultural purpose.

As a result, the applicants are entitled to a Certificate of Lawfulness. The supporting evidence is provided in more full form as suggested by the planning officer. If any further information is required please let me know, as we are anxious to achieve a nearly decision in the light of an outstanding possible appeal.

I have not issued another cheque for the application fee since this was paid this last time round in the sum of £190, and I understand it does not have to be paid again in the circumstances.

Yours sincerely

Nicholas Greaves

cc: P. & J. Griffith

1943

28.MAR2000* 1111

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:
USE OF THE FARM HOUSE AS A DWELLING HOUSE WITHIN CLASS C3 WITHOUT COMPLIANCE WITH THE CONDITION OF THE DETAILED PLANNING CONSENT APPLICATION NUMBER 233/58

---

2. Applicant (in block capitals)

Name: JOHN AND PETER GRIFFITH

Address: CULHAM PARK FARM, KENTONS LANE
NR. WARGRAVE, BERKSHIRE

Post Code: RG10 8NU

Tel. No: 01491 573105

---

3. Agent (if any)

Name: SEVERAGE GREAVES

Address: 9 ST MARYS STREET
WALLINGFORD, OXON

Post Code: OX10 0EL

Tel. No: 01491 834440

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

(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: CULHAM PARK FARM, KENTONS LANE, NR. WARGRAVE, BERKSHIRE RG10 8NU

Describe here and enclose (4) copies of an OS-based plan showing the boundary of the land edged in red.

HOUSE DEMISE EDGED IN RED AS PER ORIGINAL CONSENT

DEMISE OF STUD PROPERTY EDGED IN GREEN AS IT IS TODAY.

---

6. This application is for:

*an existing use;

*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.
APART FROM A GARDEN AREA ROUND THE HOUSE, WHICH INCLUDES A GRASS TENNIS COURT, THE LAND SURROUNDING HAS BEEN USED FOR MORE THAN TEN YEARS EXCLUSIVELY FOR THE BREEDING AND KEEPING OF THOROUGHBRED HORSES AS A STUD FARM. NOTHING LESS THAN THOROUGHBREDS HAVE BEEN KEPT ON THE LAND: NO PONIES OR HORSES FOR LEISURE EQUESTRIANISM. THIS IS EVIDENCED THROUGH THE STATEMENTS OF THE LESSEES ATTACHED

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

---

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).~~

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. CONSENT NO 233/58

CONDITION: "EXCEPT WITH THE CONSENT OF THE LPA THE BUILDING HEREBY PERMITTED SHALL ONLY BE OCCUPIED AND USED IN CONNECTION WITH THE USE OF UPPER CULHAM FARM FOR AGRICULTURE."

11. Give any additional information you consider necessary to substantiate your claim. ATTACHED ARE STATEMENTS OF THE TENANT OCCUPIERS PETER & JOHN GRIFFITH CONFIRMING THAT THE PROPERTY HAS NOT BEEN IN AGRICULTURAL USE FOR MORE THAN TEN YEARS. BOTH PETER AND JOHN GRIFFITH ARE PAST RETIREMENT AGE AND WOULD HAVE SOME DIFFICULTY IN FARMING. THE PROPERTY IS REGISTERED AS GRADE TWO HISTORIC PARK LAND AS PART OF PARK PLACE AND TEMPLE COMBE.

(Continue on a separate sheet if necessary)

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

4 APPLICATION FORMS TO EACH ATTACHED AN O.S. EXTRACT; A COPY PLANNING CONSENT, AND ONE STATEMENT EACH BY PETER & JOHN GRIFFITH PLUS COVERING LETTER AND TWO COPIES

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 £..... SEE LETTER.

Signed: ..... Date: 24/3/00

On behalf of: PETER AND JOHN GRIFFITH

(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.

NOTICE OF CONSENT

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1947

WOKINGHAM RURAL DISTRICT COUNCIL.
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM,
BERKS.

28 MAR 2000 1111

To Mrs. M. L. Smith
Upper Culham Farm,
Upper Culham,
nr. Henley-on-Thames.

Application No. 233/58

Proposal Farm house at Margrave Road, Upper Culham, Knowlton

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the 13th day of JANUARY 1959 subject to compliance with the conditions specified hereunder:—

Except with the consent of the local planning authority the building hereby permitted shall only be occupied and used in connection with the use of Upper Culham Farm for agricultural

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

The site is within a rural locality.

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

Date 21 JAN 1959 21 JAN 59.

Clerk to the Council

A statement of the applicant's rights is set out overleaf.

ADDRESS CULHAM PARK FARM
Kenton Lane

PARISH WARGRAVE

PLOT No.

ORD. SHEET No. SU 7881 No. 12

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
O/122/58	M.S. M. L. Griffiths	O/app to build farmhouse	9.9.58	N/A C/A
233/58	" "	erect Farm House	21.1.59	N/A C/A
R/32/67	" "	vehicular access to field off Culham Lane	16.2.67	N/A APP
PD 643/73	" "	R.C. portal Frame building	19.10.73	APP N/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

28.MAR2000* 1111

S T A T U T O R Y D E C L A R A T I O N

- OF -

JOHN GRIFFITH

Sworn 23rd day of March 2000.

I, JOHN GRIFFITH of Culham Park Farm, Kentons Lane, Nr. Wargrave, Berkshire RG10 8NU, so solemnly and sincerely declare as follows

1. My brother Peter and I are the joint freeholders of the property previously known as known as Upper Culham Farm, the name of which was changed to Culham Park Farm shortly after my father purchased the property. The property is now about 18 acres and is indicated edged **red** on the ordnance survey extract attached as **Appendix 1.**

2. We have lived there continuously for the last 40 years. My parents first bought the farm as property of about 162 acres in 1958, the demise of which is indicated edged **green** on **Appendix 2.** We lived in one of the cottages initially for a few months until outline planning consent for the erection of a farmhouse was granted to my parents in September 1958. There were two conditions. The first dealt with "reserved matters". The second provided that : "Except with the consent of the local planning Authority the building hereby permitted shall only be occupied and used in connection with the use of Upper Culham Farm for agriculture." Detailed consent was granted in January 1959 with the same condition, and the plan attached to the application related to that part of the site edged in **blue** on **Appendix 1.** This is shown in more detail on **Appendix 3**, which is an extract from the original plan attached to the application numbered 233/58.

3. Over the years the property has diminished in size until by 1988 it was down to about 55 acres, at which time the farm was sold to Mr. & Mrs. Winsland who then later applied for consent for a golf course which was granted in 1989 after an appeal. This land is now Aspect Park Golf club, although I knew nothing of the proposals for the land to be used as a golf club at the time of sale.

4. Since 1988 the fields of the remaining 18 acres of Culham Park farm have been not been used by anything but horses, my brother and I having retired from farming. A holding of 18 acres cannot be a viable farming proposition in any event. The property has been used since 1988 only for the breeding of foals from mares, and the rearing of thoroughbred horses, which has always been our prime interest. There has been no agricultural use of the land on the remaining 18 acres for well in excess of 10 years, and we have lived in the house during all that time.

5. In support of the above, attached as **Appendix 4**, is a schedule prepared by ourselves of the horses kept on the property over ten years, together with the response from Weatherbys dated 9/2/00, to whom this schedule was sent. Weatherbys are the authoritative keepers of blood stock records, confirming the numbers of horses that have been born at this address over ten years. There have never been less than 12 horses on site over the last ten years. We also confirm that the buildings and land were used for no other use than the keeping and breeding of foals from thorough bred brood mares. We confirm that there were not other horses other than blood stock brood mares on the site ever: no ponies and no other casual grazing.

6. The land was used for the exercising of horses, but it was not sufficient for adequate grazing in that foodstuffs had to be bought in regularly. Primarily this was done by a weekly load of spent brewers grains taken from Morrells and now the new Wychwood brewery, following the recent closure of Morrells brewery. We have done this for more than the last 27 years regularly once per week. Attached as **Appendix 5** are typical invoices from Morrells for supply dated 31/10/95, 2/1/97, 30/1/98, and a copy of a letter dated 6/7/99.

7. In fact, my brother and I have lived in the house continuously since it was built. It has not been used as a farm for at least ten years as shown above. We wish to regularise the position through applying for a certificate of lawful development for the use of the farm house as a dwelling house within class C3 without compliance with the condition of the detailed planning consent application number 235/58. We are both over the age of 65 and too old to run the property as a farm. Attached as **Appendix 6** are copies of evidence of our horse rearing activities since 1988 in the form of thorough bred passports.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true by virtue of the provisions of the Statutory Declarations Act 1835

Declared at 73a Bell St Henley on Thames Oxon

This 23rd day of March 2000

John Griffith

Before me,

A solicitor

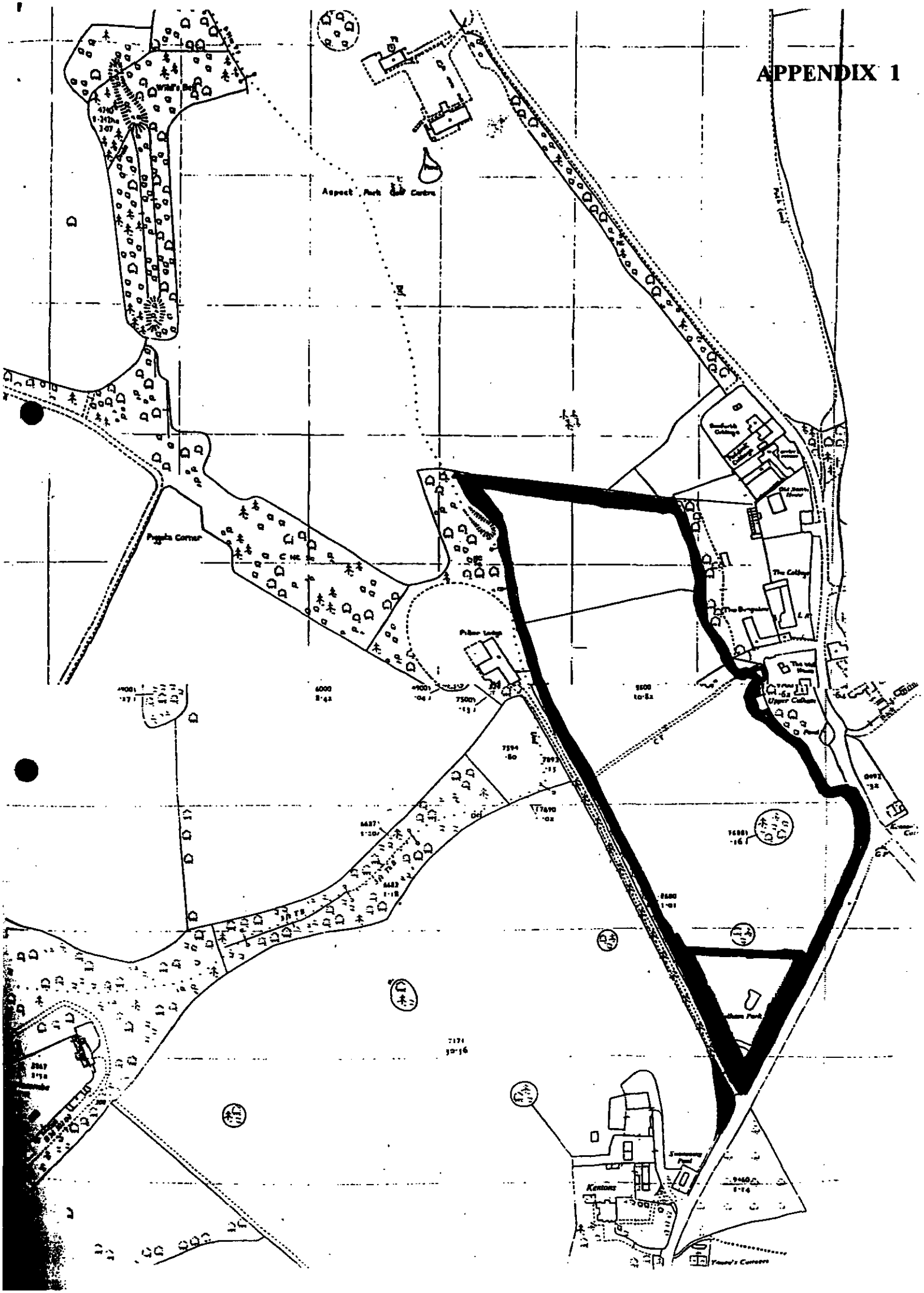
This is the Appendix now produced to me and marked "1" referred to in the Affidavit of John Griffith

SWORN at 73a Bell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

APPENDIX 1



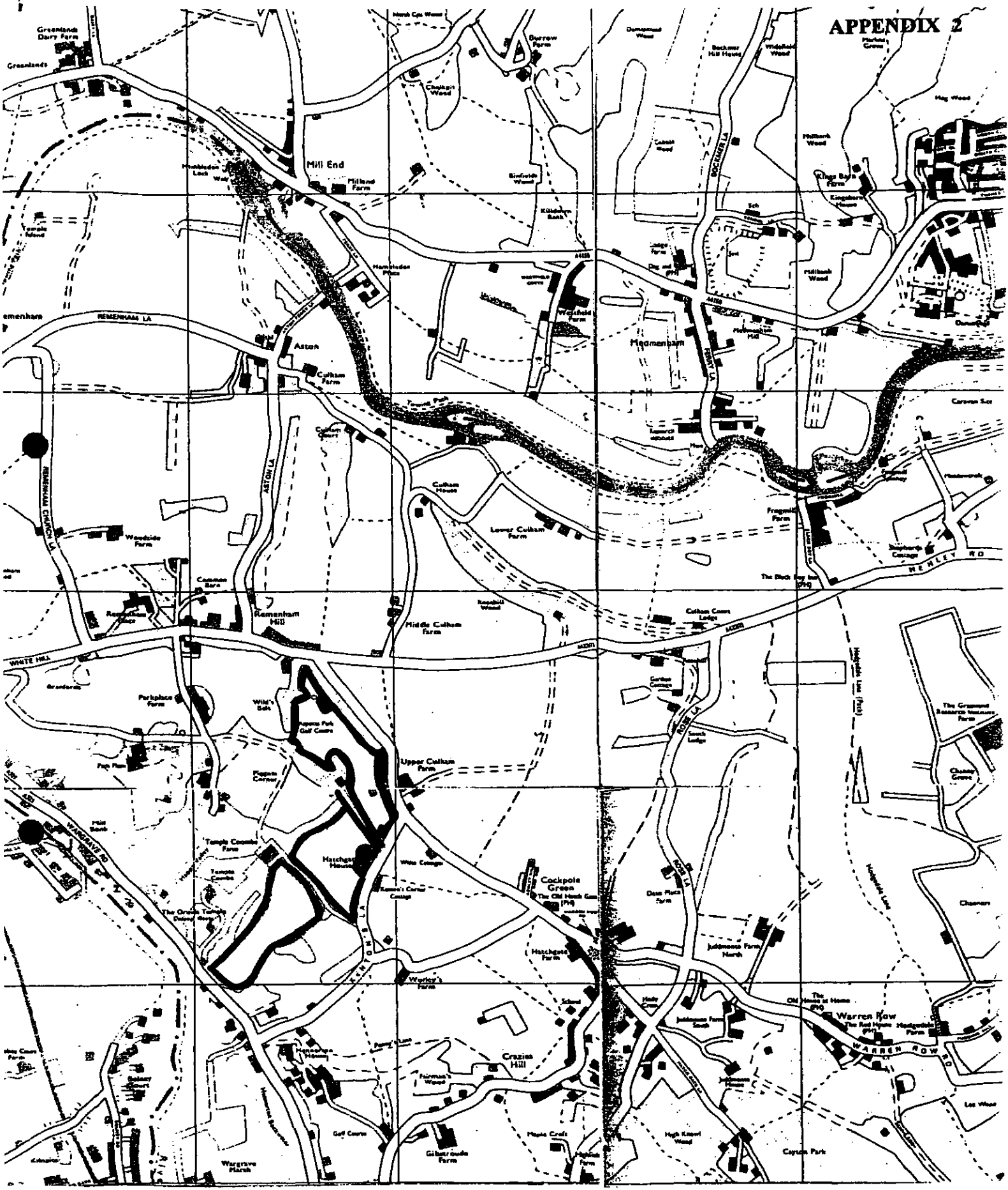
This is the Appendix now produced to me and marked "2" referred to in the Affidavit of John Griffith

SWORN at 7 Bell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me

Solicitor.

APPENDIX 2


Greenlands Dairy Farm
Greenlands
Mill End
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Burrow Farm
Chalkpit Wood
Bisfields Wood
Hambleden Place
Westfield Farm
Hedsor
Remenham
REMENHAM LA
Aston
Culham Farm
Culham Court
Culham House
Lower Culham Farm
Fragmill Farm
Woodside Farm
Common Barn
Remenham Hill
Middle Culham Farm
WHITE HILL
Parkplace Farm
Wild's Bell
Upper Culham Farm
Temple Combe Farm
Temple Combe
Hatchgate House
Cockpole Green
The Old Hook Gate (PH)
Hatchgate Farm
Wellay's Farm
Crazies Hill
Wargrave Marsh
Gibbetrowde Farm
Culham Court Lodge
Rose Farm
Judkinses Farm North
Judkinses Farm South
Warren Row
The Red House (PH)
Hedgerley Farm
WARREN ROW RD
Cayton Park
Hedsor Wood
Beckmer Hill Wood
Widefield Wood
Hall Barn Farm
Kingsbrook House
Hillbank Wood
Ferry Farm
Ferry Cottages
Temple Wood
Temple Mill
Temple Mill Farm
Temple Mill Island
Temple Lock
Temple Lock Weir
Hedsor Lock
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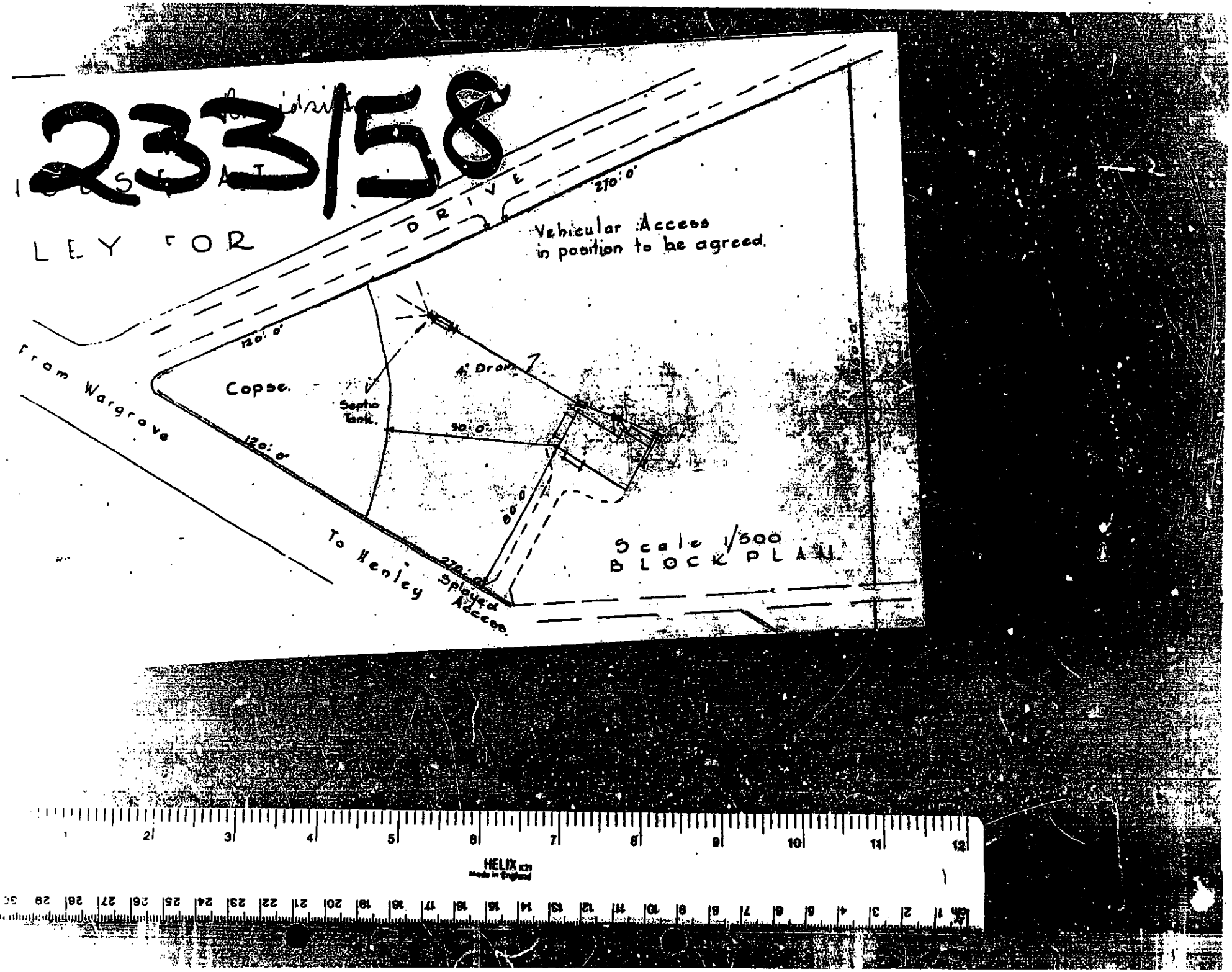
This is the Appendix now produced to me and marked "3" referred to in the Affidavit of John Griffith

SWORN at 75a Bell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

APPENDIX 3


233/58
LEY FOR
DRIVE
270'0"
Vehicular Access
in position to be agreed.
120'0"
From Wargrave
Copse.
Septic Tank.
4" Drain
90'0"
120'0"
80'0"
To Henley
270'0"
Splayed Access
Scale 1/500
BLOCK PLAN

This is the Appendix now produced to me and marked "4" referred to in the Affidavit of John Griffith

SWORN at 73a Bell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

SCHEDULE OF THOROUGHBRED HORSES KEPT AT CULHAM PARK STUD FARM , WARGAVE, BERKSHIRE

All the following horses are thoroughbreds registered with Weatherbys from 1990.

1990
Swallow This
Come down
Commodore Bunty
Iron Rations
Native Bazaar (Teaser)
Booked
Derring Rose, ex Booked
Leander, Gelding ex Come down
Cry No More, foal ex Charlies Aunt
Madam Chairman
Charlies Aunt

1991
Swallow This
Lily the Pink, foal ex Swallow This
Iron Rations
Commodore Bunty
Come Down
Native Bazaar (teaser)
Derring Rose, ex Booked
Leander, Gelding ex Charlies Aunt
Cry No More, Gelding ex Charlies Aunt
Madam Chairman
Charlies Aunt
Bar None, foal ex Come Down

1992
Swallow This
Lily The Pink
Come Down
Iron Rations
Commodore Bunty
Native Bazaar (teaser)
Derring Rose, gelding ex Booked
Leander, Gelding ex Come Down
Madam Chairman
Bar None, Yearling ex Come Down
Cry No More, Gelding ex Charlie's Aunt

1993
Swallow This
Come Down
Lily The Pink
Iron Rations
Commodore Bunty
Madam Chairman
Native Bazaar, (Teaser)
Derring Rose, Gelding ex Booked
Leander, Gelding ex Come Down
Bar None, 2 year old ex Come Down
Hobgoblin, foal ex Swallow This

1994
Swallow This
Come Down
Lily The Pink
Iron Rations
Commodore Bunty
Madam Chairman
Native Bazaar, (Teaser)
Derring Rose, Gelding ex Booked
Leander, Gelding ex Come Down
Bar None, 3 year old ex Come Down
Hobgoblin, 2 year old ex Swallow This

1995
Swallow This
Come Down
Lily The Pink
Iron Rations
Commodore Bunty
Madam Chairman
Native Bazaar, (Teaser)
Derring Rose, Gelding ex Booked
Leander, Gelding ex Come Down
Bar None, 4 year old ex Come Down
Hobgoblin, 3 year old ex Swallow This

1996
Swallow This
Come Down
Bar None
Lily The Pink
Iron Rations
Commodore Bunty
Madam Chairman
Native Bazaar, (Teaser)
Derring Rose, Gelding ex Booked
Leander, Gelding ex Come Down
Hobgoblin, 3 year old ex Swallow This
Fiddlers Elbow, foal ex Swallow This
Jester, foal ex Come Down

1997
Swallow This
Iron Rations
Bar None
Come Down
Lily The Pink
Madam Chairman
Native Bazaar, (Teaser)
Derring Rose, Gelding ex Booked
Leander, Gelding ex Come Down
Hobgoblin, 4 year old ex Swallow This
Fiddlers Elbow, Gelding ex Swallow This
Jester, Yearling ex Come Down
Derring Rose, Colt 2 yr. old ex Commodore Bunty

1998
Swallow This
Iron Rations
Lily The Pink
Bar None
Madam Chairman
Commodore Bunty
Native Bazaar, (Teaser)
Derring Rose, Colt 3 yr. old ex Commodore Bunty
Leander, Gelding ex Come Down
Hobgoblin, 5 year old ex Swallow This
Fiddlers Elbow, Gelding ex Swallow This
Jester, Colt ex Come Down
Faustus, foal ex Bar None
Arshan, foal ex Iron Rations
Derring Rose, Gelding ex Booked

1999
Super power Group 1 winning Stallion
Swallow This
Iron Rations
Lily The Pink
Bar None
Madam Chairman
Commodore Bunty
Native Bazaar, (Teaser)
Derring Rose, Colt 4 yr. old ex Commodore Bunty
Leander, gelding ex Come Down
Hobgoblin, 6 year old ex Swallow This
Fiddlers Elbow, Gelding ex Swallow This
Jester, 4 yr. old ex Come Down
Faustus, foal ex Bar None
Arshan, foal ex Iron Rations
Derring Rose, Gelding ex Booked

2000
Super power Group 1 winning Stallion
Swallow This
Iron Rations, in foal
Lily The Pink
Bar None, in foal
Madam Chairman, in foal
Commodore Bunty, in foal
Native Bazaar, (Teaser)
Derring Rose, Colt 4 yr. old ex Commodore Bunty
Leander, gelding ex Come Down
Hobgoblin, 6 year old ex Swallow This
Fiddlers Elbow, Gelding ex Swallow This
Jester, 4 yr. old ex Come Down
Faustus, foal, ex Commodore Bunty
Arshan, filly ex Iron Rations
Derring Rose, Gelding ex Booked
Faustus, yearling ex Bar None



WEATHERBYS

9th February, 2000.

P. T. Griffith Esq.,
Culham Park Stud Farm,
Wargrave,
Berkshire,
RG10 8NU.

Dear Mr Griffith,

Thank you for your list of horses kept on your stud since 1990.

I cannot confirm that these horses each year were actually on your stud in those years but I can confirm that you have bred thoroughbreds at Culham Park Stud Farm and registered them with us for the last ten years.

The broodmares owned by you and all incidentally bred by you from 1990 onwards with their produce from 1990 are as follows:-

SWALLOW THIS 1979
1991 filly LILY THE PINK (GB)
1993 colt HOBGOBLIN (GB)
1996 colt FIDDLERS ELBOW (GB)
COMEDOWN 1975
1991 filly BAR NONE
1996 colt by Jester
COMMODORE BUNTY (GB) 1988
1999 filly by Faustus (USA)
IRON RATIONS (GB) 1989
1998 filly by Anshan
BOOKED 1972
1990 colt by Derring Rose
CHARLIES AUNT 1972
LILY THE PINK (GB)
ROUSING CHEERS 1977
1992 colt by Pataudi (USA)

WEATHERBYS GROUP LIMITED

Sanders Road Wellingborough Northamptonshire NN8 4BX Telephone 01933 440077 Fax 01933 304758 E-mail adavis@weatherbys-group.com

ENTRIES OPERATIONS 01933 440011

Registered Number: 526599 Registered Office: Sanders Road Wellingborough Northamptonshire NN8 4BX

You have also just registered MADAM CHAIRMAN (GB), 1989, who again you bred, as a broodmare with us.

You bred the 1984 gelding by LEANDER out of COMEDOWN and the 1986 gelding out of CHARLIES AUNT, but I cannot find the DERRING ROSE colt out of COMMODORE BUNTY (GB). COMMODORE BUNTY (GB)'s first registered foal is the 1999 filly by FAUSTUS (USA).

You have of course been breeding thoroughbreds and registering them with us for very much longer than ten years.

Yours sincerely

Carol M. Cobbett
Stud Book Department

This is the Appendix now produced to me and marked "5" referred to in the Affidavit of John Griffith

SWORN at 78a Bell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

APPENDIX 5

MORRELLS
of Oxford Limited

Our ref: 804001/AMG

6th July, 1999

Mr P. T. Griffiths,
Culham Park Farm,
Kentons Lane,
Wargrave,
Reading,
Berks.

Dear Mr. Griffiths,

Overdue balance on Account No. 804001

You will notice from the enclosed Statement of Account that there is an overdue balance of £418.25 on your Grains Account. This refers to collections in 1998.

I realise that non-payment may be due to the fact that you are not visiting the Brewery on a regular basis. However, your prompt remittance will now be appreciated. If you need to contact me for any reason, my direct line is Oxford 01865 - 813013.

Yours sincerely,

ANNE-MARIE GALLACHER (Mrs)
Sales Ledger Accounts

Head Office:
The Lion Brewery
St. Thomas' Street, Oxford OX1 1LA
Tel: (01865) 792013 Fax: (01865) 791869
enquiries@morrells.co.uk
http://www.morrells.co.uk

Registered Office:
Marsh House
11 Marsh Street
Bristol BS99 7BR
Registered No. 3474584 England

Distribution Centre
Ferry Hinksey Road
Osney Mead Ind. Estate
Oxford OX2 0ES
Tel: (01865) 727722 Fax: (01865) 791289
ORDER OFFICE Tel: (01865) 790790

STATEMENT

MORRELL'S BREWERY LTD.

LION BREWERY,
ST. THOMAS ST., OXFORD, OX1 1LA

Registered Office
Lion Brewery, St. Thomas St., Oxford
Registered Number 379944 England
Telephone: OXFORD 792013

To:

P.T. GRIFFITH, ESQ.,
CULHAM PARK FARM,
KENTONS LANE,
WARGRAVE,
READING, BERKS

Statement as at:- 31OCT95

Account 804001

Date	Item	Debits	Credits	Balance
31JUL95	INV.C 00056/MI1250 15AUG95	22.34		22.34
31AUG95	INV.P 00058/MI1304 [illegible]	270.61		292.95
29SEP95	INV. 00060/MI1345	247.01		539.96
05OCT95	CASHC 00061		210.00-	329.96
31OCT95	INV. 00062/MI1382 [illegible]	437.86		767.82

Payment is due by the 15th of the month following date of statement

Earlier Periods	Previous Period	Last Period	Current Period
	82.95	247.01	437.86

BALANCE DUE £ [redacted]

All payments to be made to Morrell's Brewery Ltd, and sent to Lion Brewery, St. Thomas St., Oxford.

Kindly detach remittance advice slip & enclose with your payment.

Form No. MB3

CLEARSONS LTD. TEL: (0420) 87011 20608/MP 12/93

Mi 1949

04001 02/01/ 97

T. Griffith, Esq.,
lhani Park Farm, Kentons Lane, Wargrave,
ding, BERKS.

DIT FOR NOVEMBER COLLECTION

OV	1925 kg	(25 03)

EMBER COLLECTIONS

DEC	3500 kg	45 50
DEC	2675 kg	34 78
EC	3600 kg	46 80
C	4887.5 kg	63 54
EC	3425 kg	44 52
EC	5287.5 kg	68 73
DEC	4362.5 kg	56 71

335 55

335 55

11/000/041/002 BATCH No: 32540

Mi 2496

804001 30-1-98

P.T. Griffith
Culhani Park Farm, Kentons Lane,
Wargrave, Reading

January Collections.

5-1-98	2000 kg	26 00
6-1-98	3175 kg	41 28
12-1-98	2825 kg	36 73
19-1-98	3788 kg	49 24
26-1-98	3500 kg	45 50

198 75

198 75

G/L CODE: 111/000/041/002. BATCH No: 41422.

This is the Appendix now produced to me and marked "6" referred to in the Affidavit of John Griffith

SWORN at Bartell St)
Henley-on-Thames)
Oxon)
this 23rd day of March 2000)

Before me,

Solicitor.

FOAL IDENTITY AND VACCINATION CERTIFICATE

Issued by WEATHERBYS, SANDERS ROAD
WELLINGBOROUGH, NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

A veterinary surgeon should enter on the appropriate page all vaccinations given to the animal. Any certificates showing details of vaccinations already given to this animal must be attached to the relevant page.

Once a name has been registered for this animal it should be entered on the Certificate in the appropriate place.

This certificate, together with any additional vaccination certificates, MUST be passed to the Trainer who should then identify the animal. The Trainer MUST forward this document to the Turf Authority in order to obtain the Racing Passport.

In cases of animals that do not enter training this document must be retained and submitted at the time the animal is exported or retires to Stud.

This document is issued as an aid to the identification of the horse to which it refers and the information shown has been extracted from either the General Stud Book records or Register of Non-Thoroughbred records. It is not a certificate of ownership.

While the issuers of this document believe the information contained in it to be correct they cannot guarantee it's accuracy, in particular where it is dependant on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

PART I

NAME (NOM)	
YEAR OF FOALING (Année de Naissance)	1988
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 41
COLOUR (ROBE)	CHESNUT
SEX (SEXE)	Colt
SIRE (PERE)	NATIVE BAZAAR
DAM (MERE)	CHARLIES AUNT
G SIRE (G PERE)	ARTICULATE

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

DATE 22/08/88
VAT REGISTRATION NO.
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 1988 FOAL	REG. FEE	VAT @ %	AMOUNT PAID
	£	£	£
CH..C NATIVE BAZAAR CHARLIES AUNT	40.00	6.00	46.00
	40.00	6.00	46.00

RECEIVED BY
WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT

APPENDIX 6

WELLINGBOROUGH, NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

A veterinary surgeon should enter on the appropriate page all vaccinations given to the animal. Any certificates showing details of vaccinations already given to this animal must be attached to the relevant page.

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While the issuers of this document believe the information contained in it to be correct they cannot guarantee it's accuracy, in particular where it is dependant on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

Passport No: 7803561

WEATHERBYS

NAME (NOM)	COMMODORE BUNTY (GB)
YEAR OF FOALING (Année de Naissance)	1988
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 41 p. 372
COLOUR (ROBE)	CHESNUT
SEX (SEXE)	~~Entire~~ Mare
SIRE (PERE)	ORE
DAM (MERE)	COMEDOWN
G SIRE (G PERE)	ROYALTY

SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

DATE
VAT REGISTRATION
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 1988 FOAL	REG. FEE	VAT %	AMOUNT PAID
	£	£	£
CH..F ORE COMEDOWN	40.00	6.00	46.00
	40.00	6.00	46.00

RECEIVED BY
WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT
DO NOT SEND ANY MONEY

e horse can be identified at all times.

tity of the horse from the markings
k the remaining information before
s should be reported immediately to

o your racing authority with an

ut of training must be returned to the
which the horse is currently resident

ip nor does it represent an Authority
ing Authority and may be recalled at

(spine) is damaged or broken. In this
the Racing Authority / Stud Book
ntry in which the horse is currently

e notified immediately to the Racing
ppropriate) of the country in which

GENTS) OF HORSES WHICH HAVE NOT
AINING
narkings contained in the passport and
endorsing your acceptance on the
es to the Racing Authority/Stud Book
which the horse is currently resident.
all vaccinations on the appropriate

cation for Registration of Name for the

o Public Auction, ensure the passport
the horse enters stud refer to Section

sport to your Racing Authority/
stination. The passport will
(Should the horse not
dorsement. It must

DOCUMENT OF DESCRIPTION

for the identification of **FOALS & YEARLINGS, RACEHORSES, BROODMARES & STALLIONS**

Livret signalétique pour l'identification des poulains, des chevaux d'un an, des chevaux de course, des poulinieres et étalons

NAME *(NOM)*		
DATE OF BIRTH *(DATE DE NAISSANCE)* 9th JUN 91	COLOUR *(ROBE)* Chesnut	SEX *(SEXE)* Filly
COUNTRY OF BIRTH *(PAYS DE NAISSANCE)*	Great Britain	
SIRE *(PÈRE)*	RABDAN	
DAM *(DAME)*	COMEDOWN	
GRANDSIRE *(GRAND-PÈRE)*	ROYALTY	
BREEDER *(ÉLÉVEUR)*	P. T. Griffith	
STUD BOOK REFERENCE *(REFERENCE AU STUD BOOK)* SEE VOL 42 GSB		ISSUING AUTHORITY *(AUTHORITÉE D'ISSUE)*
PASSPORT NUMBER *(NO. DE PASSEPORT)* 1011690		
PARENTAGE TESTED		

This document is issued as an aid to the identification of the horse to which it refers and the information shown has been extracted from either the General Stud Book records, Non Thoroughbred Register records or the records of a recognised Foreign Stud Book Authority. It is not a certificate of ownership.

Whilst the issuers of the document believe the information contained in it to be correct they cannot guarantee its accuracy, in particular where it is dependant on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

If found this document should be returned at once to

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

VAT REGISTRATION NO.
387 6216 24

WEATHERBYS IRELAND
TARA COURT
DUBLIN ROAD
NAAS
CO. KILDARE

VAT REGISTRATION NO.
4736808 P

02/09/91

P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

To registration of 1991

CH Filly out of

COMEDOWN

by

RABDAN

Reg Fee	£47.84
Vat	£8.37
Amount Paid	£56.21

RECEIVED BY
WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT
DO NOT SEND ANY MONEY

Issued by WEATHERBYS, SANDERS ROAD
WELLINGBOROUGH, NORTHANTS NN8 4BX

Instructions

The Foal Identity and Vaccination Certificate MUST accompany the animal at all times. If the animal is sold the certificate MUST be given to the purchaser. If the animal is offered for sale via public auction the certificate MUST be lodged with the Auctioneer prior to sale.

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While the issuers of this document believe the information contained in it to be correct they cannot guarantee it's accuracy, in particular where it is dependant on information supplied to them, and cannot accept liability for any loss resulting from errors that may arise.

NAME (NOM)	
YEAR OF FOALING (Année de Naissance)	1990
COUNTRY OF BIRTH (PAYS DE NAISSANCE)	Great Britain
STUD BOOK REF. (Reference Au Stud Book)	See Volume - 42
COLOUR (ROBE)	BAY
SEX (SEXE)	Colt
SIRE (PERE)	DERRING ROSE
DAM (MERE)	BOOKED
G SIRE (G PERE)	COUNSEL

WEATHERBYS
SANDERS ROAD
WELLINGBOROUGH
NORTHANTS
NN8 4BX

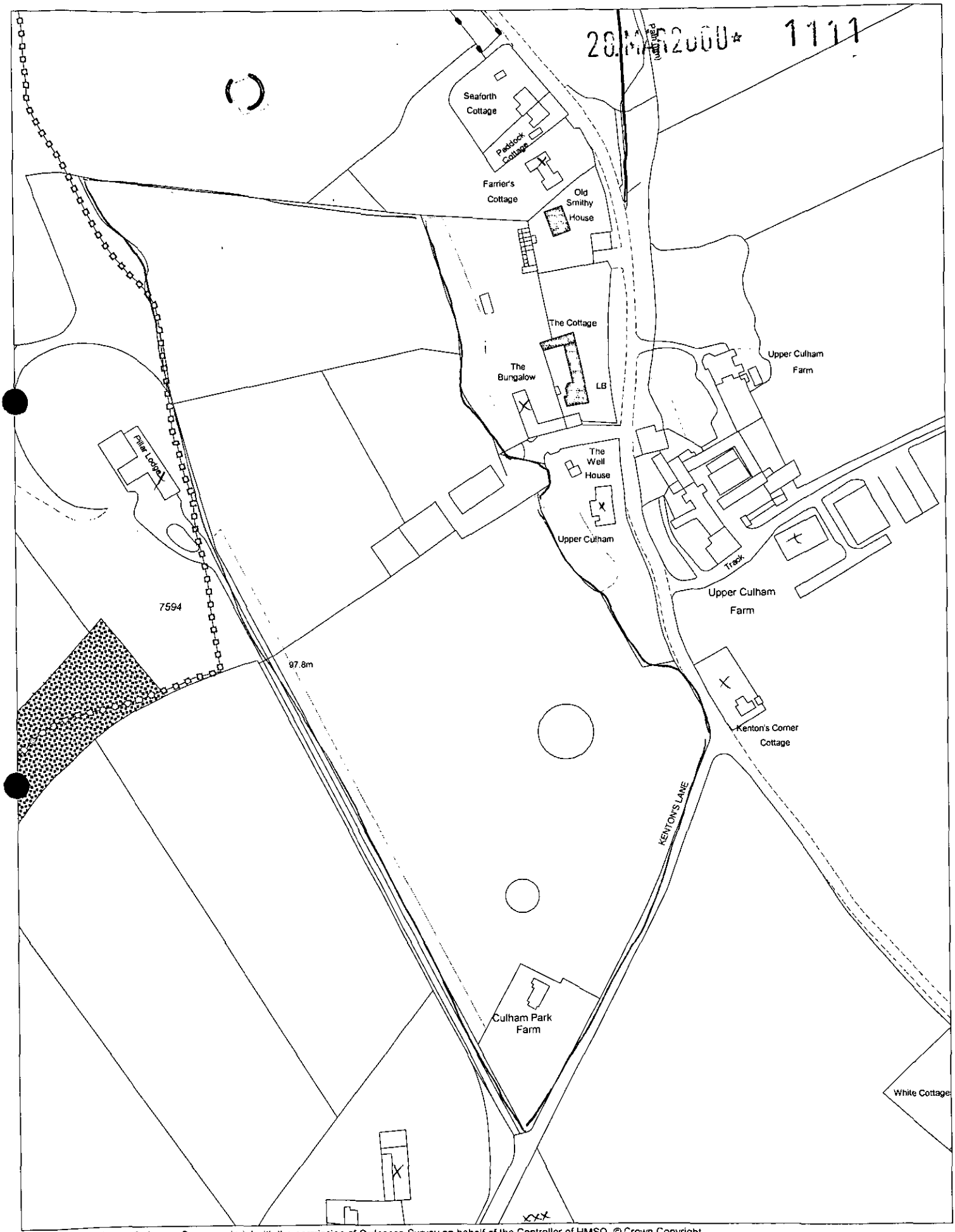
DATE 23/[illegible]
VAT REGISTRATION NO
387 5216 24

To: P. T. Griffith
CULHAM PARK FARM
WARGRAVE
BERKSHIRE

TO REGISTRATION OF 1990 FOAL	REG. FEE	VAT @ %	AMOUNT PAID
	£	£	£
B..C DERRING ROSE BOOKED	46.45	6.97	53.42
	46.45	6.97	53.42

RECEIVED BY WEATHERBYS

N.B. THIS IS A VAT INVOICE/RECEIPT



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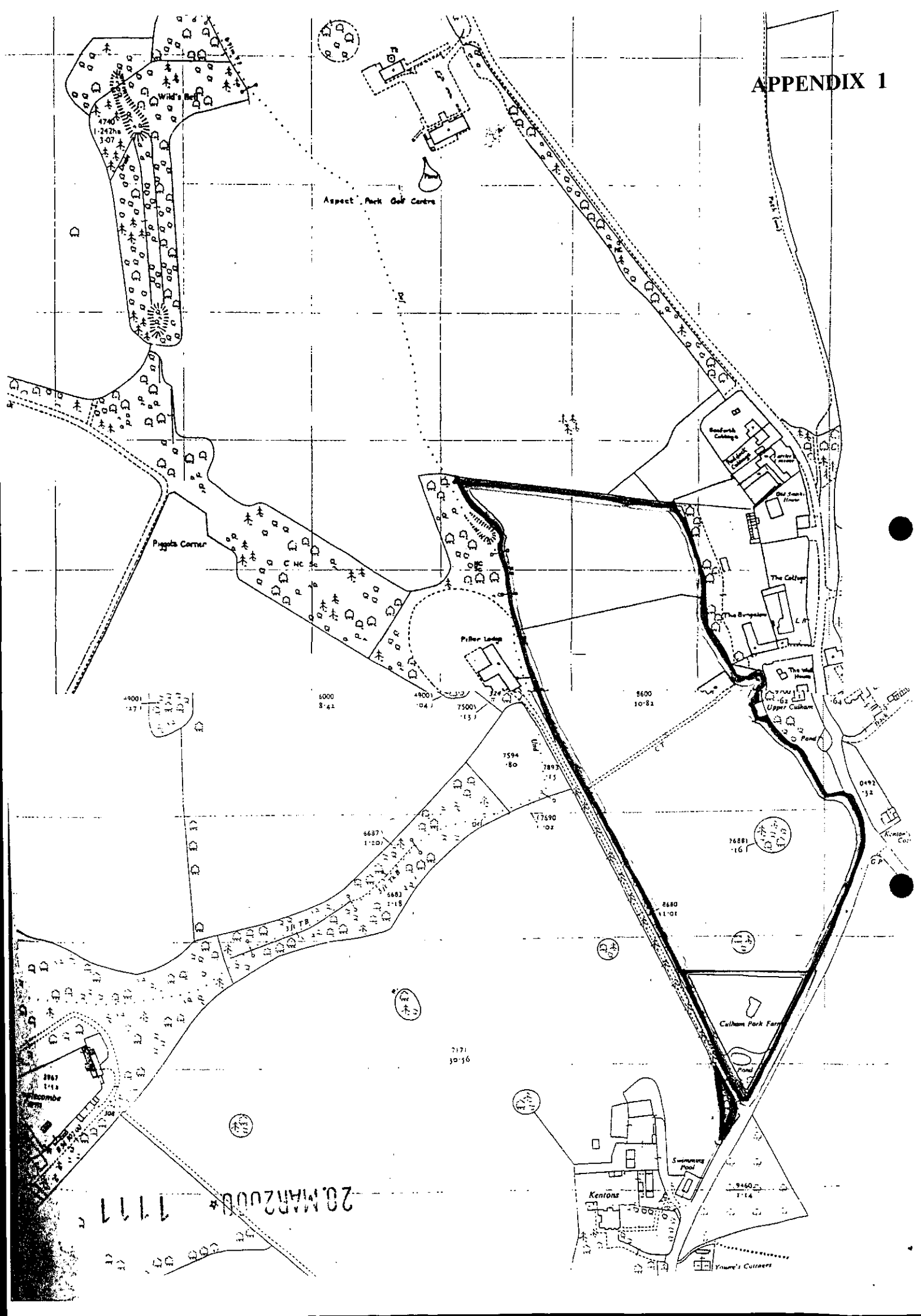
Development Control Section, Environmental Services, Wokingham District Council.
5 April 2000

Scale: 1 : 2500

N
W E
S

APPENDIX 1



Wild's Bell
Aspect Park Golf Centre
Piggots Corner
Piller Lodge
The Cottage
The Bungalow
Upper Culham
Pond
Culham Park Farm
Swimming Pool
Kentons
Young's Cottages

Tel: (0118) 974 6446

Date:

My ref: CLE/2000/1111

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 S Etheridge
7 Chackfield Drive
Wokingham
RG41 5PH

Dear Councillor

Application Number: CLE/2000/1111
Culham Park Farm, Kentons Lane, Upper Culham, Reading.
Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy..

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 **Heather Morgan** on **(0118) 974 6446**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

Head of Planning and Transportation

Applicationo	Name & Address
CLU(E)/ 2000/1111	Mr & Mrs E Cope Paddock Cottage Upper Culham Wargrave Rg10 8NR
CLU(E)/2000/1111	Mr & Mrs D Offers The Bungalow Upper Culham Wargrave RG10 8NR
CLU(E)/2000/1111	Mrs M Melhuish The Well House Upper Culham Wargrave RG10 8NS

Application agreed
Letter sent 03/08/00

WORK SHEET FOR : Heather Morgan

Application Number : CLE/2000/1111

Applicant : Peter & John Griffith C/O Severage Greaves.

Location : Culham Park Farm, Kentons Lane, Upper Culham, Reading.

Proposal : Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

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

Date of Neighbour Notifications : 13/4/00

Date of Site Visit : .....

Date Registered : 28/03/2000

Earliest Date for Decision : 07/05/2000

Latest Consultation Date/Site Notice Expiry Date : 07/05/2000

Application Expiry Date: 23/05/2000

Consultation Responses :

① Wlgrave PC – No objection to non compliance with agricultural occupancy condition in relation to area outlined in red. Remaining area to stay as parkland

② Highways – Approval. No conditions

③ 3 letters of objection – Concerned at the proposed change of use and the possibility of development in a Green Belt location. One letter acknowledges that the site has been used for the breeding of horses as opposed to agriculture.

④ Remenham PC – No response.

Planning history

CLU(E) 136 dismissed on basis of lack of evidence to show the breeding of horses was not agriculture eg grazing. Insufficient detail had been provided.

Appraisal

Evidence has been provided in the form of sworn affidavits which deals in detail with dates and activities. Contemporary documentary evidence has also been provided in the form of invoices etc from suppliers.

No evidence has been provided from neighbours stating that horse breeding has not been undertaken on the site. One letter in fact confirms this fact.

The condition states that ~~[illegible]~~ "Except with the consent of the LPA the building hereby permitted shall only be occupied and used in connection with the use of Upper Cullnam Farm for agriculture."

Evidence has been provided to the effect that since 1988 the 18 acres have been used for the breeding of foals from mares. There have never been less than 12 horses on site over the last 10 years. The buildings have been used for no other purpose.

It is clear that the level of use is above 'de minimis' and is deemed to be continuous. There have been no breaks and no abandonment of the use.

The question also arises as to whether the horses were 'grazing' and therefore constituted agriculture. Evidence has been provided that the horses have been used for breeding consistently over the 10 year period, and that feed had to be brought in, there being insufficient on site. It is therefore evident that the use has not been for agricultural purposes for some considerable time, and for the entire ten year period.

On the balance of probability, the evidence points to the continuous use of the dwelling for purposes other than agriculture. The dwelling has therefore been used for C3 purposes without complying with the agricultural occupancy condition.

Recommendation :- APPROVAL.

Application Number: CLE/2000/1111

Appraisal :

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

Application Number CLE/2000/1111
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			APPROVAL for
			Use of Cultram Park Farm as a dwelling house within Use Class C3 without compliance with condition 6 of planning consent ref no 233/58 with a residential curtilage extending as far as the red line on block plan

RECORD OF SITE VISIT

SITE ADDRESS: Culham Park Farm
Kentons Lane Upper Culham Reading.

APPLICATION NUMBER:
CLE/2000/1111

OFFICER: Heather Morgan

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

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL

Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

PLANNING SERVICES | HPT 29871
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DC | ENF
APP |
CS |
26 MAY 2000
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FILE:

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

23/05/0024/03/00

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

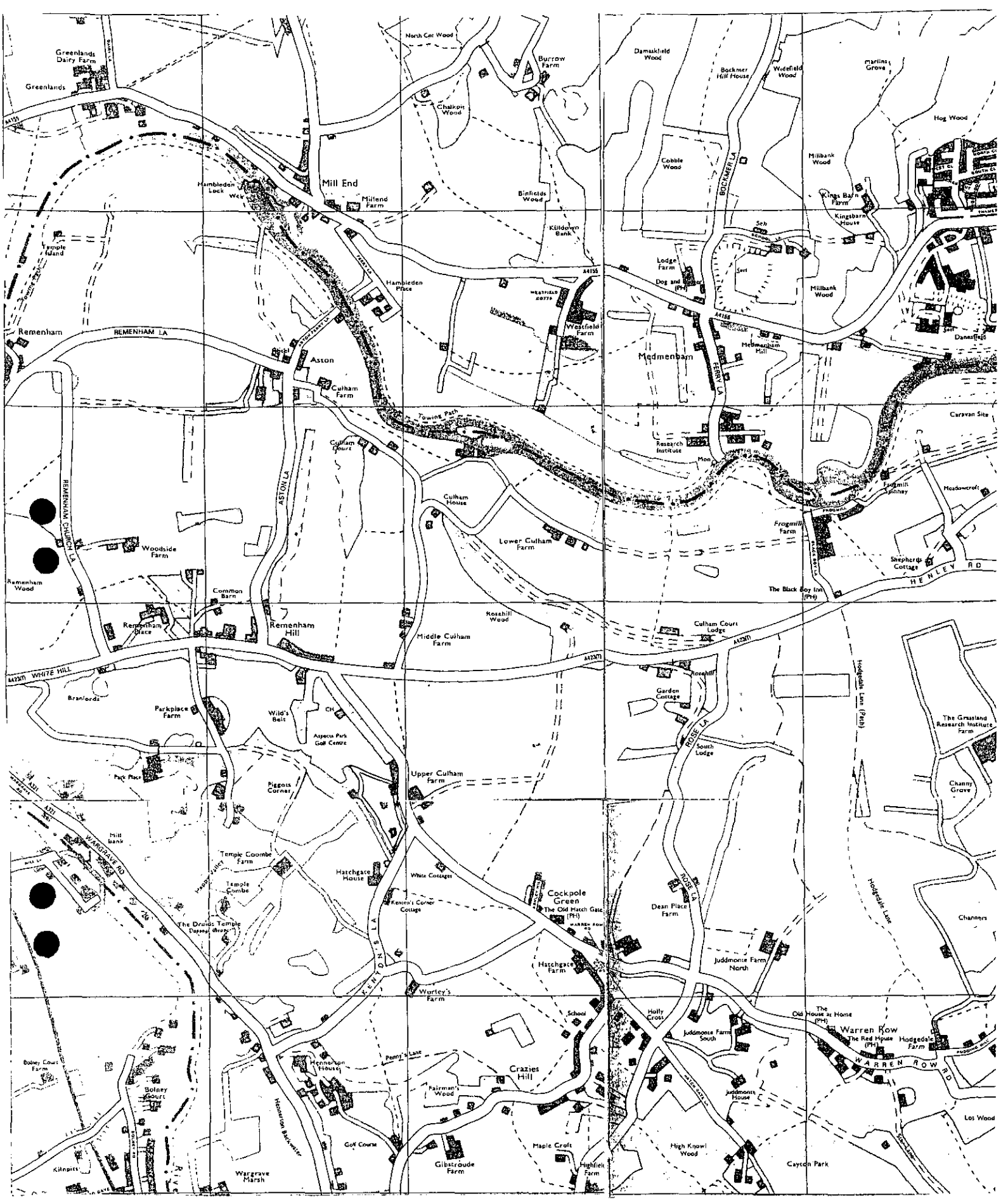
Further to the application I made with my letter dated 24/3/00, I note that it is being processed in the usual way. If you require any clarification on any matter pleases let me know.

As you will know, my clients have asked me to lodge an appeal against the first refusal, but hopefully this will not need implementation if the current application is processed shortly.

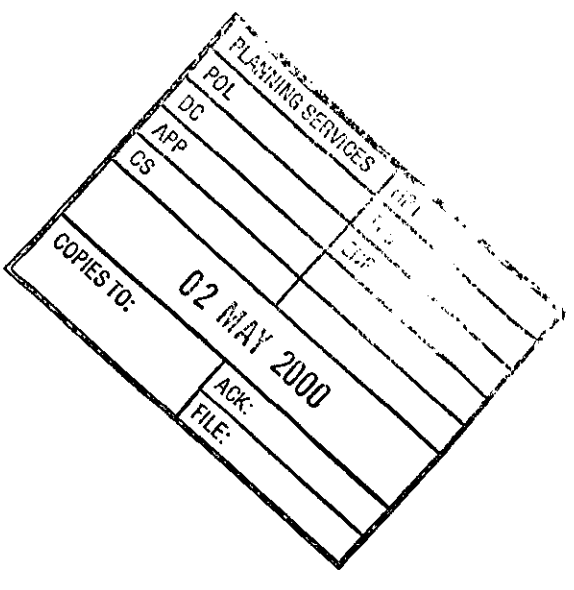
Yours sincerely

Nicholas Greaves.

cc: P. &. J. Griffith



Greenlands Dairy Farm
Greenlands
North Cot Wood
Burrow Farm
Damaskfield Wood
Bockmer Hill House
Widefield Wood
Marlins Grove
Chalkpit Wood
Hog Wood
Cobble Wood
Millbank Wood
Mill End
Millend Farm
Hambleden Lock
Binfields Wood
Kings Barn Farm
Kingsbarn House
Killdown Bank
Temple Island
Lodge Farm
Dog and Bitter (PH)
Hambleden Place
Millbank Wood
Westfield Farm
Remenham
REMENHAM LA
Aston
Medmenham
Medmenham Hill
Danesfield
Culham Farm
Towing Path
Caravan Site
Culham Court
Research Institute
Frogmill Spinney
Meadowcroft
Culham House
Frogmill Farm
Lower Culham Farm
Woodside Farm
Remenham Wood
Shepherds Cottage
HENLEY RD
The Black Boy Inn (PH)
Common Barn
Remenham Place
Remenham Hill
Middle Culham Farm
Rosehill Wood
Culham Court Lodge
WHITE HILL
Rosehill
Garden Cottage
Branfords
Parkplace Farm
Wild's Belt
Aspects Park Golf Centre
ROSE LA
South Lodge
Hodgedale Lane (Path)
The Grassland Research Institute Farm
Park Place
Piggots Corner
Upper Culham Farm
Channy Grove
Mill Bank
WARGRAVE RD
Temple Coombe Farm
Temple Combe
Hatchgate House
White Cottages
Cockpole Green
The Old Hatch Gate (PH)
Dean Place Farm
Hodgedale Lane
Channers
The Druids Temple
Kenton's Corner Cottage
Hatchgate Farm
Juddmonte Farm North
KENTON'S LA
Worley's Farm
School
Holly Cross
The Old House at Home (PH)
Warren Row
The Red House (PH)
Hodgedale Farm
Juddmonte Farm South
WARREN ROW RD
Bolney Court Farm
Henneron House
Penny's Lane
Crazies Hill
Fairman's Wood
Juddmonte House
Bolney Court
Henneron Backwater
Los Wood
Golf Course
Maple Croft
High Knowl Wood
Gibstroude Farm
Highfield Farm
Cayton Park
Kilnpits
Wargrave Marsh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SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

POL	HOT TLS 28492
DC	BUF
APP	
CS	

18 APR 2000

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	FILE:

REPLY REQD

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

17/04/00

By fax & Post: 01189 746484

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

I refer to my letter and application dated 24/3/00 to which I do not seem to have received an acknowledgement but which I know you have received since we spoke n the phone on 4/4/00.

My client would very much like to hear back from you with confirmation that you are going to recommend this second application for approval, or let me know as soon as possible whether anything else is required.

We have until 3/5/00 in which to lodge an appeal against the first refusal, and my instructions are to do this leaving a few days in hand, and this means that I am going to have to start work on the lodging of the appeal within the next week or so unless I hear back from you.

Since I am confident that this time you have more than adequate information, the appeal should be unnecessary, and it would be a pity to have to go to the bother of lodging one. But by doing so it would hopefully induce a more rapid response to our second application than we received the first time round.

I look forward to hearing from you.

Yours sincerely

Nicholas Greaves

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL

Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

PLANNING SERVICES UNIT	
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APP	
CS	
19 APR 2000	
COPIES TO:	ACK:
	FILE:

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

17/04/00

By fax & Post: 01189 746484

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

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I look forward to hearing from you.

Yours sincerely

Nicholas Greaves

HIGHWAYS CONSULTATION SHEET

From: Heather Morgan

Date: 13 April 2000

Application Number: CLE/2000/1111

Proposal: Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.

Site Address:
Culham Park Farm, Kentons Lane, Upper Culham, Reading.

Applicant:
Peter & John Griffith C/O Severage Greaves.

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

PLANNING SERVICES | RPT 2863
POL | TLS
DC | ENF
APP |
CS |
25 APR 2000
COPIES TO: | ACK:
FILE:

WARGRAVE PARISH COUNCIL

Tel/Fax : 01628 788354
Email : wargraveparishcouncil@hotmail.com

45 Halifax Road
Pinkneys Green
Maidenhead
Berkshire
SL6 5ES

WARGRAVE PARISH CONSULTATION SHEET

CASE OFFICER:	Heather Morgan
APPLICATION NUMBER:	CLE/2000/1111
APPLICANT:	Peter & John Griffith C/o Severage Greaves
SITE:	Culham Park Farm, Kentons Lane, Upper Culham, Reading.
PROPOSAL:	Application for certificate of existing lawful use of farmhouse as a dwelling without compliance with condition relating to agricultural occupancy.
COMMENTS:	No objection to the granting of a certificate of existing lawful use of the farmhouse as a dwelling without compliance to a condition relating to agricultural occupancy in relation to the area identified by a red outline on appendix 1 of the supplied papers. Informative - The remaining area, outlined green, on appendix 1 to remain parkland.

Stephen Hedges
Clerk to Wargrave Parish Council

Date: 18th April 2000

Comments required by	**7/5/2000**
Fax to	0118 974 6484

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

27608
1111

28.MAR2000*

Heather Morgan
Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR

24/03/00

Dear Heather

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

Attached is my formal application plus covering letter in quadruplicate plus original sworn statements by my clients Peter & John Griffith.

We have gone into much greater detail this time but if there is anything else you need to know, please do not hesitate to let me know immediately so that this can be processed with some despatch. What I do not want to happen is to receive yet another refusal after 4 months, with no prior indication that more information was needed.

We have until 3/5/00 in which to lodge an appeal on the first refusal, and I do not particularly want to bother to have to do that, so hopefully there will be some definitive response before then. I shall phone in three weeks to see how things are going if I have not heard back from you by then.

Yours sincerely

Nicholas Greaves

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 28/4/00

Officer: HM | Application No. CLE/2000/1111

Map No. 12 Site 6:0

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

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

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description: CLU(E) APPLICATION FOR CERTIFICATE OF EXISTING LAWFUL USE OF FARM HOUSE AS A DWELLING WITHOUT COMPLIANCE WITH CONDITION RELATING TO AGRICULTURAL OCCUPANCY

Location: CULHAM PARK FARM KENTONS LANE

Parish: WARGRAVE Ward: Remenham & Wargrave

13.4.2000

Applicant: MR/MRS GRIFFITH

RE-SUBMISSION CLU(E) 136

Fee Received 00-00 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	Scale		
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate	None – is it required for CLU(E)? NO		
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 : 13.4.2000 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	: Renewal
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:

S/N + ~~Upper~~ Culham Farm, Upper Culham Rd
Kenton's Corner Cottage, Upper Culham Rd
Farriers Cottage, Upper Culham Rd
The Bungalow, Upper Culham Rd
The Well House, Upper Culham Cottages, Upper Culham
Pillar Lodge, Kentons Lane, Upper Culham
Hatch Gate House, Kentons Lane
1 & 2 Kentons Cottages, Kentons Lane
Youngs Cottage, Kentons Lane

ADDRESS CULHAM PARK FARM Kenton Lane

PARISH WARGRAVE

PLOT No.

ORD. SHEET No SU 7881 No 12

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
O/122/58	H.S.H. Griffiths	O/app to build farmhouse	9.9.58	N/A C/A
233/58	" "	erect Farm House	21.1.59	N/A C/A
R/32/67	" "	vehicular access to field off Kenton Lane	16.2.67	N/A APP
PD 643/73	" "	R.C. Portal Frame building	19.10.73	APP N/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

SEVERAGE GREAVES

COMMERCIAL PROPERTY CONSULTANTS, VALUERS & CHARTERED SURVEYORS

9 St. Marys Street, Wallingford, Oxfordshire OX10 0EL
Telephone 01491 834440 Fax 01491 835225 E-mail swangreaves@cwcom.net

Wokingham District Council
Environmental Services Department
PO Box 157, Shute End
Wokingham, Berkshire RG40 1WR
Attention: Heather Morgan

28 MAR 2000 1111

24/03/00

Dear Sirs

CULHAM PARK FARM, KENTONS LANE, NEAR WARGRAVE, BERKSHIRE RG10 8NU: First Application Number CLU(E) 136

Please find attached four copies of an application form for a certificate of lawfulness for an existing use in breach of a planning condition for the farmhouse at the above address. This is further to a similar application made on 16/6/99, but with more detailed evidence.

Also attached are four copies of the associated OS extract showing the demise of the freehold property edged in green, and the actual farmhouse edged in red for purposes of clarification. There is also a rather faded copy of the original planning consent attached, but you will have the original of this in your records.

Also attached are sworn statements, one each from my clients Peter and John Griffith, together with appendices attached, explaining how the property has been used exclusively for the breeding and keeping of horses as part of their stud farm operation for comfortably more than ten years.

I would also mention in passing that the property, as part of Park Place and Temple Combe, is registered as Grade two Historic Park Land. My clients are both past retiring age, and would, in any event, have some difficulty in running the property as a farm.

The Council granted permission in 1988 for the majority of the farm to be used for purposes other than agriculture, referred to in the condition attached to the planning permission. The condition itself requires that the building be occupied and used in

connection with the use of the then Upper Culham Farm for agriculture. It is not a normal agricultural occupancy condition.

Land forming part of the farm was sold off over the years, reducing the 55 acres by 1988, at which time the golf course was permitted. The Council would no doubt have appreciated at the time the effect of its decision. Not withstanding this, since at least 1988 the remaining land has been used for a stud farm, no part of it being used for any agricultural purpose.

As a result, the applicants are entitled to a Certificate of Lawfulness. The supporting evidence is provided in more full form as suggested by the planning officer. If any further information is required please let me know, as we are anxious to achieve a nearly decision in the light of an outstanding possible appeal.

I have not issued another cheque for the application fee since this was paid this last time round in the sum of £190, and I understand it does not have to be paid again in the circumstances.

Yours sincerely

Nicholas Greaves

cc: P. & J. Griffith

1943

28.MAR2000* 1111

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:
USE OF THE FARM HOUSE AS A DWELLING HOUSE WITHIN CLASS C3 WITHOUT COMPLIANCE WITH THE CONDITION OF THE DETAILED PLANNING CONSENT APPLICATION NUMBER 233/58

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2. Applicant (in block capitals)

Name: JOHN AND PETER GRIFFITH

Address: CULHAM PARK FARM, KENTONS LANE
NR. WARGRAVE, BERKSHIRE

Post Code: RG10 8NU

Tel. No: 01491 573105

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3. Agent (if any)

Name: SEVERNS GREAVES

Address: 9 ST MARYS STREET
WALLINGFORD, OXON

Post Code: OX10 0EL

Tel. No: 01491 834440

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

(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

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5. Address or exact location of the land to which this application relates: CULHAM PARK FARM, KENTONS LANE, Nr. WARGRAVE, BERKSHIRE RG10 8NU

Describe here and enclose (4) copies of an OS-based plan showing the boundary of the land edged in red.

HOUSE DEMISE EDGED IN RED AS PER ORIGINAL CONSENT

DEMISE OF STUD PROPERTY EDGED IN GREEN AS IT IS TODAY.

---

6. This application is for:

*an existing use;

*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).

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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.
APART FROM A GARDEN AREA ROUND THE HOUSE, WHICH INCLUDES A GRASS TENNIS COURT, THE LAND SURROUNDING HAS BEEN USED FOR MORE THAN TEN YEARS EXCLUSIVELY FOR THE BREEDING AND KEEPING OF THOROUGHBRED HORSES AS A STUD FARM. NOTHING LESS THAN THOROUGHBREDS HAVE BEEN KEPT ON THE LAND: NO PONIES OR HORSES FOR LEISURE EQUESTRIANISM. THIS IS EVIDENCED THROUGH THE STATEMENTS OF THE LESSEES ATTACHED

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

---

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).~~

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. CONSENT NO 233/58

CONDITION: "EXCEPT WITH THE CONSENT OF THE LPA THE BUILDING HEREBY PERMITTED SHALL ONLY BE OCCUPIED AND USED IN CONNECTION WITH THE USE OF UPPER CULHAM FARM FOR AGRICULTURE."

11. Give any additional information you consider necessary to substantiate your claim. ATTACHED ARE STATEMENTS OF THE TENANT OCCUPIERS PETER & JOHN GRIFFITH CONFIRMING THAT THE PROPERTY HAS NOT BEEN IN AGRICULTURAL USE FOR MORE THAN TEN YEARS. BOTH PETER AND JOHN GRIFFITH ARE PAST RETIREMENT AGE AND WOULD HAVE SOME DIFFICULTY IN FARMING. THE PROPERTY IS REGISTERED AS GRADE TWO HISTORIC PARK LAND AS PART OF PARK PLACE AND TEMPLE COMBE.

(Continue on a separate sheet if necessary)

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

4 APPLICATION FORMS, TO EACH ATTACHED AN O.S. EXTRACT; A COPY PLANNING CONSENT, AND ONE STATEMENT EACH BY PETER & JOHN GRIFFITH PLUS COVERING LETTER AND THREE COPIES

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 £..... SEE LETTER

Signed: ..... Date: 24/3/00

On behalf of: PETER AND JOHN GRIFFITH

(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.

NOTICE OF CONSENT

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1947

WOKINGHAM RURAL DISTRICT COUNCIL.
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM,
BERKS.

To Mrs. M. L. Griffith
Upper Culham Farm,
Upper Culham,
nr. Henley-on-Thames.

20 MAR 2000 1111

Application No. 233/58

Proposal Farm house at Margrave Road, Upper Culham, Remenham

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the 13th day of January 1959 subject to compliance with the conditions specified hereunder:—

Except with the consent of the local planning authority the building hereby permitted shall only be occupied and used in connection with the use of Upper Culham Farm for agricultural

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

The site is within a rural locality.

Except as aforesaid any permission granted is subject to due compliance with the bylaws and general statutory provisions in force in the District.

Date 21 JAN 1959 21 JAN 59.

Clerk to the Council

Note.—A statement of the applicant's rights is set out overleaf.

APPENDIX 1

20.MAR2000* 1111

