APPLICATION NO:
F/2002/7032

LOCATION:
Cross Lanes Stud Nelsons Lane, Hurst Reading.

APPLICANT:
The Diana Brimblecombe Animal Rescue Centre C/O G B Newman

PROPOSAL:
Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

EARLIEST DATE FOR DECISION: **08/08/2002**

APPLICATION WILL HAVE EXPIRED ON: 29/08/2002

CASE OFFICER: **Elaine Vashi**

APPROVED

956 DO

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

The Diana Brimblecombe Animal Rescue Centre
C/O G B Newman
30 Martins Drive
Wokingham
Berks
RG41 1NY

Application Number: F/2002/7032

Parish: **HURST**

Location: **Cross Lanes Stud, Nelsons Lane, Hurst, Reading.**

Proposal: **Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Approve Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Conditions

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

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

3. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

6. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

7. The maximum number of dogs allowed on the premises at any one time is 21.

8. The newly constructed kennels are to be enclosed on 4 sides by a 2.1m high concrete acoustic fence

Reasons

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

2. To ensure that the external appearance of the building is satisfactory.

3. In the interests of visual amenity.

4. In the interests of visual amenity.

5. In the interests of visual amenity.

6. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

7. To ensure noise from the centre does not cause a nuisance to neighbouring properties.

8. To ensure noise from the centre does not cause a nuisance to neighbouring properties

Informative

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

Berkshire Structure Plan Policies OS1, EN1 and C2.

Loddon Area Local Plan Policies LTV1, LBE1 and LBE2.

Deposit Draft Wokingham District Local Plan Policies WOS2, WOS3 and WBE1.

T. G Watson

Trevor Watson
Development Control Manager
Date: 09/12/2004

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

**********FILE COPY**********

Tel: (0118) 974 6451

Date: 15 July 2002

My ref: F/2002/7032

WOKINGHAM UNITARY
Aiming for Excellence

Councillor A Drake
Walden Acres
Wokingham Road
Hurst
RG10 0RU

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

Dear Councillor

Application Number: F/2002/7032
Cross Lanes Stud, Nelsons Lane, Hurst, Reading.
Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

I write to let you know that the above mentioned application has been received.

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you might wish for the application to be listed for consideration by the Development Control Committee. This form must be received no later than 28 days from the date of this letter.

If you have concerns about the proposals it may be possible for these to be addressed during the consideration of the application. In these circumstances it would be helpful if you could discuss these with the case officer **Elaine Vashi** on **(0118) 974 6451** in the first instance.

Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM
Case officer: **Elaine Vashi** Application Number: **F/2002/7032**
Cross Lanes Stud, Nelsons Lane, Hurst, Reading.
Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

Should the officers recommendation be in accordance with my views I am happy for the application to be determined under delegated powers. YES/NO

Signed: _____ Date: _____

Councillor A Drake

**********FILE COPY**********

ADDITIONAL NEIGHBOUR CONSULTATION SHEET

APPLICATION NUMBER: F/2002/7032
CASE OFFICER: Elaine Vashi

ADDRESS OF ADDITIONAL NEIGHBOUR CONSULTATION	NUMBER OF DAYS FOR RESPONSE	DATE LETTER ISSUED (for Admin use)

1 2 5 8

PLANNING PERMISSION

F
JLR

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: MR R BUCKLAND
C/O IAN PANKHURST & ASSOCIATES
103 HIGH STREET
MAIDENHEAD
BERKSHIRE SL6 1JX

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

Application No.36035 (F)

See letter re Rev Plans etc

Proposal:
ERECTION OF A NEW BUILDING TO PROVIDE HORSE BOXES STAFF ROOM TACK ROOM HAY BARN & ISOLATION BOXES FOR USE AS A STUD FARM.
LAND ADJOINING THE PHOENIX NELSONS LANE ST NICHOLAS HURST

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act, 1990.(3R)

02 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.(16)

Agreed 5-5-92 Likely to be revised 1-6

02 REASON To ensure that the materials harmonise with the surroundings.(10R)

03 No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building nor installed or used inside the building in such a manner as to cause detriment to the amenity of the area by reason of noise.(44)

03 REASON In the interests of amenity.(90R)

04 No development of the site other than the construction of the approved access shall be undertaken until such time as an access into the site

continued/-

Application 36035 continued

from Nelsons Lane has been provided to the satisfaction of the District Planning Authority. The developer shall thereafter ensure that all traffic having business within the site during the construction period is able to park off Nelsons Lane and that Nelsons Lane and its verges and sight lines are not used for unloading or storage of materials, or for parking.(128)

04 REASON In the interests of traffic flow and road safety.(124R)

05 Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.(130)

05 REASON In the interests of visual amenity.(13R)

06 The ground floor level of each building hereby approved shall not exceed the existing ground levels immediately surrounding it by more than 300mm without the prior written permission of the District Planning Authority. (140)

06 REASON Changes in levels may materially affect the proposed development or adjoining property.(139R)

07 All the existing site levels shall be maintained in the development of the site, particularly along the boundaries, unless changes in levels are first approved in writing by the District Planning Authority and this condition shall apply notwithstanding any indications as to this matter which may have been given in the current application.(141)

07 REASON Changes in site levels may materially affect the proposed development or adjoining property.(132R)

08 The development hereby permitted shall, subject to the conditions of this permission, be carried out and fully completed in all respects in accordance with the drawings and other details contained in the application.(146)

08 REASON In order to secure the satisfactory development of the site as approved by the District Planning Authority(137R)

09 No trees or shrubs on the land shall be removed, felled, lopped or topped and no other thing shall be done on the land likely to harm or damage the trees, unless the District Planning Authority have so agreed in writing. Each tree or shrub felled, destroyed or severely damaged without such approval shall within the next planting season be replaced by another healthy, semi-mature tree or shrub as the case may be, of similar species.If within a period of 5 years any replacement tree or shrub dies, is removed or becomes seriously damaged or diseased, it shall be further replaced with another healthy tree or shrub as the case may be, of such size and species as may be agreed with the District Planning Authority.(190)

09 REASON To ensure the satisfactory retention of existing trees and shrubs and in the interests of visual amenity.(190R)

continued/-

10 The trees and shrubs on adjoining land which encroach on, over or under the application site shall be protected from the development hereby approved by the erection of fencing to coincide with the spread of the branches which hang over the application site to the satisfaction of the District Planning Authority. Such fencing shall be retained and maintained in good repair throughout the development of the application site.(193)

10 REASON To ensure that the trees and shrubs are not damaged during building operations.(192R)

11 The development hereby permitted shall be landscaped and planted in accordance with the details set out on plan No.491-01E received on 25.09.90.

11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.(203)

11 Those parts of the site unaffected by the building operations shall be landscaped and planted within one year of the commencement of the development of the site.(204)

11 All the landscaping and planting to be carried out in respect of the development hereby approved shall comply with the recommendations set out in B.S. 4428 1969 'General Landscaping Operations' and b.S. 3936 Pt.1 1980 'Nursery Stock'. (205)

11 All new fencing within the development shall be in natural timber, treated with a suitable wood stain preservative and shall be retained and maintained accordingly to the satisfaction of the District Planning Authority.

11 REASON In the interests of amenity and to help achieve a satisfactory standard of landscaping and planting.(194R)

12 The existing hedging along the site boundaries shall be retained. Any hedging removed or seriously damaged shall be replaced in the next planting season with new hedging of a similar species. If within a period of 5 years such replacement planting dies, is removed or becomes seriously damaged or diseased, it shall be further replaced in the next planting season. In addition, any hedging removed as a result of the provision of the passing bay required by the Highway Authority shall be replaced with Hawthorne infill planting immediately following completion of the works and to the satisfaction of the District Planning Authority.(902C)

12 REASON In the interests of visual amenity.(13R)

continued/-

Application 36035 continued

13 The fencing and hedge planting proposed for the paddock boundary shall be carried out concurrently with the landscaping works approved under condition number 11 above and to the satisfaction of the District Planning Authority.

13 REASON In the interests of amenity and to help achieve a satisfactory standard of landscaping and planting.(194R)

14 The use of the development hereby approved shall be limited to the purposes of a stud farm only including associated storage facilities, staff rest rooms, paddocks and access all as identified in the submitted plan and accompanying details.

14 REASON For the sake of clarity and to ensure an appropriate development for this site having regard to the planning policies for the area.

15 The use of the development hereby approved shall have regard to the need to provide grazing land beyond the confines of the development site itself. To this end, the use of the land forming the remainder of the field shall provide such facilities in support of the horses accommodated within the defined development area.

15 REASON To ensure that an adequate facility is provided and maintained for use in association with the development in the interests of amenity.

16 The staff facilities proposed within the building shall be limited to incidental purposes ancillary only to the use of the development as a stud farm and shall not be used for any form of permanent residential accommodation.

16 REASON In the interests of amenity as any other form of use could be contrary to the planning policies for the area.

17 The access road and car parking shown on the approved layout drawing number 491-01/C shall be constructed to the District Planning Authority's specification prior to the stud farm being brought into use.

17 REASON In the interests of road safety.(550R)

18 A temporary car park shall be provided within the site to accommodate operatives and construction vehicles during the contract period in accordance with a scheme to be submitted to and approved by the District Planning Authority before development is commenced.

18 REASON To prevent on street parking occuring.

INFORMATIVES:-

The Developer or Agent is requested to contact the Council's Engineer regarding the following informative(s). (66J)

Full details of all foul and surface water drainage proposals shall be

continued/-

THIS DEED is made the 21st day of March 1991 BETWEEN RONALD BUCKLAND of Buckland Farm Broadcommon Road Hurst Near Reading Berkshire RG10 ORE (hereinafter called "the Developer" which expression shall include his successors and assigns) of the first part MIDLAND BANK LIMITED whose branch office is situate at 6 Broad Street Wokingham Berkshire and whose registered office is situate at Poultry London EC2P 2BX (hereinafter called "the Mortgagee") of the second part and THE COUNTY COUNCIL OF THE ROYAL COUNTY OF BERKSHIRE of Shire Hall Shinfield Park Reading Berkshire (hereinafter called "the Council") of the fourth part

WHEREAS:-

(1) The Developer is the Registered Proprietor under Title Number BK71177 at HM Land Registry seised in fee simple in possession free from incumbrances but subject to the legal charge hereinafter recited of the land described in the First Schedule hereto (hereinafter called "the Land")

(2) By an Application dated the thirtieth day of May 1990 which Application (hereinafter called "the Application") has been allotted the reference number 36035 the Developer has applied to Wokingham District Council (hereinafter called "the District Planning Authority") for planning permission to carry out the

development (hereinafter called "the Development") described in the Second Schedule hereto

(3) Pursuant to the Highways Act 1980 the Council is the Highway Authority for the Royal County of Berkshire and pursuant to the Town and Country Planning Act 1990 as a Local Planning Authority for the said County and its Director of Highways and Planning (hereinafter called "the Director") is of the opinion that in the event of the Land being developed in accordance with such planning permission as may be granted in respect of the Application certain improvement works described in the Third Schedule (hereinafter called "the Improvement Works") should be carried out

(4) The Developer has agreed to enter into this Agreement and to give the Council the covenants in the manner hereinafter appearing to the intent that the Improvement Works shall form part of the highway maintainable at the public expense

(5) The Land is charged to the Mortgagee and there is a notice of deposit of land certificate dated the thirteenth day of March 1974 registered at H M Land Registry in respect thereof

(6) The Mortgagee and the Surety have agreed to join herein in manner hereinafter appearing

NOW THIS DEED WITNESSETH as follows:-

1. This Agreement is made pursuant to the provisions of Section 38 of the Highways Act 1980 Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 62 of the Berkshire Act 1986) (which applies accordingly to the covenants hereinafter contained) Section 111 of the Local Government Act 1972 Section 106 of the Town and Country Planning Act 1990 and of all other powers enabling the Council in this behalf (hereinafter called "the statutory provisions")

2. This Agreement (with the exception of Clause 4(j)) shall not take effect unless and until planning permission for the Development shall have been granted pursuant to the Application

3. For the avoidance of doubt any reference in this Agreement to:-

(a) "Development" includes any development permitted by planning permission in response to the Application or (if applicable) granted in respect of any application for full planning permission or approval of reserved matters arising out of the Application and

(b) "Planning Permission" means planning permission for the Development granted by the District Planning Authority or (if appropriate) the Secretary of State for

the Environment and it includes in addition (where appropriate) the grant of full planning permission or approval of reserved matters following the grant of outline planning permission

4. The Developer hereby covenants with the Council with the intent that the said covenants shall be enforceable in accordance with the aforementioned statutory provisions or each of them and shall bind the Land accordingly as follows:-

(a) not to commence or cause or permit the commencement of the Development or any part thereof until the Improvement Works shall have been completed in accordance with the provisions herein specified and the certificate of provisional completion has been issued

(b) to carry out the Improvement Works entirely at the Developer's expense and in accordance with the provisions of the Fourth Schedule hereto

(c) to appoint consulting engineers or Architects (approved of by the Director such approval not to be unreasonably withheld) to design and supervise the execution of the Improvement Works

(d) to appoint a fit contractor approved of by the Director (such approval not to be unreasonably withheld) for the purpose of the execution of the Improvement Works

The terms of the appointment of the said contractor shall secure that any sub-contractor appointed shall be approved of by the Director (such approval not to be unreasonably withheld)

(e) to give the Director at least 7 working days notice of the commencement of the Improvement Works (but nothing herein contained shall entitle the Developer to commence the Improvement Works until the insurance policy referred to in sub-clause (n) hereof shall have been effected and (if required) produced to the Council in the manner set out therein

(f) to supply to the Director upon the completion of the Improvement Works a plan to a scale of not less than 1:500 showing such land (if any) upon which the Improvement Works shall have been carried out as shall then be vested in the Developer but not part of the highway together with such other plans or drawings (sectional or otherwise) detailing the actual construction of the Improvement Works as the Director may reasonably require and the Director shall (notwithstanding any other provisions of this Agreement) not be obliged to issue the certificate of provisional completion until such plan shall have been supplied

(g) during the progress of the Improvement Works to give to the Council its agents and employees all reasonable access to the Land for the purposes of the inspection and

(if necessary) maintenance of the Improvement Works and to ensure compliance with this Agreement

(h) that he will bear all costs involved in the design and construction of the Improvement Works including costs of all necessary alteration and improvement to the existing highway apparatus including street lighting street furniture road signs road markings and drainage and of diverting altering or repairing statutory undertakers (which expression shall mean any person or body entitled by or by virtue of the provisions of any Act of Parliament to break open a road) mains and services and will consult with such statutory undertakers to determine the extent of such diversion alteration or repair

(i) to pay to the Council within 28 days of a demand in that behalf the sum of 6 per centum of the costs of the Improvement Works in respect of the expenses (including salaries and overheads) incurred by the Council in checking the design and specification of and inspecting from time to time the Improvement Works

(j) to pay the Council's reasonable legal and administrative expenses incurred in the preparation hereof on or before the date hereof

(k) to observe such directions as may be given by the Director for the purposes of ensuring the safety of all

users of existing highways in the vicinity of the Improvement Works and for ensuring that all applicable provisions and requirements of the Highways Act 1980 such other Acts of Parliament as are for the time being in force and the Common Law affecting the said highways are duly observed and performed and upon a failure to observe any such directions the Director may do or cause to be done all such acts as are necessary to secure compliance therewith and the Director's expenses incurred in so doing shall be paid to the Council forthwith upon demand

(l) to obtain all permissions and consents to enable the Improvement Works to be carried out PROVIDED THAT the Council by its execution of this Agreement gives consent (as highway authority) to the Developer to carry out the Improvement Works on the highway as its agent

(m) from the commencement of the carrying out of the Improvement Works until the issue of the certificate of final completion at his own expense to reinstate or repair any damage caused or occurring through the fault of the Developer or his contractors servants agents or workmen to any highway or to any apparatus or services therein belonging to any statutory undertakers

(n) from the commencement of the carrying out of the Improvement Works until the issue of the certificate of final completion to indemnify and keep indemnified the Council in respect of and to maintain an insurance policy

with insurers and to a limit approved by the Council against any liability loss damage demand or proceedings whatsoever arising under any statute or at common law for damage to property or personal injury or death of any person whomsoever caused in the course of the carrying out of the Improvement Works or arising from any defect in the Improvement Works caused by the failure by the Developer to comply with his obligations contained in this Agreement and shall during the aforesaid period have the Council's interest noted on the said insurance policy which shall be produced to the Council upon demand together with the receipt for the last premium

(o) to indemnify and keep indemnified the Council against all claims actions demands expenses and liabilities arising from the construction adoption use or lighting of the Improvement Works under Part I of the Land Compensation Act 1973 or any statutory modification or re-enactment thereof for the time being in force and to indemnify the Council against the cost of insulating buildings against noise in the discharge of its duties or in the exercise of its powers under Part II of the Land Compensation Act 1973 or any statutory modification or re-enactment thereof for the time being in force in connection with the Improvement Works AND this covenant shall continue in full force and effect until all such claims shall have been determined settled and discharged and the Council reimbursed in full notwithstanding the issue of the final certificate PROVIDED ALSO that the

Council shall not settle or agree the amount of any compensation without first consulting the Developer

(p) to dedicate to the use of the public as highway such part or parts of the Land as shall be required for the construction of the Improvement Works with effect from the issue of the certificate of provisional completion and accordingly upon the issue of the said certificate the Developer shall be deemed to have dedicated as aforesaid without further evidence or formality

(q) at his own expense for a period (hereinafter called "the Maintenance Period") of twelve months from the date on which the Director shall have issued the certificate of provisional completion AND to the satisfaction in all respects of the Director to reinstate and make good any defect or damage (fair wear and tear excepted) that may arise from any cause whatsoever or be discovered during the Maintenance Period and between the expiry thereof and the issue of the final certificate PROVIDED that the Maintenance Period shall be deemed to continue until the said remedial works have been properly completed and the final certificate issued

5. Subject as mentioned in Clause 6 below if the Developer shall fail to execute and complete the Improvement Works in accordance with the Fourth Schedule hereto or comply with his obligations contained in sub-clauses (m) and (q) of Clause 4 above the Council shall

be entitled to execute or complete the Improvement Works or remedy any defect or damage by its own employees or by contractors in such manner as it sees fit and the reasonable and proper cost thereof as properly certified by the Director shall be recoverable from the Developer

6. For the avoidance of doubt it is hereby declared that no obligation to execute the Improvement Works shall arise unless and until the Developer or his successors in title as the case may be of the Land signifies his intention in writing to the Council to commence the Development AND if the Developer shall fail to give such notice but commences either the Development or the Improvement Work then such action by the Developer shall activate this Agreement and the Council's powers hereunder shall immediately arise

7. The Council shall permit the Developer his contractors servants and agents full and free access to the highway for the purpose of enabling the Developer to execute the Improvement Works and to reinstate and make good any defect or damage in accordance with this Agreement

8 The Mortgagee hereby covenants with the Council that upon this Agreement taking effect pursuant to the relevant provisions thereof its interest arising under the hereinbefore recited Legal Charge shall immediately be subject to the terms hereof as if this Agreement had

been executed immediately prior to such Legal Charge being executed

IN WITNESS whereof the parties hereto have caused their Common Seals to be hereunto affixed or have signed this instrument as their deed (as the case may be) the day and year first before written

THE FIRST SCHEDULE hereinbefore referred to

The Land

All that piece or parcel of land situate at Buckland Farm St Nicholas Hurst Wokingham in the Royal County of Berkshire as the same is for the purpose of identification only shown on the plan marked "A" annexed hereto and thereon edged red

THE SECOND SCHEDULE hereinbefore referred to

The Development

The erection of a new building to provide a stud farm

THE THIRD SCHEDULE hereinbefore referred to

The Improvement Works

The construction of a passing bay along Nelson's Lane Hurst Near Reading Berkshire at a position and of a size to be agreed with the Director

The construction of that part of the access to the Land as shown coloured blue on drawing number 491-01-E annexed hereto

THE FOURTH SCHEDULE hereinbefore referred to

(1) The specification for the Improvement Works shall be

a The passing bay shall be constructed to a 540mm depth consisting of:-

30mm Dense Bitumen Macadam wearing course

60mm Dense Butumen Macadam base course

100mm Dense Bitumen Macadam road base

350mm Type One base course

b The access to the land shall be constructed to a 270mm depth consisting of:-

170mm C40 concrete

100mm Type One Granular sub base

All unsuitable material shall be removed during construction of the passing bay

(2) The detailed design and layout of the Improvement Works shall be carried out in accordance with the Third Schedule and drawing 491-01-E annexed hereto and any variations thereof which may be approved or required by the Director and in accordance with the specification referred to in the preceding paragraph of this Schedule and the construction of the Improvement Works shall not be commenced until the detailed design and layout thereof have been approved by the Director

(3) The construction of the Improvement Works shall proceed with all due expedition and diligence and shall be completed within a period of three months from the commencement thereof

(4) Upon the completion of the Improvement Works to the satisfaction of the Director the Director shall (subject to the provisions of this Agreement) issue to the Developer a certificate of provisional completion

(5) Upon the expiration of the Maintenance Period and after the Developer has made good any defects or damage as provided in Clause 4(q) hereof to the satisfaction of the Director and subject to receipt by the Director of the plans and drawings referred to in Clause 4(f) hereof the Director shall forthwith issue a certificate of final completion and thereupon the Improvement Works shall become part of the highway maintainable at the public

Development Control Ref No:	Received	Parish
F/2002/7032	F/2002/7032	Hurst

Applicant: The Diana Brimblecombe Animal Rescue Centre
Location: Cross Lanes Stud, Nelsons Lane, Hurst
Proposal: Change of use of land and buildings from Stud Farm to Animal Rescue Centre

REPORT PREPARED FOR: DEVELOPMENT CONTROL COMMITTEE.

REPORT PREPARED BY: Head of Planning and Transportation and Elaine Vashi

SUMMARY:

1. **Proposal** – The application proposes the change of use of the existing stables, barn and surrounding land at Cross Lanes Stud from equestrian to an animal rescue centre (sui generis). It is proposed that the existing stable building would be converted to provide various areas of storage, staff facilities and permanent quarters for the animals with the exception of dogs. The existing barn to the rear of the stable block would house the centres cattery and a separate building would be constructed to the west of this to house a custom built kennel block. Various sections of the surrounding land would be sectioned off to accommodate various types of animal's outdoors and to provide grazing areas, an animal training area and a dog exercise area. In addition to this a mobile home would be constructed for a temporary period of five years to accommodate a 24hr centre manager.

The site would be occupied by Wokingham Animal Rescue Centre who has been in existence for more than fourty years. Founded by Mrs Diana Brimblecombe, the centre was granted formal charitable status in 1984 by the Charity Commission. Since its inception the centre has accepted cared for and re-homed thousands of domestic animals and has provided care, veterinary treatment and accommodation to wild animals before returning them to their natural habitat. The charity also acts as an official receiving centre for a number of public bodies who have occasion to acquire stray or unwanted animals, including the Thames Valley Police, Wokingham District Council, Social Services and the RSPCA. The charity has recently extended its activities to provide an advisory service to local schools and youth organisations attempting to provide young people with advice on the responsibilities of pet ownership and the techniques of animal care.

The Charity is funded entirely by public subscription and all monies received are devoted entirely to the welfare of its animals. The Charity has four employees, who, supplemented by volunteers, work on a shift basis to provide the core level of staff
The Animal Rescue Group, who currently occupy premises at Brittons Farm in Wokingham, are seeking an alternative site as their lease is approaching its end

and the facilities at Brittons Farm have reached their natural limit, such that the site can no longer meet present day regulations.

The application is before the Development Control Committee as a S106 agreement is required to ensure that the accommodation is removed from the land should the animal rescue centre relinquish their use of the site.

RECOMMENDATION: TO GRANT PLANNING PERMISSION –Subject To Conditions and the signing of a s106 legal agreement

Background Papers

Held by: Planning Reception
Division: Development Control
Dept: Environmental Services

Contact No: 0118 974 6428/ 6429
E Mail: development.control@wokingham.gov.uk

NB: All reports seek to identify environmental, community safety and equal opportunities implications. Consultation with residents and organisations, which has or is about to take place, will also be reported.

2. **Planning History** – In 1990 planning permission was given for the erection of the existing buildings on site to provide horse boxes, a staff room, hay barn and isolation boxes and change of use of the land to equestrian.

3. **Consultations**

- ***Hurst Parish Council:*** object to the application. The Parish Council has commented that no business plan has been submitted, and that Hurst already hosts an Animal Rescue Centre, which is adequate for the area. They comment that there are also boarding facilities close to the site so further facilities would be over-provision. They state in addition, that boarding facilities would not appear to fit with the Centre's charitable purpose. They also express concern regarding the increased traffic which the centre would generate, the unsuitable nature of the access, the inadequate level of car parking, the unsuitability of the proposed buildings in the rural area, and question the need for 24hr cover of the centre and associated accommodation.
- ***Thames Water:*** no objection
- ***Access and Movement Officer:*** no objection in principle
- ***Landscape Officer:*** no objection in principle
- ***Neighbour representations:*** 2 objecting/ expressing concern
  179 letters of support

The objections received can be summarised as follows:

- lack of mains water in the area
- pipe network is old and burst frequently
- any future application for boarding kennels at the Animal Rescue Centre would damage business at the nearby 'Hemjoy Cat and Dog Hotel'
- substandard nature of Nelsons Lane
- the introduction of a mobile home will present an undesirable precedent in the area
- concerned with contamination of local livestock and humans from dogs being walked and fouling in the area
- proximity of the centre to nearby Hemjoy boarding kennels and the possible level of noise generated particularly from barking dogs.

4. **Appraisal** - The main issues are:

A. The principle of development (policies LTV2, LC20 of the Loddon Area Local Plan; policies WOS2, WOS3, WCC1 and WCC6 of the WDLPDD; policies OS1 and C2 of the Berkshire Structure Plan and PPG7)

B. Impact on the character of the surrounding area (policies LTV2, LBE1, LBE2 of the Loddon Area Local Plan; policies WOS2, WOS3, WBE1 and WCC1 of the WDLPDD; policies OS1 and C2 of the Berkshire Structure Plan).

C. Impact on the residential amenity (policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the WDLPDD)

D. Highway Issues (Policies T2, T3,T5 & T7 of the Berkshire Structure Plan; LT5, LT8, LT9, LT10 of the Loddon Area Local Plan and WT1, WT2, WT7 & WT9 of the Wokingham District Local Plan).

E: Highway Issues (Policies T2, T3,T5 & T7 of the Berkshire Structure Plan; LT5, LT8, LT9, LT10 of the Loddon Area Local Plan and WT1, WT2, WT7 & WT9 of the Wokingham District Local Plan).

F. Issues raised by the Parish Council

G. Issues raised by local residents

A. Principle of Development

PPG7 makes it clear that the Government policy is that the countryside should be safeguarded for its own sake. PPG7 acknowledges that rural enterprises should be encouraged to maintain the economic, social and environmental well being of rural areas. Although the proposed use of the land is considered to be sui generis the activities of the Animal Rescue Centre involves grazing and keeping of livestock which is not alien to the countryside. The existing use at Brittons Farm is considered to blend in with the rural characteristics of Wokingham Without, and where livestock can be perceived appropriate on a farm.
In respect of the mobile home guidance in PPG7 Annex I should be followed, given that there are similarities to an agricultural use. This is a commonsense viewpoint and not one that has been established in case law. The agent for the application has made it clear in the supporting documentation that the rescue centre is to be staffed at all times due to ensuing environmental health law. As such this would meet the functional tests and animal welfare. Whilst this is not an agricultural enterprise, the financial test can be met as the charity has enjoyed charitable status since 1984. Viability would have been a test of the Charity Commission and one that the Animal Rescue Group satisfied. As such the proposal would comply with policy WCC6 of the Wokingham District Local Plan, Deposit Draft.

B. Impact upon the character of the surrounding area

As well as the change of use of the existing buildings and surrounding land, the scheme proposes the erection of three additional buildings. A mobile home would be located to the north east of the existing stable block. This would be a single storey hipped roof structure, approximately 4.1m high to the ridge and would have a floor area of approximately 74.5m^2. The mobile home would be constructed of plywood finished with a textured co-polymer resin and would have a tiled roof.

A custom-built kennel block is proposed to be located to the south west of the existing barn. This would also be a single storey building with a monopitch profile, approximately 2.6m to the highest point. The kennel block would be approximately 20.9m long and 2.6m wide, and would be constructed of blockwork walls, with a part cement sound insulated, part transparent acrylic roof. The kennel block would house 14 dogs and would be surrounded on three sides by acoustic fencing, which would limit the emission of noise to the north east, south east and south west of the site.

A third building would take the form of a small timber construction approximately 13m^2, with a monopitch roof which would be 2.3m to the highest point. This building would be used as a reception office for visitors to the centre.

It is considered that each of these buildings represent fairly minor additions, which are of a modest scale and are located so that they relate well to the existing buildings on site. Therefore they would have no adverse impact upon the character of the sites rural setting.

C. Impact upon neighbouring residents

The application site is located next door to a long established agricultural holding. The dwelling attached to this holding 'The Phoenix' is located adjacent to the side boundary of Cross Lanes Stud, and is approximately 50m away from the closest building on the application site. It is considered that the animal rescue centre would present no greater activity than a stud farm for which the site has permission at present. Also as 'The Phoenix' is located within an existing farm compound, the residents would not be unfamiliar with the activities related to such a holding. The residents of 'The Phoenix' have written to the Local Planning Authority in support of the application.

D. Highway Issues

The animal rescue centre expects no more than 4 visitors at any one time to the site. A revised plan has been submitted to show four visitor parking spaces and the circulation has been laid out so that vehicles can turn within the site and leave in a forward gear.

E. Flooding and watercourses

The site is not located in an area identified by the Environment Agency as liable to flooding.

F. Issues raised by the Parish Council

Hurst Parish Council states that an animal rescue sanctuary already operates in the area. Wokingham District Council does not hold any information of such a registered facility. According to Environmental Health records the closest facility of a similar nature is located close to Slough. They also refer to the issue of boarding and of a possible over provision in the area given the proximity of the site to a boarding kennels and cattery. The Animal Rescue Centre has neither the intention nor the space to provide such a service, which would be contrary to the aims of the charity. The need for 24hr accommodation, and a business plan has been addressed in the above report as have the issues raised regarding highway safety.

J. Issues raised by local residents

In addition to the above concerns, issues of contamination of local farmland, livestock, and residents from animal waste and noise from barking dogs have been raised.

The Animal Rescue Service have confirmed that no animal exercising would take place outside of the proposed site, as the dog exercise area identified on the plans submitted is more than adequate for all the animals therefore fouling of public thoroughfares would not result. The applicant has confirmed that solid animal waste would be bagged and removed from the site by a licensed waste

disposal company and urine waste from the kennels and cattery would be piped into the existing septic tank.

With regards to the noise generated by barking dogs and acoustic fence is to be erected around the proposed kennel block. Also the kennels have been designed in a linear fashion so that dogs are not located opposite each other so that they are less likely to cause aggravation to each other.

5. **Conclusion-** It is considered that the change of use of the land and buildings to sui generis, Animal Rescue Use and the siting of temporary mobile home for residential use would not have an adverse impact upon the surrounding area or any neighbouring residents.

6. **Recommendation** – GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
   Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.
   Reason: To ensure that the external appearance of the building is satisfactory

3. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity.
   Reason: In the interests of visual amenity

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.
   Reason: In the interests of visual amenity

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
   Reason: In the interests of visual amenity

6. No trees, hedgerows or shrubs within the curtilage of the site, except those

shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.
Reasons: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

7. The maximum number if dogs allowed on the premises at any one time is 21
Reason: To ensure noise from the centre does not cause a nuisance to neighbouring properties

8. The newly constructed kennels are to be enclosed on 4 sides by a 2.1m high concrete acoustic fence
Reason: To ensure noise from the centre does not cause a nuisance to neighbouring properties

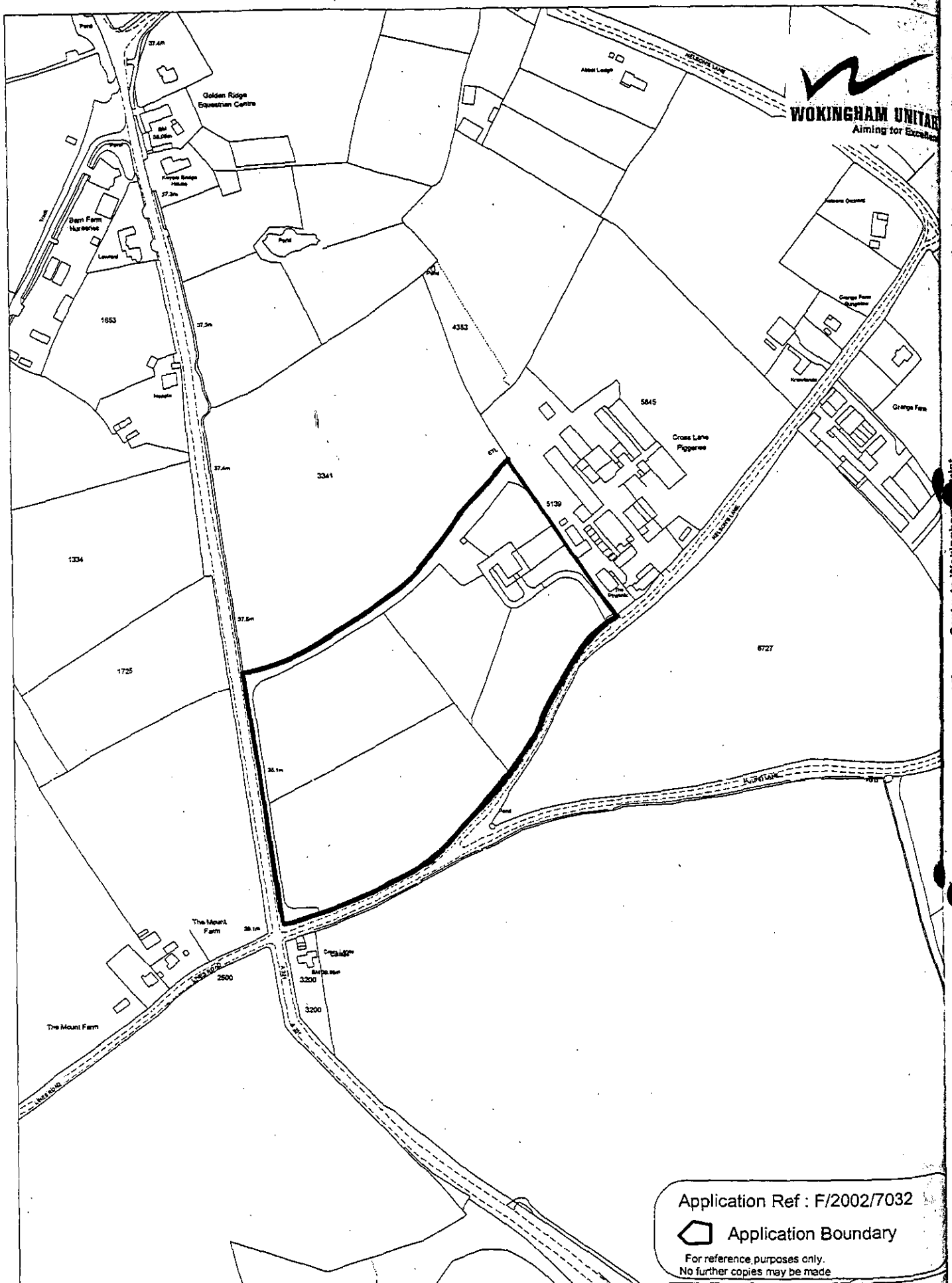
Informative

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

Berkshire Structure Plan policies OS1, EN1, C2

Loddon Area Local Plan policies LTV1, LBE1, LBE2

Deposit Draft Wokingham District Local Plan policies WOS2, WOS3, WBE1



04 JUL 2002 7032

Application: The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

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Development Control,Wokingham District Council.
2nd October 2002

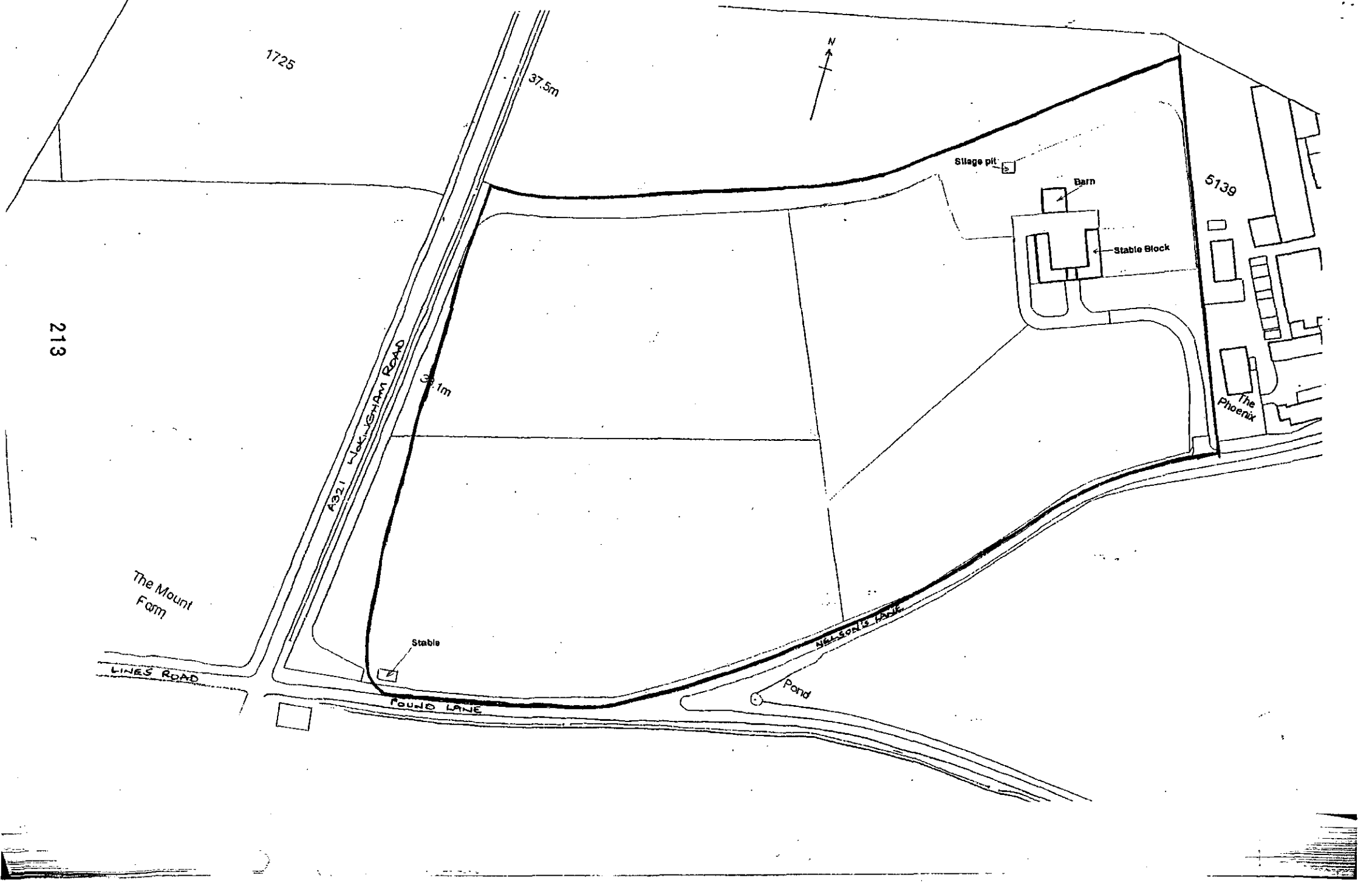
Scale: 1 : 4000

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

04.JUL.2002 7052

Drawing 2: Existing site layout and accommodation

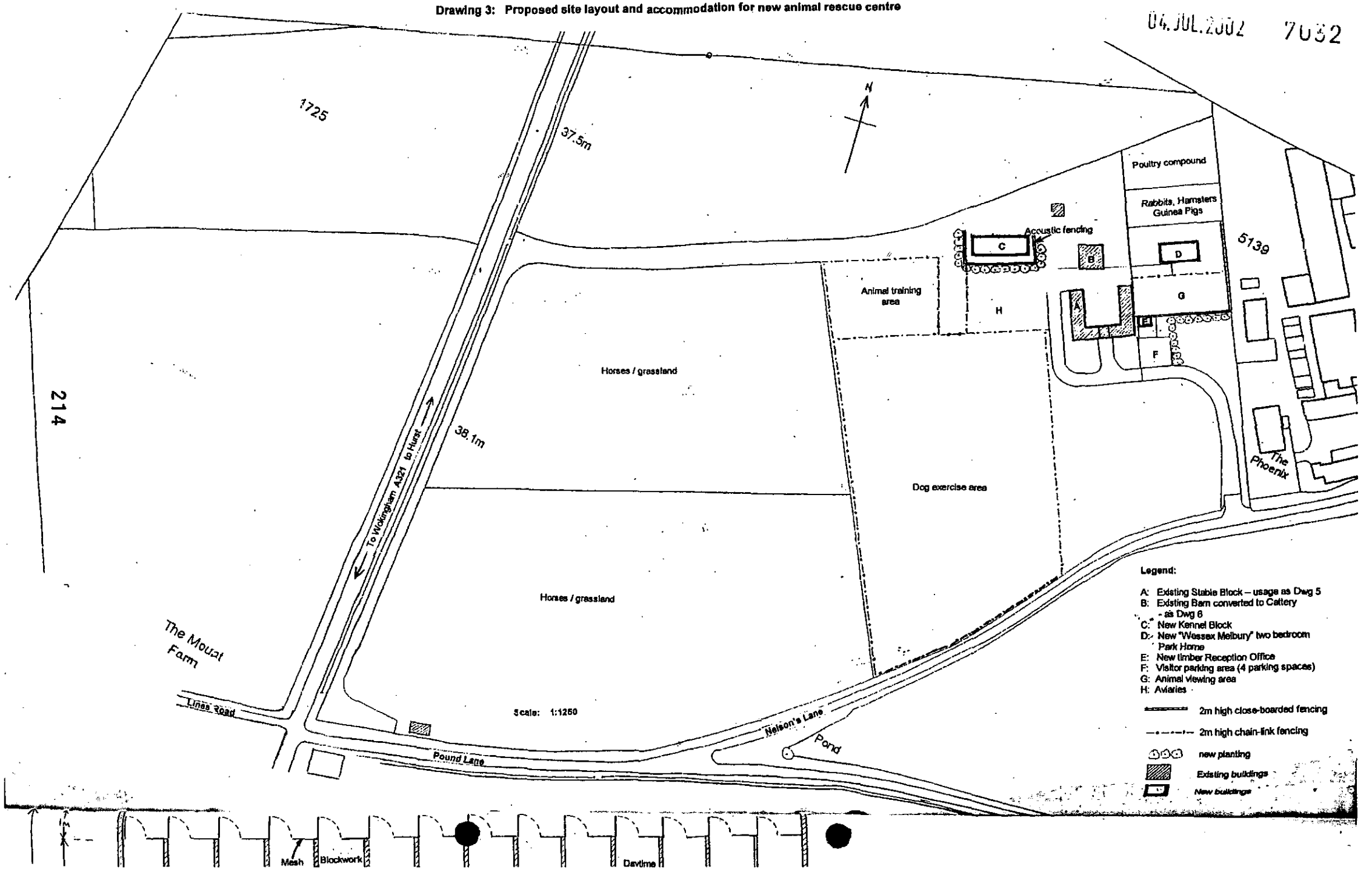
Scale: 1:1250

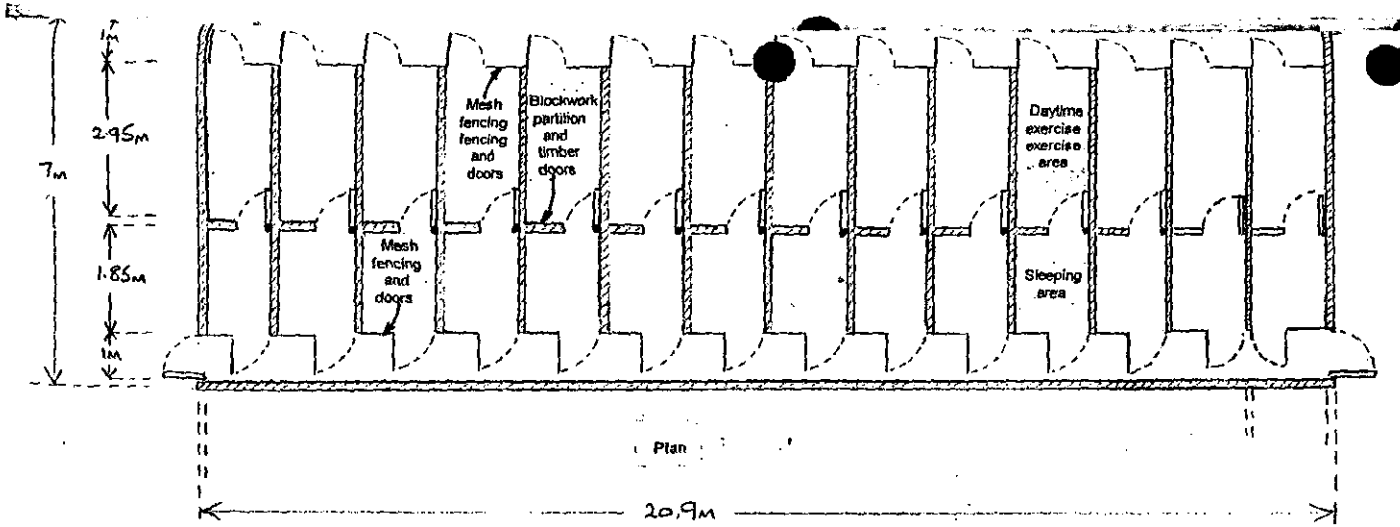


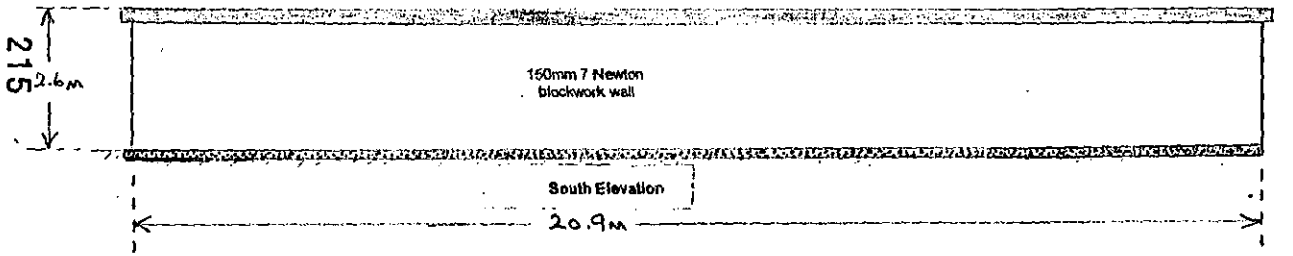
Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

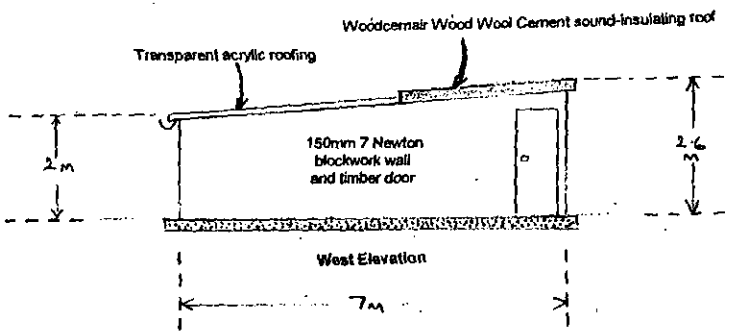
Drawing 3: Proposed site layout and accommodation for new animal rescue centre

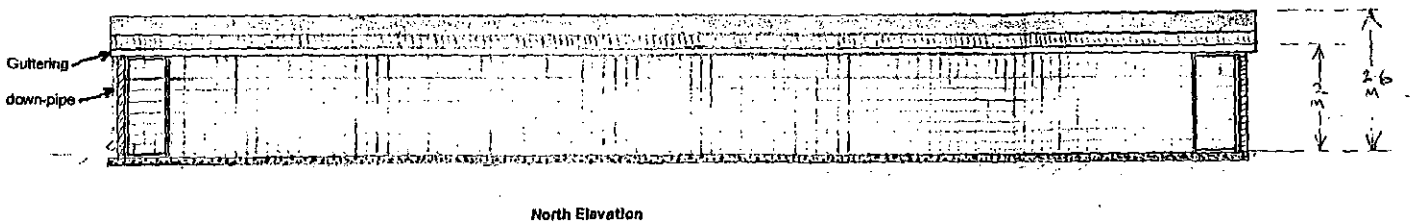
04.JUL.2002 7032











Legend:

Concrete raft foundation:

Woodcemair Wood Wool Cement sound-insulating roof

Transparent acrylic corrugated roofing

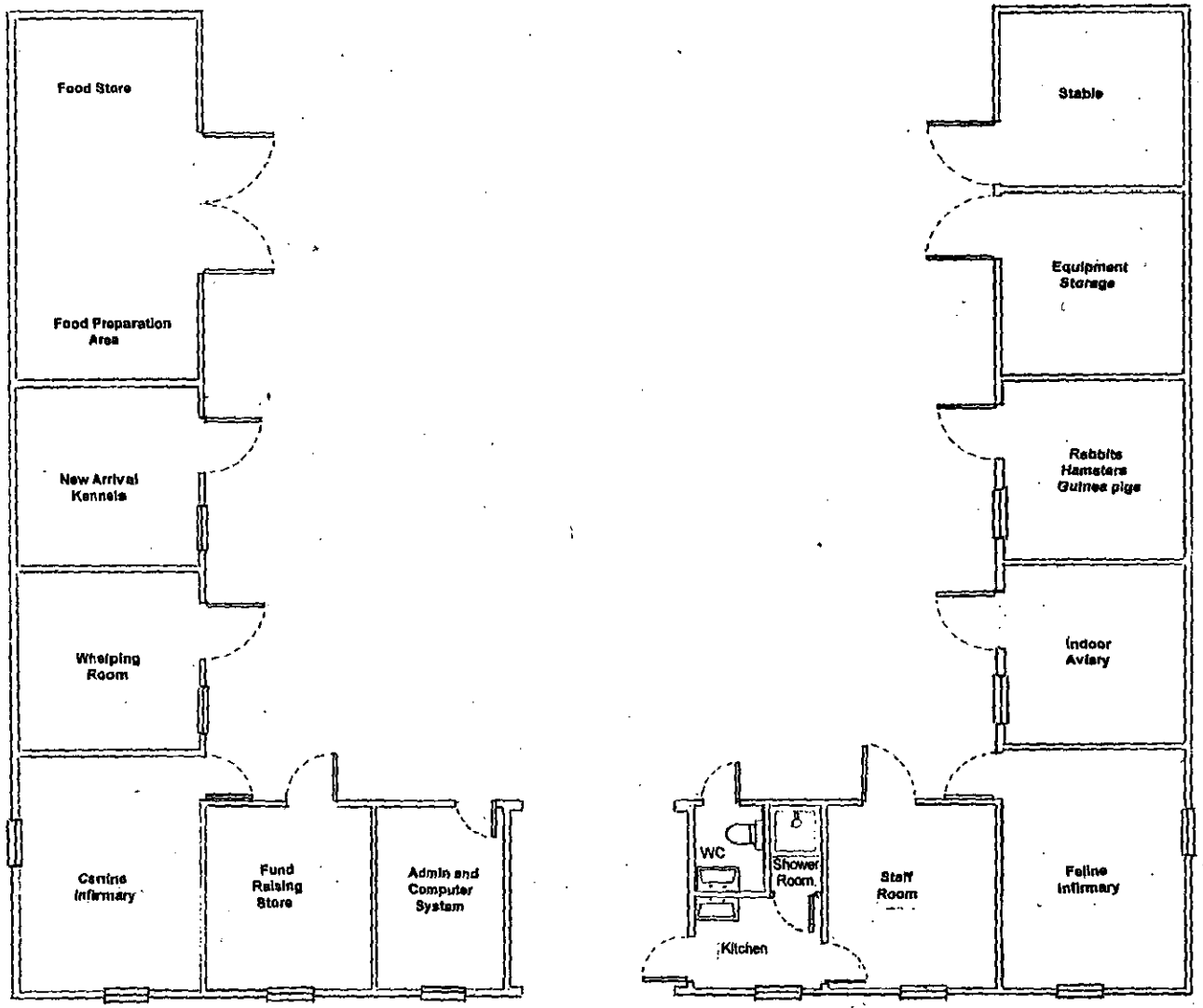
SCALE 1:100

Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 4: Proposed Kennel Block

04.JUL.2002 7032



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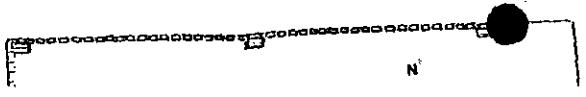
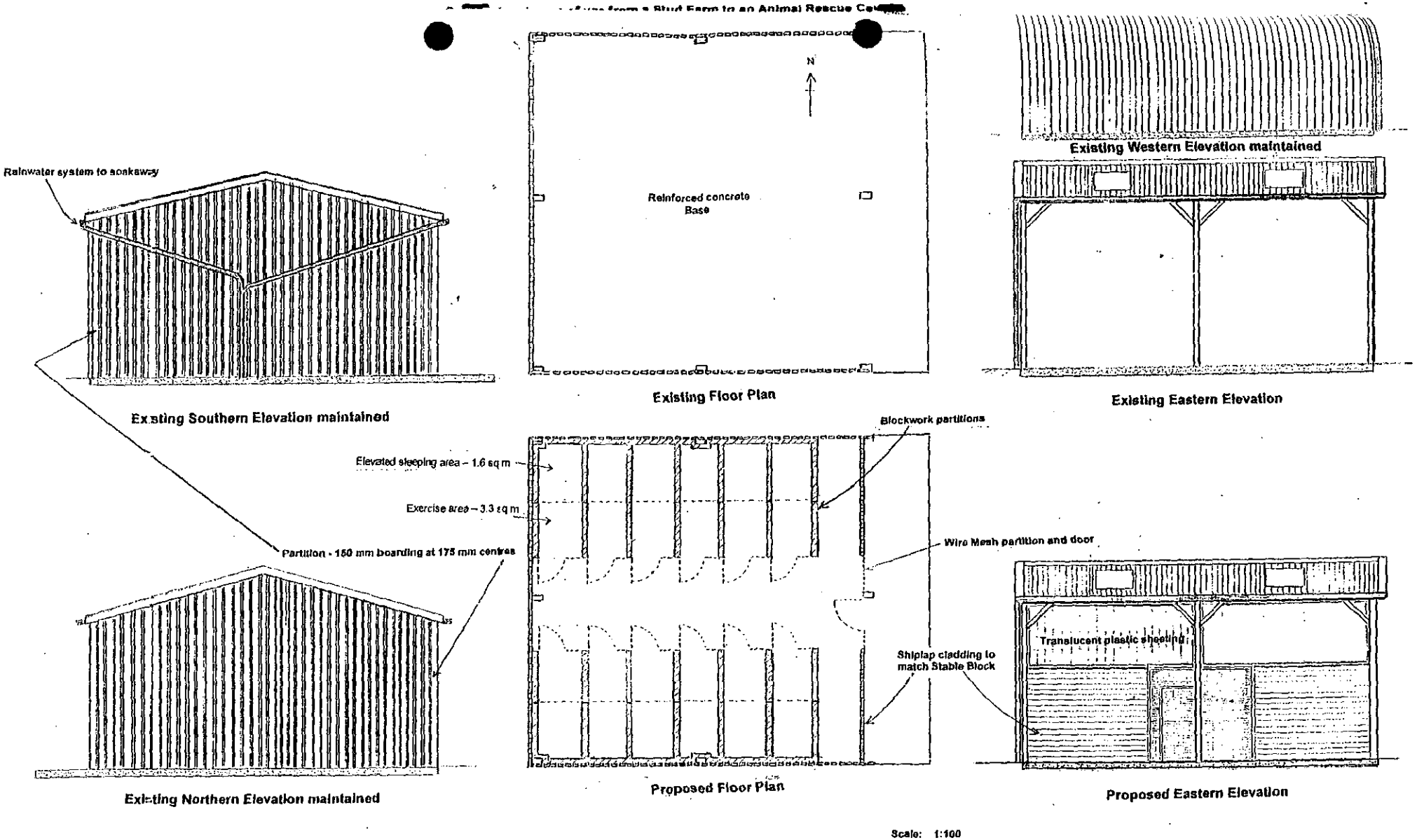
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District





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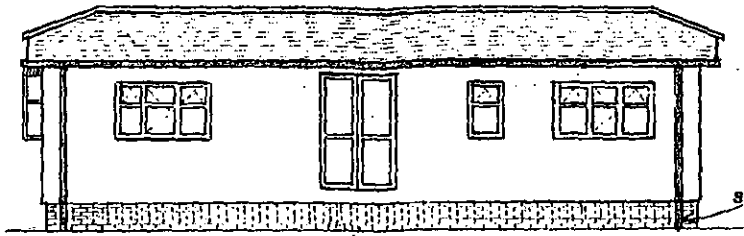
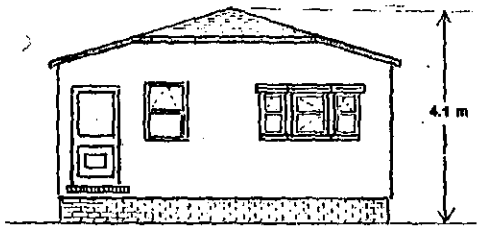
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

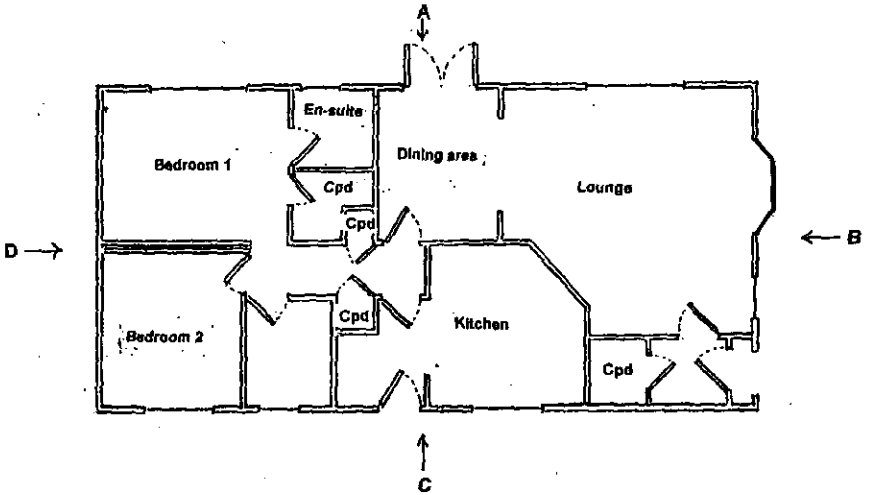
Drawing 6: Proposed usage of existing Barn as a Cattery



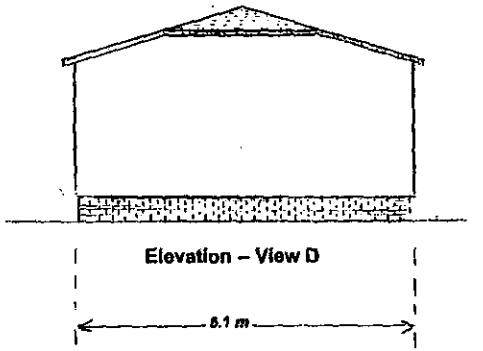
Elevation – View A



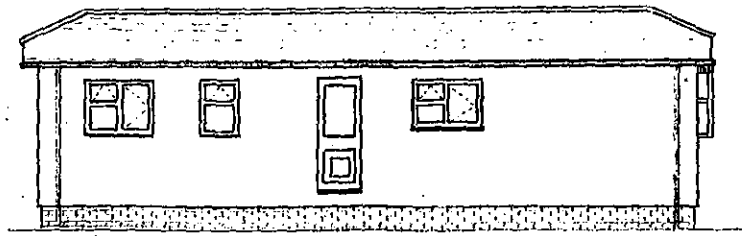
Elevation – View B



Plan



Elevation – View D



Elevation – View C

Scale 1:100

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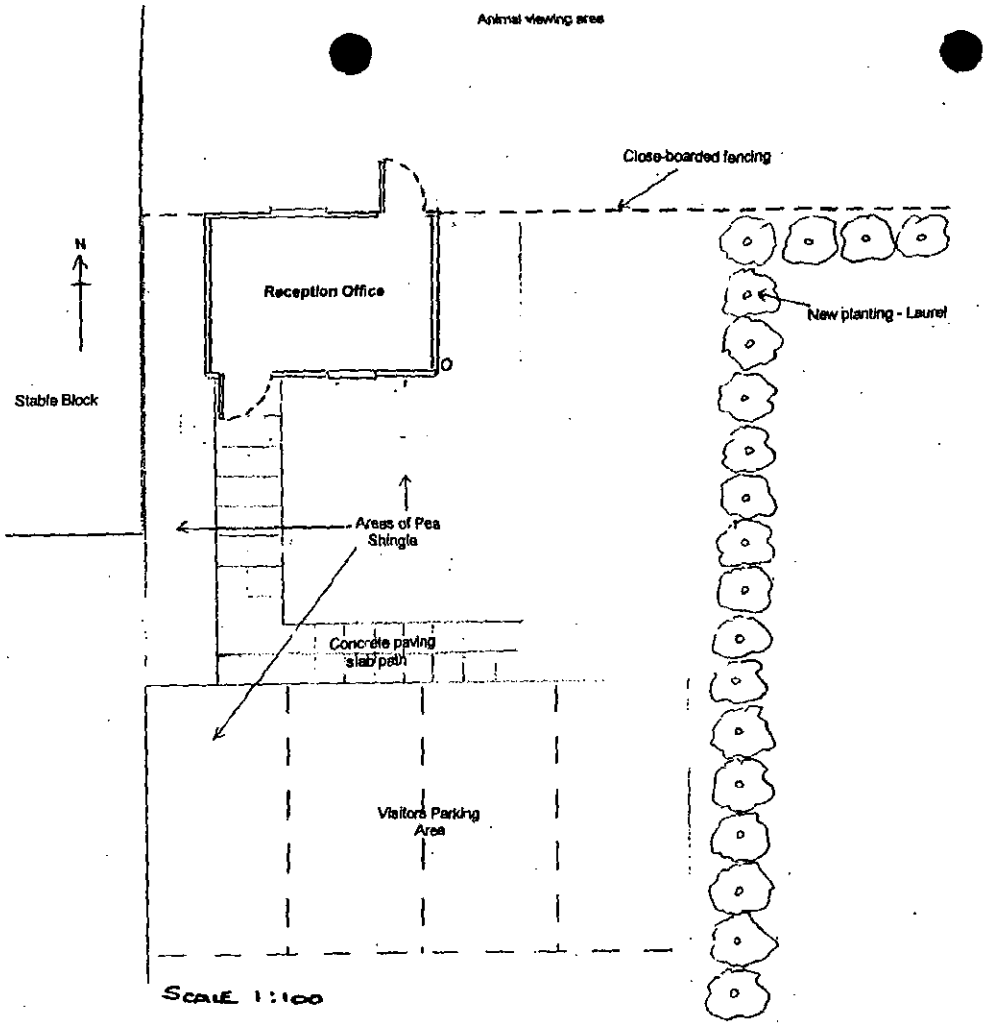
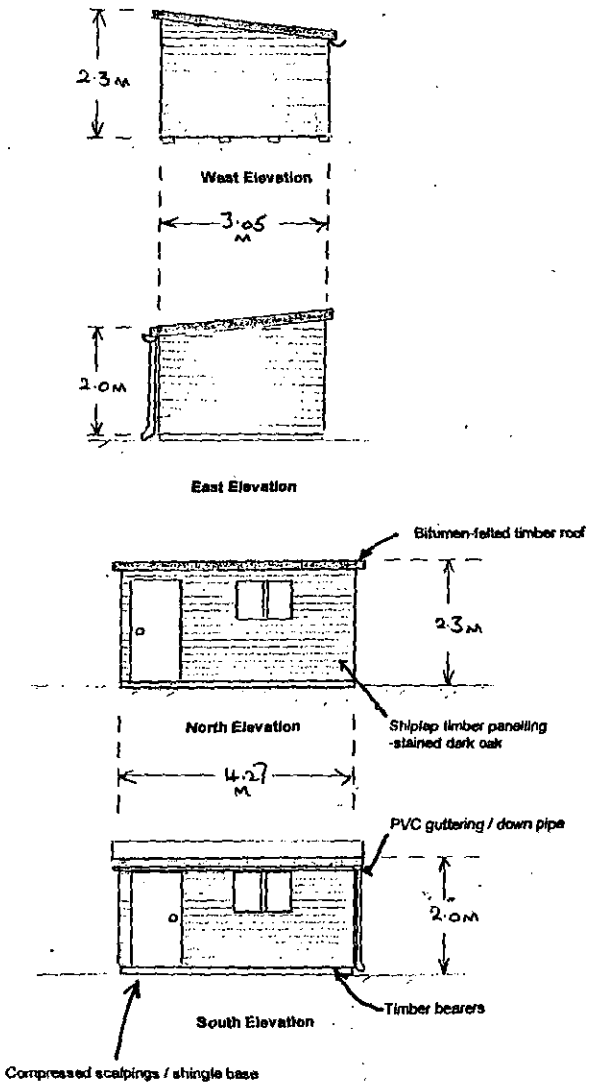
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Animal viewing area





Cross Lanes Stud, Nelson's Lane, Hurst

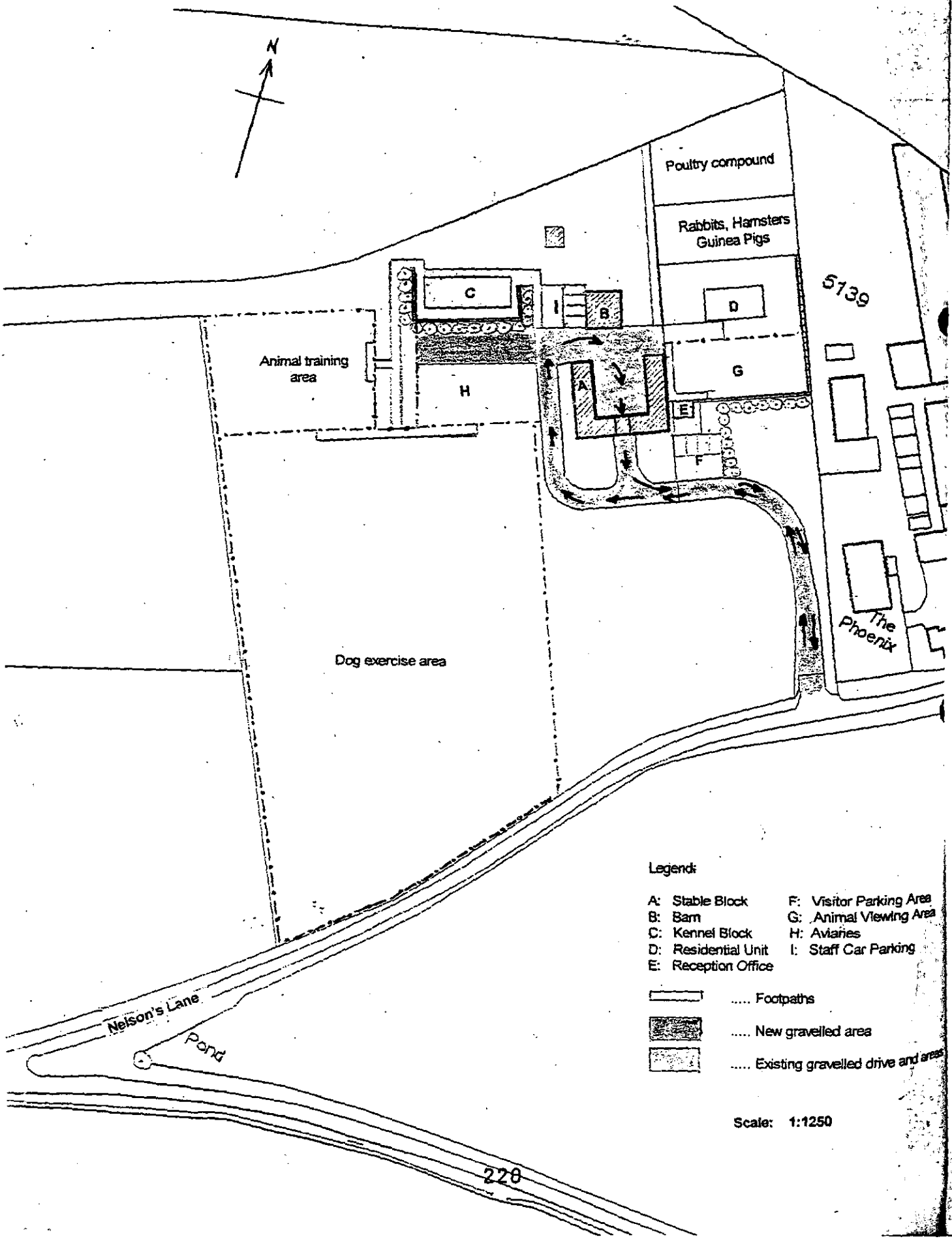
Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 8: Proposed timber Reception Office

Cross Lanes Stud, Nelson's Lane, Hurst

Application by the Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a stud farm to an animal rescue centre.

Drawing 9 – Proposed parking, footpaths and traffic flow



President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D. C. H. Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473
Brittons Farm, Waterloo Road, Wokingham, Berkshire, RG40 3BZ
Tel: 0118 9782868

Application to Wokingham District Council for Planning Consent for Change of Use at Cross Lanes Stud, Nelson's Lane, Hurst from a Stud Farm to an Animal Rescue Centre.

1. Introduction

The Animal Rescue Group, Wokingham, is a registered Charity which seeks to provide care and comfort for animals in need of sanctuary. It attempts to provide facilities for a very wide range of domestic pets and any injured or distressed wild animals normally considered part of the United Kingdom's natural fauna. The Charity has neither the facilities nor expertise to deal with exotic pets and any such enquiries are referred to more specialised societies. The Charity presently occupies premises at Brittons Farm, Waterloo Road, Wokingham, where its animal rescue centre has been based for some thirty years, but is now obliged to seek alternative accommodation due to the following factors:

- The Charity's lease on the existing Animal Rescue Centre at Brittons Farm is now approaching the end of its term and, for reasons beyond the control of the Charity, a new or extended lease is not available.
- The existing premises are restricted to a land area of approximately a quarter of an acre. This not only restricts the size and configuration of the accommodation available to the animals, but is also inadequate to permit facilities for training or exercise. Our animals are presently exercised on neighbouring farmland and it has been indicated that our use of this facility may be terminated.
- New regulations, anticipated at the end of 2002, will require rescue centres to be formally registered and will impose a number of requirements upon animal accommodation which the Charity will be unable to meet at Brittons Farm.

The Charity has been actively seeking alternative accommodation for the last four years and a number of potential sites have been progressed in terms of planning and acquisition. In this area, however, rural sites with an appropriate land area attract extensive interest and our need to seek a relevant planning consent for change of use invariably places us at a disadvantage in respect to other potential purchasers. On two occasions we have successfully negotiated appropriate planning consents only to lose out to cash buyers at the last moment. The Owner of Cross Lanes Stud, however, has very kindly permitted us to enter into a purchase contract conditional upon obtaining an appropriate planning consent. Viewed realistically, Cross Lanes Stud almost certainly represents our last opportunity to secure an appropriate permanent home before we are required to vacate Brittons Farm and failure to negotiate a suitable consent will probably result in the closure of our Charity.

2. The Charity

The Animal Rescue Centre was founded, some forty years ago, by Mrs Diana Brimblecombe, who remains in daily control of its activities. Some thirty years ago the activities were relocated to Brittons Farm, Mrs Brimblecombe's personal residence, where she has subsequently provided a continuous haven for homeless and unwanted animals. The Rescue Centre has accepted, cared for and re-homed literally thousands of domestic animals, representing a multitude of species and breeds. Additionally it has provided care, veterinary treatment and accommodation to hundreds of wild animals before returning them to their natural habitat.
In 1984, the Rescue Centre was granted formal charitable status by the Charity Commission. In 2001, Mrs Brimblecombe was awarded the M.B.E. in recognition of her dedication to animal welfare. The Charity is funded entirely by public subscription and all monies received are devoted entirely to the welfare of its animals. Its four employees, supplemented by a body of volunteers, work on a shift basis to provide the core staff administering daily care and attention to the animals. The Charity's affairs are supervised and regulated by an Executive Committee of eight Trustees who are all unpaid volunteers. It is financially and operationally supported by a large number of members, volunteers and donors from Wokingham, Bracknell, Reading and other local areas.
The Charity acts as an official receiving centre for a number of public bodies who have occasion to acquire stray or unwanted animals, including the Thames Valley Police, Wokingham District Council, Social Services and the RSPCA. It additionally attempts to assist other animal welfare organisations if they experience difficulty in accommodating particular animals.
The Charity recently extended its activities to provide an advisory service to local schools and youth organisations, attempting to provide young people with advice on the responsibilities of pet ownership and the techniques of animal care, thus, in the long term, hopefully reducing the number of animals obliged to seek sanctuary.

3. The existing Animal Rescue Centre

The Charity presently enjoys a peppercorn lease on land at Brittons Farm, situated approximately a quarter of a mile south of Wokingham, but that lease now has only a short residual term. As explained above, the present site, which imposes severe restrictions upon the activities of the Charity, would be unable to meet pending regulations and, in any event, is unavailable for use after the expiry of the current lease.

The Rescue Centre at Brittons Farm developed during a period in which Mrs Brimblecombe received very limited financial support and the accommodation for the animals was not purpose built, but improvised from garden sheds and any other available materials. Mrs Brimblecombe's private quarters, used to provide essential daily services for the Centre, also serve as the only available accommodation for sick or injured animals. The site area is extremely limited and is consequently inadequate to provide either proper accommodation or adequate exercise facilities for the resident animals. One of the prime problems emanating from this lack of space is that animal accommodation units are concentrated closely together in unsuitable formations, leading to almost constant confrontation between dogs, or species naturally belligerent to one another. This is problematic not only in terms of the stress occasioned to the unfortunate animals in sanctuary, but also in respect of the resultant disturbance and level of noise emission.

4. New Premises

As a result of a very substantial legacy, kindly bequeathed to the Charity by a lifelong friend of Mrs Brimblecombe, the Charity is now in a position not only acquire a suitable freehold site, but also to erect some custom-designed accommodation for its animals. The provision of such accommodation would not only immeasurably enhance the quality of life available to our animals, but would also significantly improve the general ambience of the Centre.

The only aspect of the Charity's activities which might reasonably give rise to some of concern or nuisance to the immediate locality would be the barking of dogs resident at the sanctuary. At the present Sanctuary, the only kennelling available to house the fourteen dogs that may be accommodated at the Centre at any one time, are flimsy timber/mesh units arranged in an extremely compact formation. This not only results in the complete absence of any soundproofing and wide fluctuations in ambient temperature, but also results in constant confrontation between the animals. At a new site with adequate space, it would be the Charity's intention to erect purpose built, linear kennels in sound-absorbent materials, providing a high degree of acoustic attenuation and adequate thermal insulation, with the added advantage that each animal would have its own private space. The cats, rabbits, guinea pigs, birds and other species, which constitute the vast majority of the Centre's normal population, would also be housed in more spacious and comfortable accommodation. The new site would also need to have sufficient land to permit an exercise area of at least an acre, ideally surrounded by a six feet high chain-link fence. This would not only provide our animals with space for adequate exercise, but would also enable dogs to be unleashed, permitting evaluation and training before re-homing. Sufficient additional space would enable the Charity to directly accommodate its rescued horses, which are presently stabled in leased premises at a local equestrian centre.

The Rescue Centre, as required by law, must be staffed on a round the clock basis and a resident manager is therefore necessary. The sanctuary normally has between one and four members of staff on duty at any one time. It is difficult to define the number of people who visit the Rescue Centre, but, on average, between three and eight visitors per day attend the existing site during the opening hours of 10 am to 4 pm. It would be most desirable to have a completely separate area for the reception of these visitors, as many of the people considering adoption of an animal have relatively young children who accompany them to the sanctuary, occasionally posing safety or disturbance problems. Such an area would feature a small Reception office, parking for three or four cars and a fenced area in which animals could be safely introduced by the staff to their prospective new families.

The Charity has been seeking, without success, to acquire a suitable property for almost four years, but is in a difficult situation, in that it invariably requires planning consent for change of use of any relevant property to an animal rescue centre. Whilst an animal rescue centre does not feature as a specified activity for planning consideration under the defined Countryside Policy provisions, a rescue centre is clearly analogous in nature to those activities specified and unsuitable to a purely urban environment. During recent attempts to obtain planning consent upon a property in Old Wokingham Road, Wokingham, the Planning Department of Bracknell Forest Borough Council accepted this view and kindly supported our application for change of use. Almost simultaneously with the proposed grant of consent, however, the owner of the property elected to sell, without notice, to an alternative buyer.

The Charity entirely accepts that any permission granted for change of use, for additional structures, or the amendment of existing accommodation, would require to be strictly tied to the use of the property for its own activities and that the property would need to be restored to its present use and configuration if its use as our rescue centre was terminated.

5. The Application Site

The site is situated immediately to the north-east of the junction of Pound Lane and the A321 Wokingham/Hurst road and has a total area of some 5.4 Hectares (13.4 Acres). Entrance to the site is gained from Nelson's Lane via a gravel drive leading to a timber-framed quadrangle Stable Block featuring ten stables, a Feed Store, a Tack Room, Kitchen/Shower Room and a toilet. The site also features a 2-bay pole barn and a small stable building.

The site adjoins a dwelling known as "The Phoenix" along its eastern boundary. The only other immediately local dwellings are Cross Lanes Cottage, at the Pound Lane / A321 junction and Mount Farm in Lines Road. The Charity has discussed its proposals in detail with these residents and is most grateful for their full support for our Application.

The site was the subject of a grant of planning consent in 1991 which, subject to several conditions, permitted its use as a Stud Farm. A further grant of planning consent was obtained in 1999 for a ménage, which has not yet been constructed.

There is a triangular section of land between the application site and the A321 which will not be conveyed to the Charity under the proposed site purchase. This land is owned by Wokingham District Council, presumably to facilitate envisaged improvements to the line of the A321, but the owners of the Application Site do enjoy a right of way over the land until such time as it is required for local authority use. The land in question, shown clearly by the red boundary of the Application Site on Drawing 2, would be retained in its present usage as pasture and has not been included in any specific provisions for the envisaged animal sanctuary.

6. Drawings

The following drawings have been prepared to indicate our proposals for the application site.

Drawing 1. Location plan (Scale 1:20,000)
Drawing 2. Existing site layout and accommodation (Scale 1:1250)
Drawing 3. Proposed site layout and accommodation for new animal rescue centre (Scale 1:1250)
Drawing 4. Proposed kennel block (Scale 1: 100)
Drawing 5. Proposed usage of existing stable block (Scale 1:100)
Drawing 6. Proposed usage of existing Barn as a Cattery (Scale 1:100)
Drawing 7. Proposed "Wessex Melbury" Park Home (Scale 1:100)
Drawing 8. Proposed timber Reception Office (Scale 1:100)

7. The proposed Animal Rescue Centre.

The site represents an ideal location for the envisaged new rescue centre, with adequate land to permit all our desired facilities. The existing accommodation would be adequate to provide all necessary storage, staff facilities and permanent quarters for the animals with the exception of the rescued dogs. Its utilisation as kennels would not only perpetuate the confrontational problems, but would also provide inadequate acoustic attenuation. It is therefore proposed that a custom-built kennel block be constructed to the north west of the stable block, using specifically chosen sound-insulation materials. These kennels would be enclosed, upon three sides, by a 2.1m high concrete acoustic fence of the type manufactured by Allen Concrete of Walton-on-Thames. Such an enclosure would provide additional and extremely effective attenuation of sound in the direction of any local dwellings. At the present time, the specific provisions of the pending legislation on animal rescue centres have not been published and the kennels would therefore be constructed in accordance with the regulations presently issued by Wokingham District Council governing animal boarding licences. Each kennel would feature a sleeping area of 2.25 m^2 and an exercise area of 3.25 m^2, with the partition walls constructed in 100 mm rendered blockwork. The roof of the sleeping areas would be constructed in Torvale "Woodcemair" slabs, providing both temperature insulation and acoustic attenuation, whilst the exercise areas would be roofed in transparent acrylic corrugated sheets. The internal end partitions and rear fence would be in galvanised wire mesh to permit maximum ventilation during daylight hours. The concrete raft base would incorporate an appropriate damp proof membrane and would be screeded, at a suitable gradient, to a drainage channel at the rear of the kennels. The timber doors to the sleeping areas would be faced with a suitable plastic sheet material.

The existing Barn would be converted into a cattery, which would also be constructed in accordance with WDC's current specifications for boarding catteries. The six cubicles, constructed in 100 mm rendered blockwork, would provide elevated sleeping quarters of area 1.6 m^2 and exercise areas of 3.3 m^2, thus each being adequate to accommodate two cats. The existing concrete raft would be treated with a damp proofing sealant and screeded at a suitable gradient to a common drainage channel. The internal roofs of the cubicles would be constructed in galvanised mesh. The east elevation of the Barn would be weatherproofed with a

shiplap / galvanised mesh to a height of 2.6 m and acrylic corrugated sheeting above, thus maximising daylight visibility.

The site does not feature any resident accommodation and, in view of the legal necessity to man the site on a continuous basis, permission is sought to site a two-bedroom mobile "Park Home" to the east of the Barn as living quarters for the Centre Manager. Sited in such a position, the unit would not intrude upon the western view of "The Phoenix" and would be ideally placed for the Manager to have a comprehensive view of the Centre's facilities. The "Melbury" two-bedroom unit manufactured by Wessex Park Homes of Blandford Forum, Dorset, has been identified as a suitable unit

The existing stable block would be used to provide a variety of accommodation and storage units as detailed in Drawing 5.

It would be desirable to restrict entry to the Stable Block and kennel areas to staff and it is proposed that a Visitor Reception Area be created to the east of the stable block, effectively sealing access to the animal accommodation area at the existing inner gate. A small, timber, garden shed would be erected for use as a Reception Office, with a fenced area immediately to the rear in which animals might be introduced to visitors. To accommodate our maximum demand, which occurs primarily at weekends, we envisage a small area for parking four cars.

Storm water drainage would be to the existing system, supplemented by additional soakaways for the new units. Foul drainage for the current units would be to the existing septic tank. It has not been possible to determine the characteristics of that system at the present time and the intention would be to install a separate system to service the new accommodation.

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 2ND OCTOBER 2002 FROM 7.00 PM TO 11.35 PM

Present: Mr AJ Ross (Chairman), Mrs ANMC Drake (Vice-Chairman), Mrs DC Beatty, Mr SR Conway, Mr JL Earnshaw, Mr RFN Eke, Mrs JA Lissaman, Mr KA Malvern, Mrs M Robertson, Mr ND Rose, and Rob Stanton.

Also Present: Mrs P Bray, Frank Browne, Mr. CJW Edmunds and David Swindells

PART I

122. MINUTES

The Minutes of the meeting of the Committee held on 4th September 2002 were confirmed as a correct record and signed by the Chairman.

123. APOLOGIES

An Apology for absence was submitted from Mr. MJ Bryant.

124. ORDER OF BUSINESS

At this point the Chairman commented on the number of Members of the public present and proposed that the order of business be amended so as to consider applications that the public were present for first.

RESOLVED: That the order of business detailed on the agenda be varied.

130. 2002/7032, CHANGE OF USE LAND AND BUILDINGS FROM STUD FARM TO ANIMAL RESCUE CENTRE, CROSS LANE STUD NELSONS LANE HURST, FOR: THE DIANA BRIMBLECOMBE ANIMAL RESCUE CENTRE

The Committee considered a report about this application set out on Agenda pages 205 to 220.

In explaining the report, Officers informed Members of a number of points of clarification and correction. It was now considered that the legal agreement should limit the occupation of the mobile home to a person solely working for The Diana Brimblecombe Animal Rescue Centre and any resident dependents, in addition to a requirement to ensure the removal of manager's accommodation should the animal rescue centre relinquish their use of the site. Members were informed that the site currently used by the charity could not be used any longer.

An additional consultation had also been received from Environmental Health officers raising no objection to the proposal subject to conditions limiting the number of dogs housed at the centre and also the provision of additional acoustic fencing.

Members also noted that conditions 7 and 8 had been amended to reflect corrections and that an additional condition, (9) was proposed as follows;

Condition 9
The proposed mobile home shall be removed by the 3rd October 2007 and the land returned to its former state.

Reason: In the interests of visual amenity

Mr. Newman representing the applicant attended the meeting and spoke in favour of the proposal.

During it's discussion Members expressed support for the proposal and the work of the charity. In relation to the proposal to require the removal of the mobile home associated with the site a number of Members expressed the opinion that enough protection existed within the legal agreement for the site and that Condition 9 was not necessary and would be burdensome for the charity. Other Members whilst accepting that the conditions should not be overly burdensome, commented that given the sensitivity of the location and the potential visual impact of a mobile home, it was appropriate to place a time limitation on this aspect the proposal.

In connection to Condition 3, Members requested that Hurst Parish Council and the Local Member be consulted on details of any external lighting at the site.

After further debate it was;

RESOLVED: 1) That a Legal Agreement be entered into under Section 106 of the Town & Country Planning Act 1990 and other statutory powers to secure the following;

a) The limitation of the occupation of the mobile home for managers accommodation to a person solely working for The Diana Brimblecombe Animal Rescue Centre and any resident dependents;

b) A requirement to ensure the removal of the mobile home for manager's accommodation should the animal rescue centre relinquish their use of the site;

2) That subject to the execution and registration of the Agreement referred to in 1) above, Application No: 2002/7032 be approved subject to the conditions set out on Agenda pages 210 to 211 with the following amendments to Conditions 7 & 8;

Condition 7
The number of dogs shall not exceed a maximum of 21, at any one time.

Condition 8
Notwithstanding the details shown on the submitted plans the kennels shall be enclosed on all sides by a 2.1m high concrete acoustic fence, which shall be provided prior to the first occupation of the building and shall be retained for so long as the building remains in use for kennelling.

(Note: Mrs. AMNC Drake wished to recorded as voting against the decision not to condition the removal of the mobile home on the site.)

Development Control Ref No:	Received	Parish
F/2002/7032	F/2002/7032	Hurst

Applicant: The Diana Brimblecombe Animal Rescue Centre
Location: Cross Lanes Stud, Nelsons Lane, Hurst
Proposal: Change of use of land and buildings from Stud Farm to Animal Rescue Centre

REPORT PREPARED FOR: DEVELOPMENT CONTROL COMMITTEE.

REPORT PREPARED BY: Head of Planning and Transportation and Elaine Vashi

SUMMARY:

1. **Proposal** – The application proposes the change of use of the existing stables, barn and surrounding land at Cross Lanes Stud from equestrian to an animal rescue centre (sui generis). It is proposed that the existing stable building would be converted to provide various areas of storage, staff facilities and permanent quarters for the animals with the exception of dogs. The existing barn to the rear of the stable block would house the centres cattery and a separate building would be constructed to the west of this to house a custom built kennel block. Various sections of the surrounding land would be sectioned off to accommodate various types of animal's outdoors and to provide grazing areas, an animal training area and a dog exercise area. In addition to this a mobile home would be constructed for a temporary period of five years to accommodate a 24hr centre manager.

   The site would be occupied by Wokingham Animal Rescue Centre who has been in existence for more than fourty years. Founded by Mrs Diana Brimblecombe, the centre was granted formal charitable status in 1984 by the Charity Commission. Since its inception the centre has accepted cared for and re-homed thousands of domestic animals and has provided care, veterinary treatment and accommodation to wild animals before returning them to their natural habitat. The charity also acts as an official receiving centre for a number of public bodies who have occasion to acquire stray or unwanted animals, including the Thames Valley Police, Wokingham District Council, Social Services and the RSPCA. The charity has recently extended its activities to provide an advisory service to local schools and youth organisations attempting to provide young people with advice on the responsibilities of pet ownership and the techniques of animal care.

   The Charity is funded entirely by public subscription and all monies received are devoted entirely to the welfare of its animals. The Charity has four employees, who, supplemented by volunteers, work on a shift basis to provide the core level of staff
   The Animal Rescue Group, who currently occupy premises at Brittons Farm in Wokingham, are seeking an alternative site as their lease is approaching its end

and the facilities at Brittons Farm have reached their natural limit, such that the site can no longer meet present day regulations.

The application is before the Development Control Committee as a S106 agreement is required to ensure that the accommodation is removed from the land should the animal rescue centre relinquish their use of the site.

RECOMMENDATION: TO GRANT PLANNING PERMISSION –Subject To Conditions and the signing of a s106 legal agreement

Background Papers

Held by: Planning Reception
Division: Development Control
Dept: Environmental Services

Contact No: 0118 974 6428/ 6429
E Mail: development.control@wokingham.gov.uk

NB: All reports seek to identify environmental, community safety and equal opportunities implications. Consultation with residents and organisations, which has or is about to take place, will also be reported.

2. **Planning History** – In 1990 planning permission was given for the erection of the existing buildings on site to provide horse boxes, a staff room, hay barn and isolation boxes and change of use of the land to equestrian.

3. **Consultations**

- ***Hurst Parish Council:*** object to the application. The Parish Council has commented that no business plan has been submitted, and that Hurst already hosts an Animal Rescue Centre, which is adequate for the area. They comment that there are also boarding facilities close to the site so further facilities would be over-provision. They state in addition, that boarding facilities would not appear to fit with the Centre's charitable purpose. They also express concern regarding the increased traffic which the centre would generate, the unsuitable nature of the access, the inadequate level of car parking, the unsuitability of the proposed buildings in the rural area, and question the need for 24hr cover of the centre and associated accommodation.
- ***Thames Water:*** no objection
- ***Access and Movement Officer:*** no objection in principle
- ***Landscape Officer:*** no objection in principle
- ***Neighbour representations:*** 2 objecting/ expressing concern
  179 letters of support

The objections received can be summarised as follows:

- lack of mains water in the area
- pipe network is old and burst frequently
- any future application for boarding kennels at the Animal Rescue Centre would damage business at the nearby 'Hemjoy Cat and Dog Hotel'
- substandard nature of Nelsons Lane
- the introduction of a mobile home will present an undesirable precedent in the area
- concerned with contamination of local livestock and humans from dogs being walked and fouling in the area
- proximity of the centre to nearby Hemjoy boarding kennels and the possible level of noise generated particularly from barking dogs.

4. **Appraisal** - The main issues are:

A. The principle of development (policies LTV2, LC20 of the Loddon Area Local Plan; policies WOS2, WOS3, WCC1 and WCC6 of the WDLPDD; policies OS1 and C2 of the Berkshire Structure Plan and PPG7)

B. Impact on the character of the surrounding area (policies LTV2, LBE1, LBE2 of the Loddon Area Local Plan; policies WOS2, WOS3, WBE1 and WCC1 of the WDLPDD; policies OS1 and C2 of the Berkshire Structure Plan).

C. Impact on the residential amenity (policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the WDLPDD)

D. Highway Issues (Policies T2, T3,T5 & T7 of the Berkshire Structure Plan; LT5, LT8, LT9, LT10 of the Loddon Area Local Plan and WT1, WT2, WT7 & WT9 of the Wokingham District Local Plan).

E. Highway Issues (Policies T2, T3,T5 & T7 of the Berkshire Structure Plan; LT5, LT8, LT9, LT10 of the Loddon Area Local Plan and WT1, WT2, WT7 & WT9 of the Wokingham District Local Plan).

F. Issues raised by the Parish Council

G. Issues raised by local residents

A. Principle of Development

PPG7 makes it clear that the Government policy is that the countryside should be safeguarded for its own sake. PPG7 acknowledges that rural enterprises should be encouraged to maintain the economic, social and environmental well being of rural areas. Although the proposed use of the land is considered to be sui generis the activities of the Animal Rescue Centre involves grazing and keeping of livestock which is not alien to the countryside. The existing use at Brittons Farm is considered to blend in with the rural characteristics of Wokingham Without, and where livestock can be perceived appropriate on a farm.
In respect of the mobile home guidance in PPG7 Annex I should be followed, given that there are similarities to an agricultural use. This is a commonsense viewpoint and not one that has been established in case law. The agent for the application has made it clear in the supporting documentation that the rescue centre is to be staffed at all times due to ensuing environmental health law. As such this would meet the functional tests and animal welfare. Whilst this is not an agricultural enterprise, the financial test can be met as the charity has enjoyed charitable status since 1984. Viability would have been a test of the Charity Commission and one that the Animal Rescue Group satisfied. As such the proposal would comply with policy WCC6 of the Wokingham District Local Plan, Deposit Draft.

B. Impact upon the character of the surrounding area

As well as the change of use of the existing buildings and surrounding land, the scheme proposes the erection of three additional buildings. A mobile home would be located to the north east of the existing stable block. This would be a single storey hipped roof structure, approximately 4.1m high to the ridge and would have a floor area of approximately 74.5m^2. The mobile home would be constructed of plywood finished with a textured co-polymer resin and would have a tiled roof.

A custom-built kennel block is proposed to be located to the south west of the existing barn. This would also be a single storey building with a monopitch profile, approximately 2.6m to the highest point. The kennel block would be approximately 20.9m long and 2.6m wide, and would be constructed of blockwork walls, with a part cement sound insulated, part transparent acrylic roof. The kennel block would house 14 dogs and would be surrounded on three sides by acoustic fencing, which would limit the emission of noise to the north east, south east and south west of the site.

A third building would take the form of a small timber construction approximately 13m^2, with a monopitch roof which would be 2.3m to the highest point. This building would be used as a reception office for visitors to the centre.

It is considered that each of these buildings represent fairly minor additions, which are of a modest scale and are located so that they relate well to the existing buildings on site. Therefore they would have no adverse impact upon the character of the sites rural setting.

C. Impact upon neighbouring residents

The application site is located next door to a long established agricultural holding. The dwelling attached to this holding 'The Phoenix' is located adjacent to the side boundary of Cross Lanes Stud, and is approximately 50m away from the closest building on the application site. It is considered that the animal rescue centre would present no greater activity than a stud farm for which the site has permission at present. Also as 'The Phoenix' is located within an existing farm compound, the residents would not be unfamiliar with the activities related to such a holding. The residents of 'The Phoenix' have written to the Local Planning Authority in support of the application.

D. Highway Issues

The animal rescue centre expects no more than 4 visitors at any one time to the site. A revised plan has been submitted to show four visitor parking spaces and the circulation has been laid out so that vehicles can turn within the site and leave in a forward gear.

E. Flooding and watercourses

The site is not located in an area identified by the Environment Agency as liable to flooding.

F. Issues raised by the Parish Council

Hurst Parish Council states that an animal rescue sanctuary already operates in the area. Wokingham District Council does not hold any information of such a registered facility. According to Environmental Health records the closest facility of a similar nature is located close to Slough. They also refer to the issue of boarding and of a possible over provision in the area given the proximity of the site to a boarding kennels and cattery. The Animal Rescue Centre has neither the intention nor the space to provide such a service, which would be contrary to the aims of the charity. The need for 24hr accommodation, and a business plan has been addressed in the above report as have the issues raised regarding highway safety.

J. Issues raised by local residents

In addition to the above concerns, issues of contamination of local farmland, livestock, and residents from animal waste and noise from barking dogs have been raised.

The Animal Rescue Service have confirmed that no animal exercising would take place outside of the proposed site, as the dog exercise area identified on the plans submitted is more than adequate for all the animals therefore fouling of public thoroughfares would not result. The applicant has confirmed that solid animal waste would be bagged and removed from the site by a licensed waste

disposal company and urine waste from the kennels and cattery would be piped into the existing septic tank.

With regards to the noise generated by barking dogs and acoustic fence is to be erected around the proposed kennel block. Also the kennels have been designed in a linear fashion so that dogs are not located opposite each other so that they are less likely to cause aggravation to each other.

5. **Conclusion-** It is considered that the change of use of the land and buildings to sui generis, Animal Rescue Use and the siting of temporary mobile home for residential use would not have an adverse impact upon the surrounding area or any neighbouring residents.

6. **Recommendation** – GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
   Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.
   Reason: To ensure that the external appearance of the building is satisfactory

3. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity.
   Reason: In the interests of visual amenity

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.
   Reason: In the interests of visual amenity

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
   Reason: In the interests of visual amenity

6 . No trees, hedgerows or shrubs within the curtilage of the site, except those

shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.
Reasons: The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

7. The maximum number if dogs allowed on the premises at any one time is 21
Reason: To ensure noise from the centre does not cause a nuisance to neighbouring properties

8. The newly constructed kennels are to be enclosed on 4 sides by a 2.1m high concrete acoustic fence
Reason: To ensure noise from the centre does not cause a nuisance to neighbouring properties

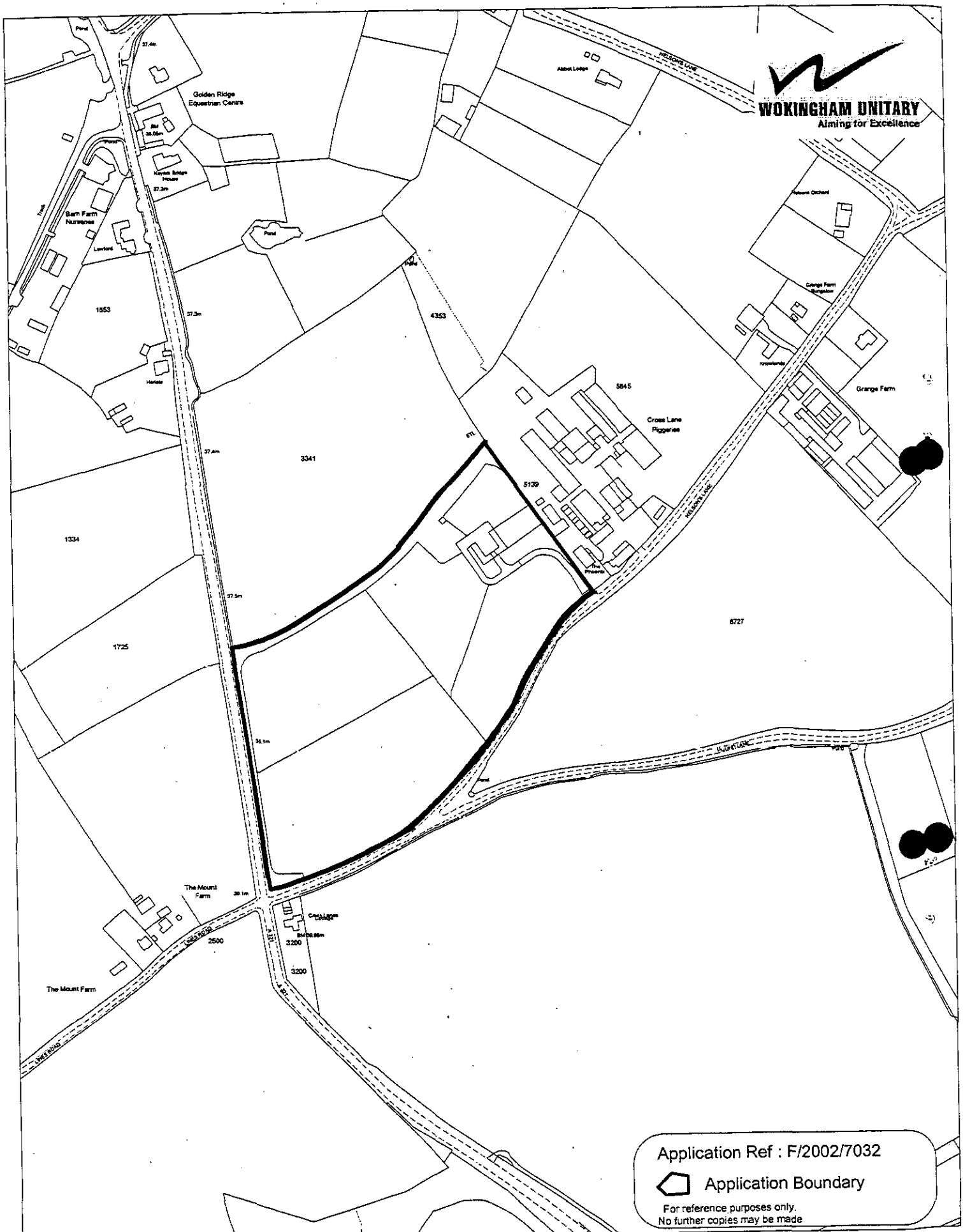
Informative

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

Berkshire Structure Plan policies OS1, EN1, C2

Loddon Area Local Plan policies LTV1, LBE1, LBE2

Deposit Draft Wokingham District Local Plan policies WOS2, WOS3, WBE1



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Development Control,Wokingham District Council.
2nd October 2002

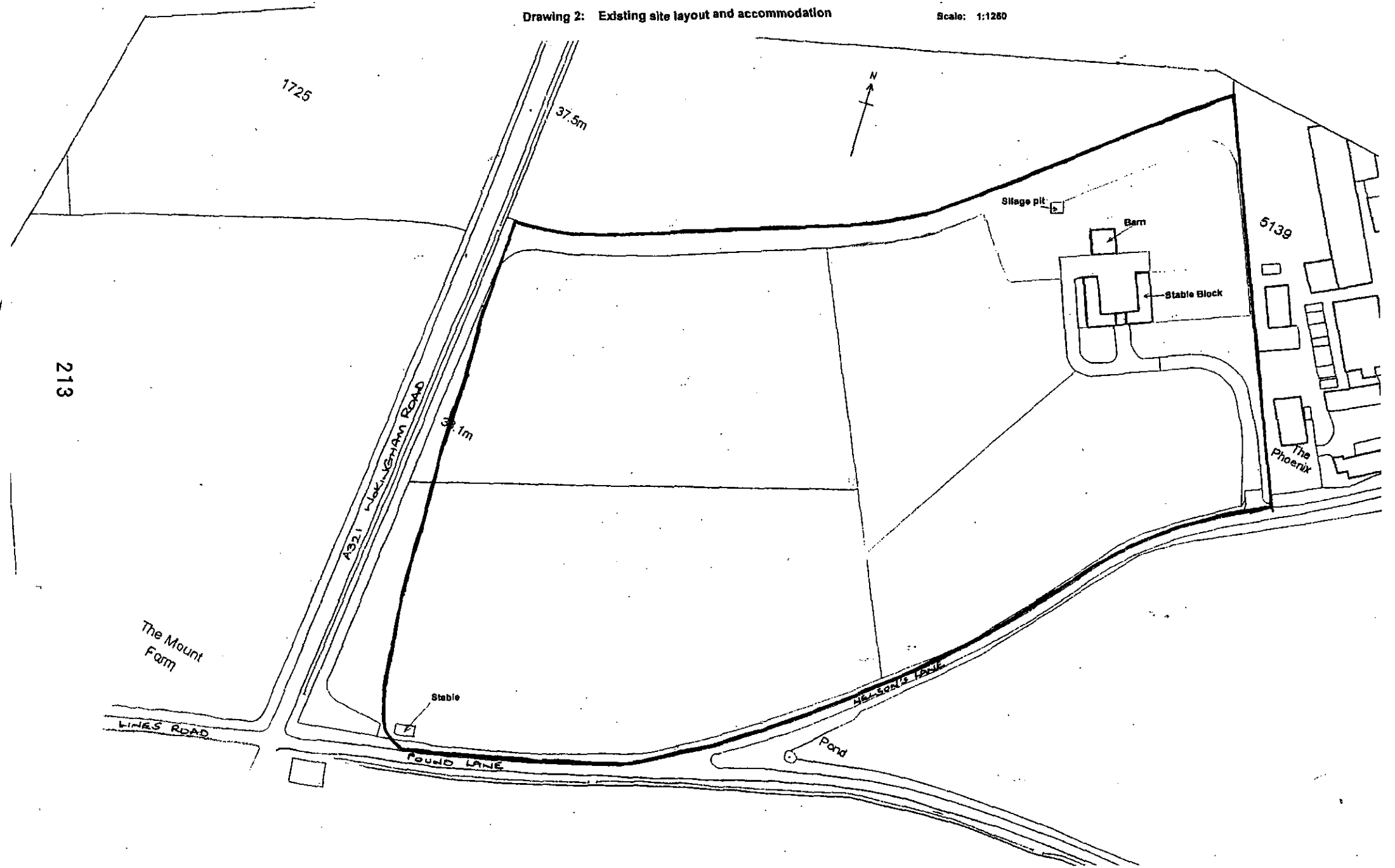
Scale: 1 : 4000

[redacted]ross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

04.JUL.2002 7032

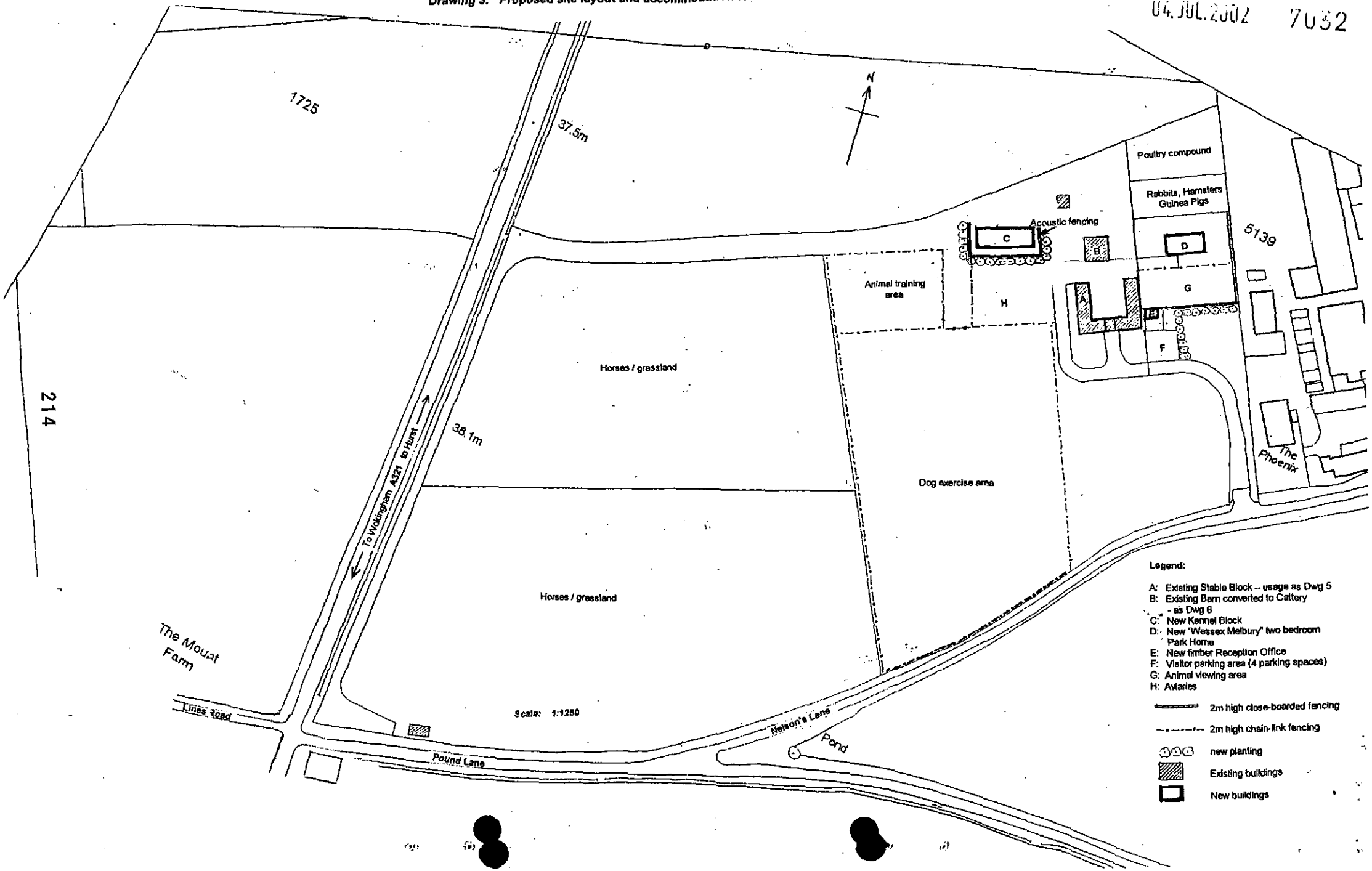
Drawing 2: Existing site layout and accommodation Scale: 1:1250



Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 3: Proposed site layout and accommodation for new animal rescue centre

04.JUL.2002 7032



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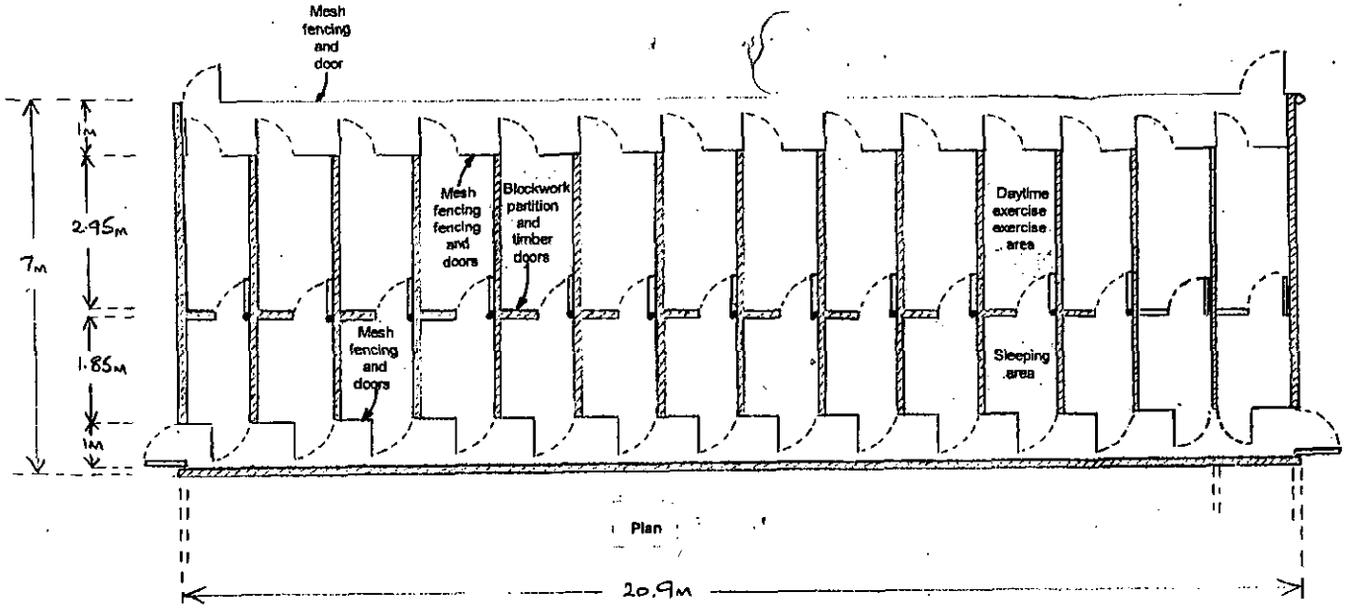
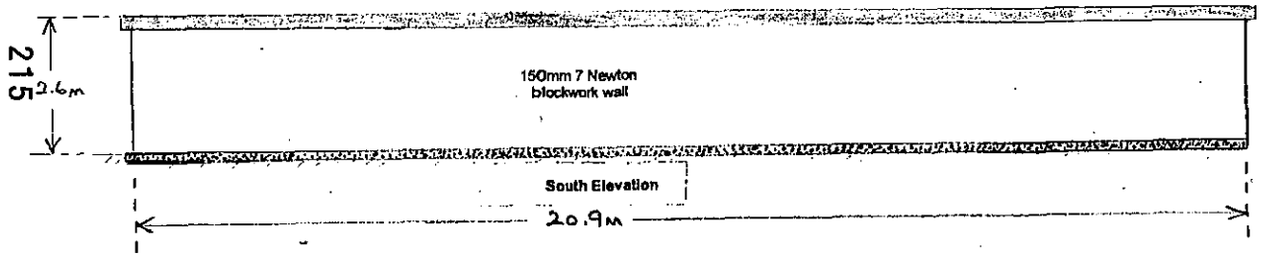
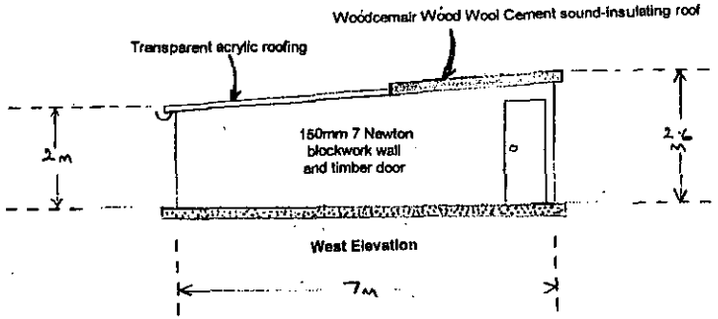
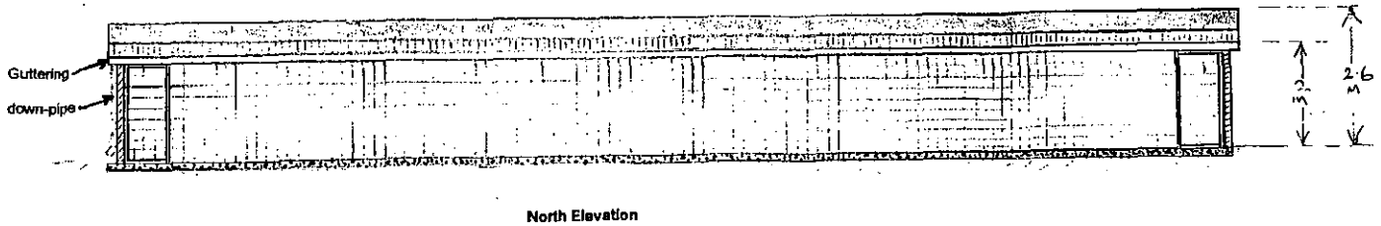








Legend:

Concrete raft foundation:

Woodcemair Wood Wool Cement sound-insulating roof

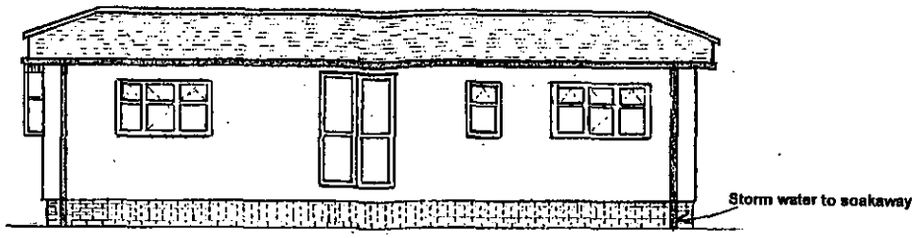
Transparent acrylic corrugated roofing

SCALE 1:100

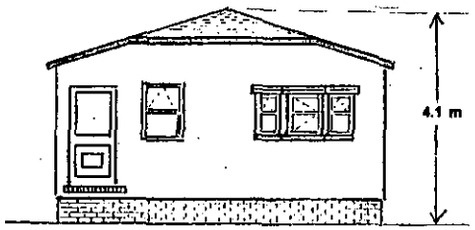
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

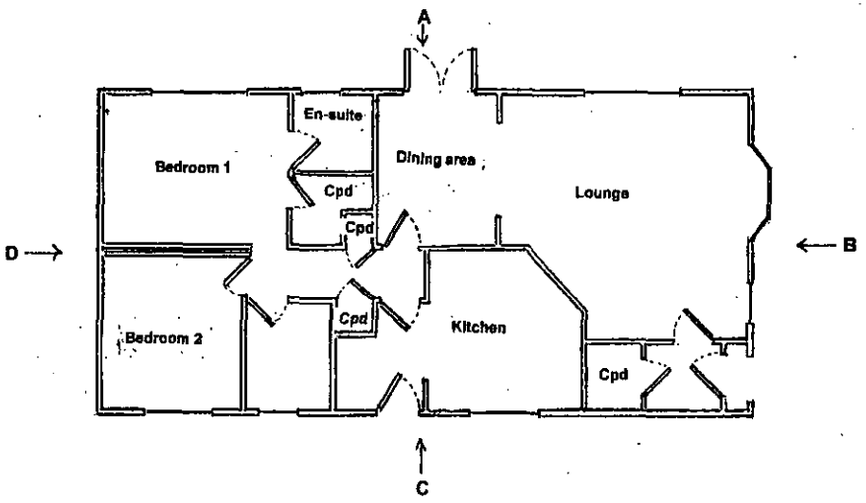
Drawing 4: Proposed Kennel Block



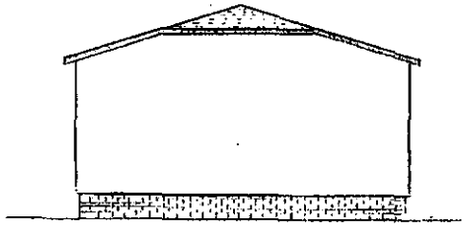
Elevation – View A



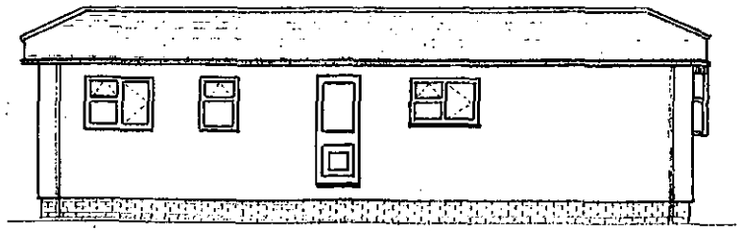
Elevation – View B



Plan



Elevation – View D



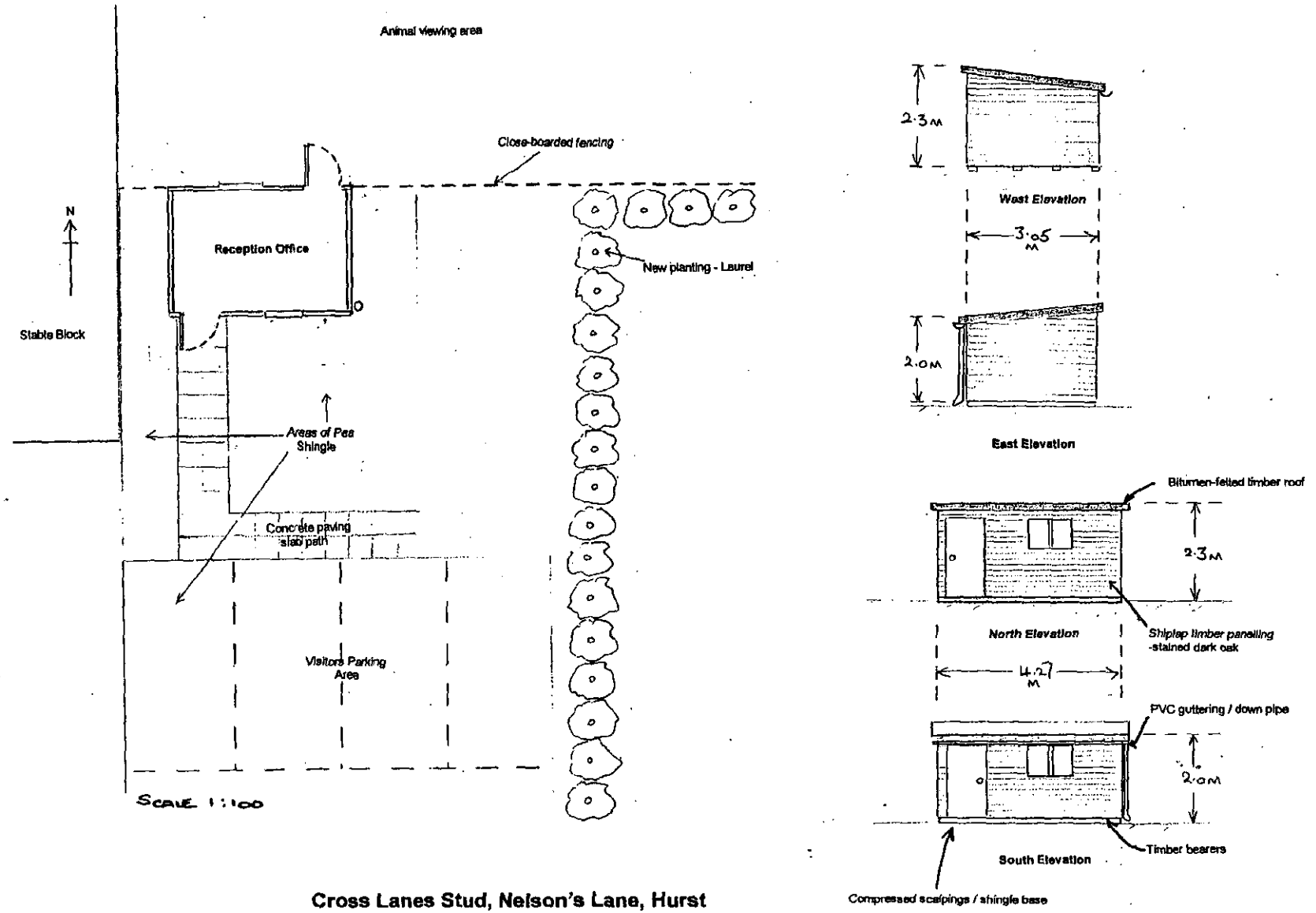
Elevation – View C

Scale 1:100

Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 7: Proposed "Wessex Melbury" Park Home



Cross Lanes Stud, Nelson's Lane, Hurst

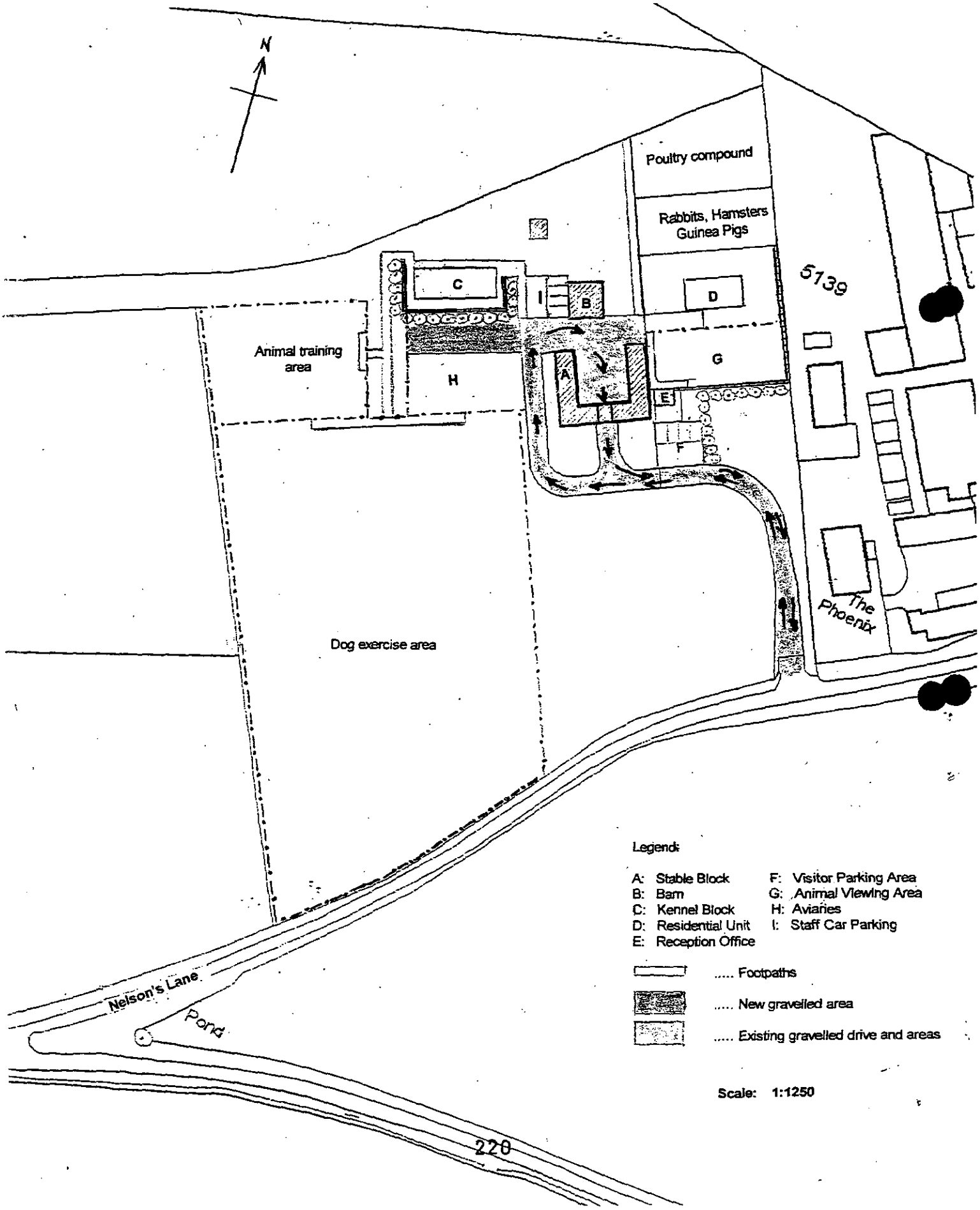
Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 8: Proposed timber Reception Office

Cross Lanes Stud, Nelson's Lane, Hurst

Application by the Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a stud farm to an animal rescue centre.

Drawing 9 – Proposed parking, footpaths and traffic flow



7032

Tel: (0118) 974 6451 (Direct Line)
Fax: (0118) 974 6484
Date: 29 April, 2003
My ref: EV/F/2002/7032
Your ref:

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

Mr G B Newman
The Diana Brimblecombe Animal Rescue Centre
30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Dear Mr Newman

RE: PROPOSED CHANGE OF USE OF LAND AND BUILDINGS AT CROSSLANES STUD, NELSONS LANE, HURST
F/2002/7032

I refer to your letter of the 15th January 2003 regarding changes to the proposed living accommodation and apologise for the inordinate delay in replying.

I write to confirm that the change in the size and type of the building now proposed to provide on site living accommodation for the Animal Rescue Centre (as opposed to the structure detailed in the original submission) can be treated as a minor amendment.

I hope this information is of assistance to you. However, should you wish to discuss the matter further please do not hesitate to contact me again.

Yours sincerely

E.V.

ELAINE VASHI
Planning Officer

File:
animalrescueminoram
end.doc

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

12th January 2003

PLANNING SERVICES	HPT
PCL	TLS
DC	ENF
APP	
CS	
15 JAN 2003	
COPIES TO	ACK:
	FILE

Dear Mrs Vashi,

Application F/2002/7032 – Cross Lanes Stud, Nelson's Lane, Hurst
Change of use from a Stud Farm to an Animal Rescue Centre

Further to our recent discussions, I should like to confirm that we have encountered major problems in purchasing the envisaged Park Home featured in the above Application. When our first enquiries were made in April 2002, Wessex Park Homes of Blandford Forum, Dorset, were quoting a delivery period of about four months for the Melbury model featured in our Application. As soon as the Planning Committee indicated their intent to grant planning consent in October, we contacted Wessex Homes to place an order, only to be advised that a sudden demand for park homes during the summer of 2002 had produced a situation in which they were now quoting the early months of 2004 for delivery. Wessex Homes attribute this quite unexpected demand for their products to a growing section of the population who are unable to finance the purchase of more traditional property. It was subsequently found that this delivery situation also applied to the other major manufacturers such as Tingdene Homes Limited and we have found it exceedingly difficult to locate either a manufacturer who could supply a new unit to our required timetable, or a second-hand unit in reasonable condition.

We have now, however, managed to secure an offer from M&M Structures Ltd of Kidderminster to deliver a new "Unilog" mobile home during the early part of this year. The model on offer is their two bedroom "Bayton" mobile home, which has external elevations in a treated softwood timber finish. The size of the available "Bayton" unit is 10.26 m by 6.09 m (62.49 m^2) which is somewhat smaller than the dimensions of the Wessex Melbury featured in the Application at 12.2m by 6.1m (74.42 m^2). I enclose a general brochure on the Unilog buildings, two photographs showing the appearance of a "Bayton" unit and a drawing showing the layout of the relevant "Bayton" mobile home.

We think the view might reasonably be taken that the timber elevations of the "Bayton" are, if anything, more appropriate to the rural nature of the site and the existing Stable Block and, in view of the fact that the proposed unit is somewhat smaller than that featured in our Application, do hope you will feel minded to treat the proposed substitution as a minor amendment to the consent granted.

I am aware from my visit to the Planning Department last week that you and your colleagues are under some considerable pressure at the moment, but the Charity is most anxious to confirm our reservation with M&M Structures Ltd at the earliest possible date. Anything you are able to do to expedite a response to this enquiry would therefore be most sincerely appreciated.

Kind regards,

Yours sincerely,

G B Newman

Mrs Elaine Vashi
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

Adrian Ellis

From: Mary Severin
Sent: 22 November 2004 10:52
To: Adrian Ellis
Subject: RE: F/2002/7032 - Crosslanes Stud, Nelsons Lane, Hurst

The file for the s106 agreement was closed some while ago. I have asked someone to retrieve it and will get back to you as soon as possible.

Mary

Mary Severin
Solicitor
Legal Services,
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1BN
Mary.severin@wokingham.gov.uk
www.wokingham.gov.uk
Direct Dial: 0118 974 6539

-----Original Message-----
From: **Adrian Ellis**
Sent: 19 November 2004 16:03
To: Colin Lawley; Mary Severin
Subject: F/2002/7032 - Crosslanes Stud, Nelsons Lane, Hurst
Importance: High

Hello Colin and Mary,

In Elaine's absence on leave, I've taken a call from Mr Newman with regard to the above application. Apparently this one is subject to the signing of a s106 agreement. Can you advise me of the current position regarding the legal agreement? Has it been signed? or what details are we awaiting?

If you could get back to me by Tuesday morning, so that I advise him so that he can report back to The animal Resuce centre Tuesday evening, I would be grateful.

Regards

Ade

Adrian Ellis
Principal Planning Officer - Southern Parishes
Development Control
Wokingham District Council
Shute End, Wokingham
Berkshire RG40 1BN
0118 9746441
0118 9746484
adrian.ellis@wokingham.gov.uk
www.wokingham.gov.uk

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT
LEGAL SERVICES

MEMORANDUM

FROM: Mary Severin
Solicitor

MY REF: MS/MAL
EXT: 6539

TO: Elaine Vashi, Development Control
Susan Griffin, Planning Department

YOUR REF:

DATE: 3rd January 2003

Section 106 Agreement, Cross Lanes Stud, Nelsons Lane, Hurst
Planning application reference no: F/2002/8032

Attached for your information is a copy of the completed Section 106 Agreement for this site.

Elaine, I would be grateful if you could arrange to issue the planning permission at your earliest convenience.

Please do not hesitate to contact me if you have any questions.

Mary Severin

DATED 2nd January 2013

Wokingham District Council

and

Donna Penfold

and

Ian Charles Overton

AGREEMENT

relating to the development of

land at Cross Lanes Stud, Nelsons Lane, Hurst

C. J. Lawley
Solicitor
Wokingham District Council
PO Box 151
Shute End
Wokingham
Berkshire RG40 1WH

THIS DEED is made on 2nd January 2003

BETWEEN

1. Wokingham District Council of Council Offices Shute End Wokingham Berkshire RG40 1WW ("the Council") and
2. Donna Penfold and Ian Charles Overton both of The White Cottage, Barkham Street, Barkham, Wokingham, RG40 4PJ ("the Trustees")

WHEREAS

A. The Council is the local planning authority for the purpose of the Town and Country Planning Act 1990 for the District of Wokingham in which the Application Site as hereinafter defined is situated
B. The Trustees have applied on behalf of the Diana Brimblecombe Animal Rescue Centre for detailed planning permission to change the use of the Application Site in the manner set out in the Planning Application and in the plans specifications and particulars deposited with the Council
C. The Trustees are the freehold owners of the Application Site as Trustees of the Charity
D. The Council has resolved that subject to this Agreement being entered into Planning Permission should be granted for development of the Application Site by change of use of the Application Site and associated buildings from stud farm to an animal rescue centre
E. This Agreement is entered into pursuant to the provisions of s106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 (as amended) whereby the Council is empowered to enter into agreements for various purposes in connection with the development of land and otherwise as more particularly set out in those provisions.
F. references to the parties named in this Agreement include their successors in title and assigns and in the case of the Council and shall include any successor in function

NOW THIS DEED WITNESSES as follows:

1. Definitions and Interpretation

In this agreement the following words and expressions shall where the context so requires or admits have the following meanings:-

1.1 "the Application Site" means all that land known as Cross Lanes Stud, Nelsons lane, Hurst and shown for identification purposes only edged red on the Plan

1.2 "the Plan" means the plan annexed to this Deed

1.3 "the Planning Application" means the planning application reference number F/2002/7032

1.4 "Planning Permission" means the planning permission granted pursuant to the Planning Application in the form of the draft planning permission annexed to this Deed with reference number F/2002/~~7243~~ 7032

1.5 "the Charity" means the Diana Brimblecombe Animal Rescue Centre

2. Conditions of Agreement

2.1 The covenants by the Trustees as the freehold owners of the Application Site in this Deed which constitute planning obligations for the purposes of Section 106 of the Town and Country Planning Act 1990 shall be enforceable by the Council as the local planning authority in accordance with the provisions of Section 106 against the Trustees and any person deriving title from the Trustees provided that the Trustees and their successors shall cease to have any personal liability hereunder after any or all of them have ceased to be trustees of the Charity or otherwise parted with their interest in the Application Site.

2.2 No person who is not a party to this deed ("third party") has or shall have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term under this agreement and no consent of any third party shall be required under that Act to any cancellation or variations of this deed

2.3 This Deed shall be registered as a local land charge in the Register of Local Land Charges maintained by the Council

3. Agreement

3.1 The Trustees so as to bind each and every part of the Application Site into whosoever hands the same may come hereby covenant with the Council:

3.1.1 Not to allow occupation of any mobile home on the Application Site except for persons managing the animal rescue centre solely employed by the Diana Brimblecombe Animal Rescue Centre and any resident dependents

3.1.2 To remove any mobile homes on the Application Site in the event of cease of use of the animal rescue centre permitted by the Planning Permission

3.1.3 Not at any time to claim for any compensation against the Council in connection with this agreement.

4. Council's Legal Expenses

The Trustees jointly and severally covenant with the Council to pay the Council's reasonable legal expenses incurred in the preparation hereof on or before the date hereof

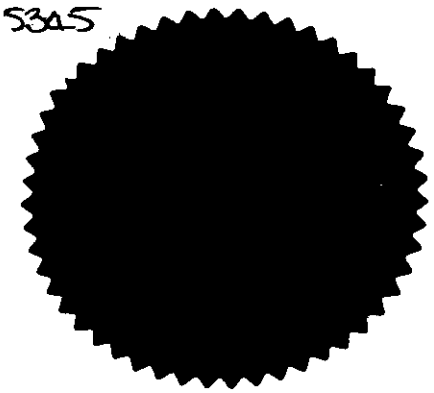
SIGNED AS A DEED AND DELIVERED
By the said DONNA PENFOLD
In the presence of

Name
Address
Mrs. D. EXCELL
39 BOYD CRT. BRACKNELL RG42
Occupation Retired 1PX

SIGNED AS A DEED AND DELIVERED
By the said IAN CHARLES OVERTON
In the presence of

J H Duncan.
Clarendon, Waltham Rd.
Maidenhead.
Secretary.

THE COMMON SEAL OF
WOKINGHAM DISTRICT COUNCIL
was hereunto affixed in the presence of:- 15345



Solicitor

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

The Diana Brimblecombe Animal Rescue Centre
C/O G B Newman
30 Martins Drive
Wokingham
Berks
RG41 1NY

Application Number: F/2002/7032

Parish: **HURST**

Location: **Cross Lanes Stud, Nelsons Lane, Hurst, Reading.**

Proposal: **Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Approve Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

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

Condition
2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Condition
3. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity.

Condition
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

Condition
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Condition
6. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as may be agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

Condition
7. The maximum number of dogs allowed on the premises at any one time is 21.

Condition
8. The newly constructed kennels are to be enclosed on 4 sides by a 2.1 metre high concrete acoustic fence

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

Reason
2. To ensure that the external appearance of the building is satisfactory.

Reason
3. In the interests of visual amenity.

Reason
4. In the interests of visual amenity.

Reason
5. In the interests of visual amenity.

Reason
6. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

Reason
7. To ensure noise from the centre does not cause a nuisance to neighbouring properties.

Reason
8. To ensure noise from the centre does not cause a nuisance to neighbouring properties

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

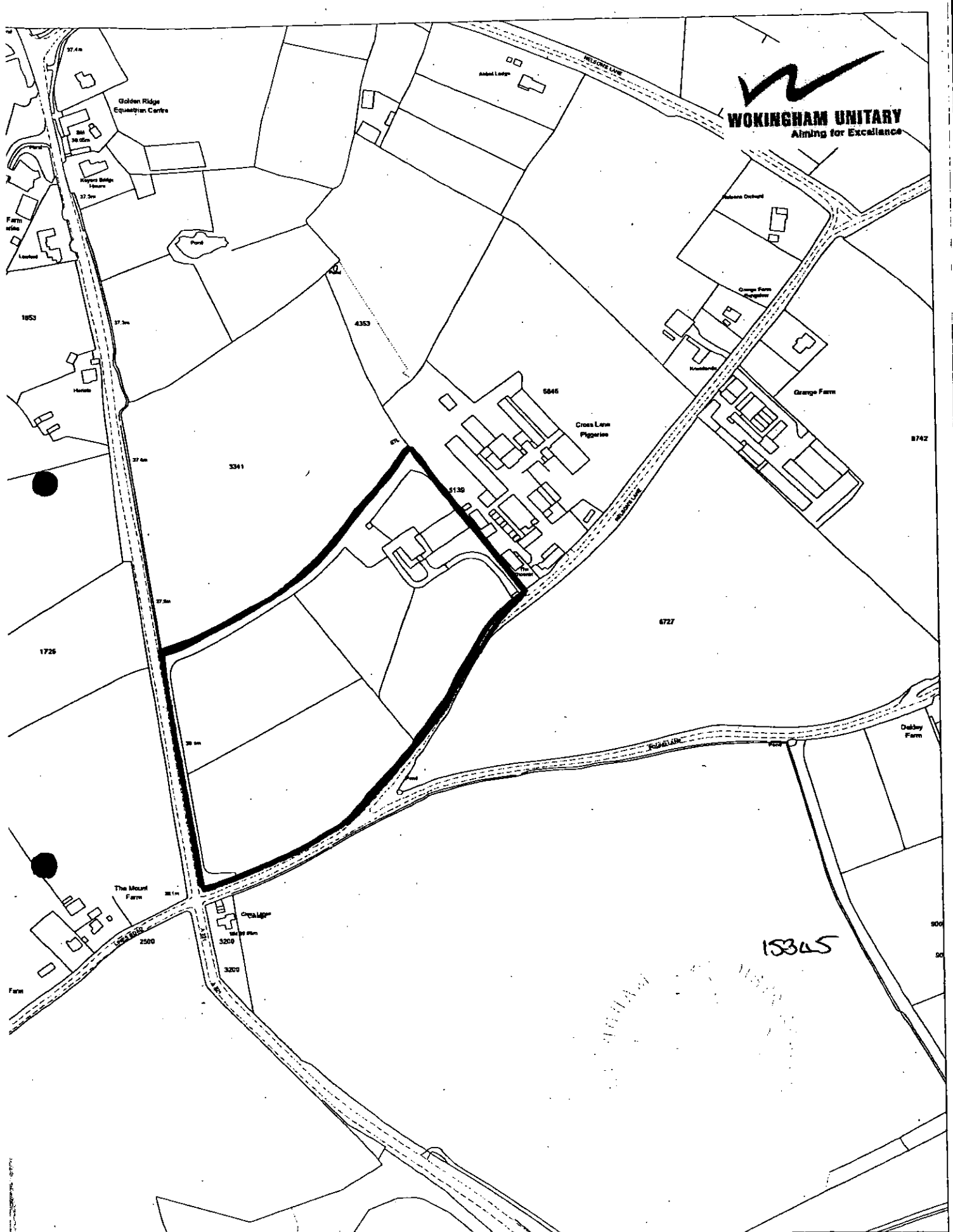
Berkshire Structure Plan Policies OS1, EN1 and C2.
Loddon Area Local Plan Policies LTV1, LBE1 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS3 and WBE1.

T. G Watson

Trevor Watson
Development Control Manager
Date: 13/11/2002

Notice checked by: _____

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



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evelopment Control,Wokingham District Council.

November 2002

Scale: 1 : 4000

N
W E
S

Elaine Vashi

From: Suzanne McLaughlin
Sent: 15 August 2002 11:01
To: Elaine Vashi
Cc: Mandy Dorman
Subject: Planning Application F/2002/7032 Cross Lane Stables, Nelsons Lane, Hurst

Elaine

Following our conversation I would like to advise you of the service implications for my team should this application not be granted and some background information if required to answer questions at the planning committee meeting.

We have a statutory responsibility to look after stray dogs for 7 days which are found in our district. Once our Animal Warden has picked up the dog we then take it to the Diana Brimblecombe Animal Rescue at Britton's Farm, Waterloo Road, Wokingham (if there is no room there we then can try Joe's Folly, in Taplow). We are fortunate that DBAR will take in strays, unlike all of the other kennels within our district (list below) and many in the surrounding region. They take in the strays at any time and then also rehome them (otherwise we would have to pay for them to be put down after 7 days if they are not claimed by their owner). They currently do not charge us for this service and as it is local it saves us time and money and there is less stress for the dogs.

When we need to use Joe's Folly they will only keep the dog for the 7 days, which is much more expensive kennelling and due to the location to WDC is costly in terms of time and money. JF is also not open to take in strays during some bank holidays which can be inconvenient. If a stray is to be reclaimed from JF they will not allow the owner to collect the dog and so our Animal Warden has to collect it and then return it to the owner. This is costly in time and money for us.

If the dog is not claimed after 7 days we must then find it somewhere else to go e.g. a homing centre, otherwise the dog will be put down, again incurring more cost for us. The nearest National Canine Defence League centre is near Newbury. They will not take strays until they have done their first 7 days and they are not keen to take our strays, they will definately not take certain breeds and they charge a high rate to take it in, again this is inconvenient. The Binfield Dog Rescue in Binfield which will rehome dogs unfortunately do no carry out home checks of potential new owners which currently in our opinion is contrary to our statutory duty in the rehoming of stray dogs.

All in all we have a good working relationship with the DBAR. We are fortunate that they are so accommodating to us and their charging levels enable to spend our extremely limited budget more widely. The lease for the DBAR at Brittons Farm expires shortly and this is the 4th location they have considered within the area, and last we understand, for relocation. If permission is not granted and Brittons Farm were to close there will be service implications in us carrying out our statutory duty within the budget we have been allocated.

I would be grateful if you could let me know if this application should not make the 4th Sept committee.

Boarding kennels.doc

Suzanne

Suzanne McLaughlin
Interim Environmental Health Manager (Environmental Protection and Housing)
Wokingham District Council
Tel: 0118 974 6351
Fax: 0118 974 6401
Email: suzanne.mclaughlin@wokingham.gov.uk
www.wokingham.gov.uk

I	L	Typ	FH	Premises	Add 1	Add 2	Town	Coun	Pcode
4	AB1	ABE	NC	Ringwood	Dunt Lane	Hurst	Readin	Berks	RG10
5	AB1	ABE	NC	White Cottage	Forest Road	Binfield	Brackn	Berks	RG42
1	AB2	ABE	NC	Briafield Kennels	Waingels Road	Twyford	Readin	Berks	RG10
6	AB2	ABE	NC	Cats Whiskers	176 Nine Mile	Finchamp	Wokin	Berks	RG40
3	AB2	ABE	NC	Balmoral	Mortimer Road	Grazeley	Readin	Berks	RG7
8	AB2	ABE	NC	Knowl Hill	1 Castlemans	Bath	Readin	Berks	RG10
2	AB5	ABE	NC	Kimberdale	Heathlands		Wokin	Berks	RG40
3	AB9	ABE	NC	Hemiov Dog &	Pound Lane	Hurst	Readin	Berks	RG10

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14 AUG 2002	
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Our Ref. **13366**
Your Ref. F/2002/7032
Date. 13 August 2002

R. F. Wilson, DipArch, DipTP, RIBA, MRTPI
Wokingham District Council
DX33506
WOKINGHAM

This matter is being dealt with by -
HPINDER

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACT 1990
Change of Use / Minor Changes

Cross Lanes Stud, Nelsons Lane
Hurst
Reading

I refer to your consultation received in this office on 15/07/02

SEWERAGE

Thames Water Utilities Ltd., has no objection to the above planning application.

WATER

With regard to water supply, Thames Water Utilities Ltd., are unaffected by this development, and therefore have no comments to make.

Yours faithfully,

Admin
(For Technical Information Manager

RWE GROUP

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

12 AUG 2002

155

To: Elaine Vashi
Development Control

Your Ref: F/2002/7032

From: John Mullaney
Environmental Health

My Ref: 2177

Date: 9/08/02

PROPOSED PROPOSED CHANGE OF USE FROM STUD FARM TO ANIMAL RESCUE CENTRE WITH KENNELS, RECEPTION AREA AND MOBILE HOME

CROSS LANES STUD, NELSONS LANE, HURST, READING

I have no environmental health objections to this proposal with the imposition of the following condition, to ensure noise from the centre does not cause a nuisance to neighbouring properties:-

(I) The maximum number of dogs allowed on the premises at any one time is 21.

(II) The newly constructed kennels are to be enclosed on 4 sides by a 2.1metre high concrete acoustic fence.

If the applicant has any further queries regarding this matter please contact me on 0118 974 6766.

John Mullaney

J R MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION & HOUSING

rec. by hand. 8/8/02.

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

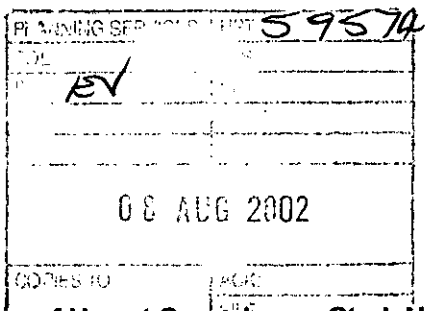
The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

7th August 2002



Dear Mrs Vashi,

Application Number F/2002/7032 – Change of Use at Cross Lanes Stud, Hurst to an Animal Rescue Centre.

Further to our discussions yesterday afternoon, I should like to make the following observations regarding the objections to the above Application submitted by Hurst Parish Council and Mr Barnes of Hemjoy Kennels.

1. Hurst Parish Council. Although I have not yet seen the objection, I understand it expresses concerns regarding the proposed residential unit and questions the need for an animal rescue facility. It is, of course, a requirement that the rescue centre be attended on a continual basis and the residential unit is necessary on that basis. Is it possible that the Parish Council's reservations may be alleviated by the knowledge that any consent would be strictly tied to the use of the site by our Charity?

It is difficult to understand their comments regarding provision of animal rescue facilities in the area as the only other local facilities are the Binfield Dog Rescue unit at Billingbear and the Pineridge Sanctuary at Ascot, both of whom cater only for dogs, although I understand from the District Dog Warden that the latter sanctuary does not accept local dogs. Although it is certainly not my place to comment upon other facilities, I think there must also be a measure of concern as to whether or not they will be in a position to meet the forthcoming regulations. Certainly the RSPCA, Social Services, Thames Valley Police and the District Animal Warden would be willing to substantiate that we provide an essential and heavily used service to the local community and the latter officer has asked me to observe that in the event of the closure of our Charity, Wokingham District Council would have nowhere to accommodate their strays. Dr Lloyd-Williams, Chairman of the East Berks RSPCA is, in fact, so concerned about the comments that he intends writing to you about the issue. We frequently find it difficult to accommodate all the animals requiring sanctuary and have, unfortunately, sometimes been obliged to say we are unable to assist. A case, in fact, for an under-provision of facilities has been borne out in the past few days by requests from Reading Council to the Wokingham District Animal Warden for assistance in locating kennel space for strays.

You may be aware that the Parish Council comments have been given some prominence on the front page of the Wokingham Times. This has caused great concern, not only regarding the impact upon our Application, but also its possible effect upon how local people perceive our work, particularly as we are solely supported by public donations.

2. Mr Barnes, Hemjoy Kennels. I think there are three issues raised by Mr Barnes which need to be addressed.

Firstly the water supply to Cross Lanes Stud comes off the supply located in the A329 and not from the supply in Nelson's Lane.

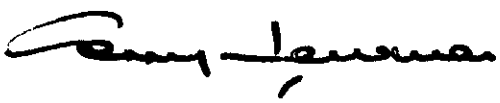
Secondly, we have absolutely no intention of attempting to operate a boarding kennels at Cross Lane Stud, or anywhere else. The business of operating a successful animal rescue centre is quite sufficiently taxing for our Charity and, as Mr Barnes should be well aware, an animal rescue centre, with its influx of animals having uncertain or unknown veterinary records, is incompatible with a boarding business accommodating animals belonging to trusting customers. The only circumstances in which we accept animals belonging to known owners are those where the owners are incapacitated and unable to afford boarding facilities for their pets during their absence from home. The only remuneration we receive in such cases is where the animals have been lodged with us by the Social Services. I was most surprised to see such a statement by Mr Barnes, as it is my understanding that our immediate past Chairman had previously discussed this topic with the correspondent.

Lastly, I was dismayed to see the innuendo regarding our title and Mrs Brimblecombe's future. You will be aware, from the letter written to the Chief Planning Officer by Mrs Brimblecombe, that she is eager to see the required consent granted and one of the attractions of the Cross Lanes Stud is its proximity to the area where Mrs Brimblecombe anticipates spending her well-earned retirement, thus ensuring her continuing day-to-day involvement with the Charity. You may wish to advise Mr Barnes that the title of the Charity was formally

amended by our membership, at an Annual General Meeting, from "The Wokingham Animal Rescue Centre" to "The Diana Brimblecombe Animal Rescue Centre" as a tribute to her long and outstanding dedication to animal welfare.

I should be pleased to supply any further details or information that might help to progress our Application.

Yours sincerely,



G B Newman
Secretary

Mrs Elaine Vashi
Planning Services
Wokingham District council
PO Box 157
Shute End
Wokingham
RG40 1WR

rec. by hand 8/8/02.

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

Brittons Farm
Waterloo Road
Wokingham
Berkshire
RG40 3BZ

Tel: 0118 9782808

7th August 2002

F.A.O Elaine Vashi

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CS	
08 AUG 2002	
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Dear Sirs,

Diana Brimblecombe has asked me to respond on her behalf to the comments of Hurst Parish Council, published on the front page of your last edition, which suggested there is not a sufficient need for our facility in this area. It is truly sad that a body of elected representatives have seen fit to make such an uninformed and potentially damaging statement. It would certainly not have been difficult for the Parish Councillors to have determined the facts of the matter. They could, for example, have spoken to the local RSPCA, who use our facility extensively, or the Social Services, to whom we provide assistance. Alternatively, they might have consulted the District Animal Warden, who would have told them how difficult it is to accommodate the huge number of animals requiring sanctuary and assured them that, without our rescue centre, there would be nowhere to house her strays. Thames Valley Police would have been pleased to confirm the help we provide in collecting stray animals from their cells, or injured animals from road accidents. If the Councillors had even bothered to telephone the Centre, we could have provided the names and addresses of the hundreds of people who deposit stray, injured and unwanted animals with us each year. Unfortunately we're not able to identify those other people who throw animals from their cars onto the M4 or A329, leave puppies and kittens tied up in waste bins, or merely dump their unwanted animals outside our sanctuary.
We trust that such naïve and misleading comments will not adversely affect our chances of obtaining planning consent for our new premises, but shall, instead, rely upon the generous support of the residents immediately around the proposed new site in Hurst who, without exception, have been kind enough to write to WDC expressing their support for our proposals. We are, indeed, most grateful for their informed and, thus, realistic view of the dedication of Diana, the staff and our volunteers in providing such an essential community service.

Yours faithfully,

G B Newman

The Editor
The Wokingham Times
Unit 5
Anvil Court
44 Denmark Street,
Wokingham
RG40 2BB

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

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06 AUG 2002
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FILE

30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

4th August 2002

Dear Mrs Vashi,

Application F/2002/7032 – Change of use at Cross Lanes Stud.

Further to our discussions on Thursday afternoon, I note below some comments on various matters raised to date by the responses to your enquiries.

1. **Highways:** I note Highways have requested further information on staff parking and facilities for delivery and animal transport vehicles and note they require a 6 m clearance behind the visitors parking area.
   I enclose an additional plan, numbered 9, marking the location for staff parking, with the bays facing into the western wall of the barn, permitting five metre bays plus a reversing space of seven metres.
   I think all vehicles anticipated at the proposed centre, including delivery vans and lorries, will be able to access and depart using the existing one way circuit shown on the drawing. The only animal transports that normally use our site are our own Ford Transit van and the vehicles used by the RSPCA and WDC's Dog Warden, which are small four wheel drive estate vans. In the event that a delivery vehicle was considered too large to exit through the Stable archway, it would be able to reverse between the new kennel block and the aviaries and exit along the entrance lane.
   With regard to the space behind the visitors' car parking spaces, I think perhaps my drawings are not entirely clear, in that on Drawing 3, which shows the arrangement at a scale of 1:1250, the visitors' parking area (F) scales off at 11 metres deep, which represents the 5m length of the parking bay plus the 6m reversing space. Drawing 8, however, which shows the Visitor's area in greater detail, at 1:100, only shows the parking bays and does not include the reversing space. I'm sorry this omission has caused confusion.
2. **Landscaping.** Several points have been raised regarding fencing and planting. In particular, I note the Landscape Architect is worried about the close-boarded fence adjoining the "Phoenix". This is a little embarrassing as you may recall that this close-boarded fencing was added at the specific request of Mrs Holdstock, the owner of the Phoenix and I know she's most keen to see this feature retained. Mrs Holdstock, incidentally, recently asked for, and received our assurance, that we shall not subsequently attempt to locate additional buildings in the area bounded by the Animal Viewing Area, the Visitors Parking, the entrance drive and her boundary fence. She has also suggested we might care to plant some additional trees in that area, presumably to reinforce our assurance and we've said we shall be happy to do so once adequate funds become available, particularly as it would also improve the aspect from the main entrance.
   I note your Architect queries the use of laurel as the screening planting, a species we suggested only because we thought it would form the most attractive screen and confirm we should be pleased to use an alternative plant if laurel is considered inappropriate.
   In respect of the comment that the chain link fencing surrounding the Dog Exercise Area might protrude above the existing hedgerow, I note that hedge in that area is almost two metres high and we should very much like to retain the suggested fence height on security grounds, as some of our dogs make high jumpers look fairly amateurish!
   The Architect also wishes to see the pathways to be installed and I have indicated them on Drawing 9. We were initially intending to use a concrete-edged aggregate path, which we felt would blend more sympathetically with the site, but our staff have constructively pointed out that these pathways will be heavily used and sometimes fouled by the animals. In these circumstances it is felt that concrete paths would be more resilient and easier to clean and disinfect, so, if you have no objections, we would prefer to install a concrete surface. We are, of course, quite happy to assure your Landscape Architect that it is our intention not only to preserve the magnificent hedgerow, including its trees, which surrounds the site, but also to strengthen it in those places where it is a little thin. In time, when our coffers are replenished, we should also like to do some tree planting on the main body of the site, particularly north of the proposed kennel block and along the fence lines of the dog exercise area.
3. **Mr Belcher, Grange Farm, Nelson's Lane, Hurst**. I note the comments received from Mr Belcher which

reflect his observations when I recently met him. I had been advised he was concerned about our proposals and, during my recent efforts to talk to all local residents, I made a point of showing him the plans and explaining the measures we had proposed to meet his reservations. He was particularly worried about the possibility that we would be walking our dogs on land adjacent to his sheep pastures, which might cause potential problems for his stock. I assured him that no animal exercising will take place outside of the new centre, particularly in view of the narrow roadways in the area. I also pointed out that the dog exercise area, more than adequate for all our animals, is completely surrounded with a security fence, which should prevent any strays and offered to extend the security fence around the new kennel block if that gave him greater comfort. He was, however, quite happy with the proposed arrangements. His concern regarding possible noise emission was alleviated by knowledge of the acoustic fencing and the proposed kennel design. He expressed concern at the number of new homesteads appearing in the Pound Lane/Nelson's Lane area, but said he quite understood the necessity for ours and was much comforted by the fact that any permission would be linked specifically to our occupation of the site. I was less able to provide any degree of comfort regarding his comments about traffic passing along the lane outside his Farm, although his concern rested primarily with through traffic, which he considers travels at speeds quite incompatible with the condition and width of the road. He mentioned the proposed passing-bay that was apparently a condition of the permission for the stud farm and said he was aware that the required contribution for those road improvements had been paid to Berkshire County Council by the Applicant, although the works had not been carried out. At the conclusion of our discussion, Mr Belcher said he'd appreciated the various points we'd made and stated he would not object to our proposals, although he would still write to WDC setting out his concerns in order to make certain they were taken into account.

4. **Comments by Conrad More, Senior Planner.** – I note Mr More makes reference to animal waste disposal and pollution of the water table. I should, perhaps, have noted in the statement that accompanied the application that solid animal waste will be bagged and removed from site by a licensed waste disposal company, probably Throwers of Morecombe. Urine waste from the kennels and Cattery will be piped into the existing septic tank. There will, of course, always be urine waste passed by the animals on the external exercise areas, but I cannot think this will be regarded as a major source of pollution. I have made enquiries of the Farmer who cuts the grass at the stud centre and he advises that the land has not flooded during the last decade and this fact has been borne out by the responses of the Vendor to the legal enquiries made during our purchase activities.

I enclose a copy of our response to a letter received from Mr Knight, your Access Officer.

I do hope these points will help to clarify and resolve some of the questions raised and look forward to meeting you in the near future to discuss any outstanding matters

Yours sincerely,

G B Newman
Secretary

Mrs Elaine Vashi
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

1st August 2002

Dear Mr Knight,

Planning Application No: F/2002/7032

I should like to thank you for your letter dated the 29th July regarding access and facilities for disabled people at our proposed new animal rescue centre.

I understand, from the manufacturer, that the park home proposed as the Manager's dwelling meets all present access and facility requirements. The installation of the unit will be carried out in accordance with the approach and access recommendations.

With regard to our general facilities, we shall certainly ensure that everything possible is done to facilitate the use of our centre by the disabled. This is particularly pertinent as our facilities are often made available to a range of disabled people at the request of the social services and other care organisations, who have found that working in an animal sanctuary provides extremely beneficial therapy. You will be aware, however, that we are a small charity, enabled to acquire our proposed new sanctuary by the kindness of an exceptionally generous bequest. Unfortunately those funds will be almost completely utilised by the site acquisition and basic structure costs and, during the initial stages of our activities at Cross Lanes, we shall not be able to afford some desirable features, such as a WC accessible by wheelchairs. The facilities we shall possess, however, will be a vast improvement upon our present accommodation, not only for our animals, but also for the staff and all categories of visitors and you may rest assured that we shall strive to improve those facilities once sufficient funds become available.

If we are fortunate enough to secure the required planning consent, we shall rapidly move on to the detailed design stage at which queries may well arise. If that should prove to be the case, perhaps we might contact you again for specific advice.

Yours sincerely,

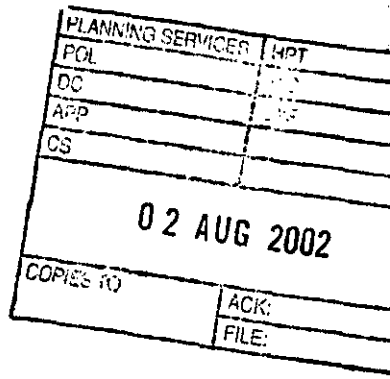
G B Newman

Henry Knight
Access Officer
Environmental Services Department
Building Control
PO Box 155
Shute End
Wokingham
RG40 1WR

ST. NICHOLAS HURST PARISH COUNCIL

Clerk: Mr. R. Wardle, D.M.A., F.C.I.S., M.C.M.I.,
Glenrocques, 52 Altwood Road, Maidenhead, Berkshire, SL6 4PZ
Telephone/Fax: (01628) 628485

31st July , 2002



Development Control Manager,
Wokingham District Council,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham, RG40 1WR

For the attention of Elaine Vashi

Dear Mrs. Vashi,

Application No: F/2002/67032

I refer to the above-mentioned Application by The Diana Brimblecome Animal Rescue Centre in respect of Animal Rescue Centre, Cross Lanes Stud, Nelsons Lane, Hurst: proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

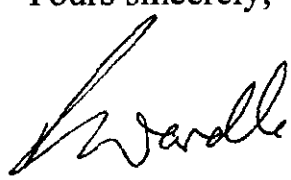
On the information submitted, my Council object to this proposal. For proper consideration a Business Plan should have been submitted. In any case, it should be noted that Hurst already hosts an Animal Rescue Centre which is adequate for the area. There are also boarding facilities close to the Site so further facilities would appear to be over-provision. In addition, boarding facilities would not appear to fit with The Centre's charitable purpose.

Concerns have been expressed about the increased traffic a Centre would generate and the access is not suitable for this purpose. If a Centre was provided, the proposed car parking provision is not adequate. To provide adequate highway access would be out of keeping with this rural area just as the proposed buildings are also unsuitable.

A Mobile Home would also be unnecessary and unsuitable as twenty-four hour cover should not be required.

The proposal is not regarded as having any merit at all.

Yours sincerely,

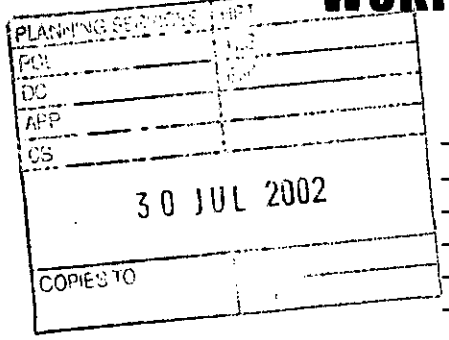


Clerk

☎ 0118 974 6379 (Direct Line)

Monday, 29 July 2002

G B Newman
30 Martins Drive
Wokingham
Berkshire
RG41 1NY



WOKINGHAM UNITARY
Aiming for Excellence

Access Officer
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Building Control
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Email: henry.knight@wokingham.gov.uk

Dear Sir/Madam,

Planning Application No: F/2002/7032

Address: Cross Lanes Stud, Nelsons Lane, Hurst, Reading

The above planning application has been reviewed for the provision of access and facilities for disabled people.

The following two lists should be addressed in order to facilitate improved use of the proposed building adaptations by disabled people.

List A *(These are mandatory requirements under the Building Regulations where applicable)*

When a building is altered there is no obligation (under the building regulations) to improve access and facilities for disabled people. The level of provision after alteration should not be any worse.

1. That the approach to the principal entrance of all buildings (non-dwellings) is level i.e. has a surface width of 1.2m and a gradient not steeper than 1:20.
2. If an approach stepper than 1:20 is required a ramped approach should be provided.
3. That any proposed ramped approach meets the requirements of Part M2, para1.19.
4. That the principal entrance door meets the requirements of Part M2, para 1.35 e.g. provides a leaf with a minimum clear opening width of not less than 800mm.
5. Where access to a dwelling is required the approach should be level with a width of no less than 900mm. Where a ramp is required the requirements of Part M4, para 6.15 should be met.
6. An accessible threshold to a dwelling should be provided where a level or ramped approach is provided (Part M4, para 6.19).
7. WC provision in a dwelling should meet the requirements of Part M4, para 10.3).

List B *(Recommendations for good practice in line with the Disability Discrimination Act, 1995 and BS8300)*

1. To provide a suitable number of accessible parking bays close to the principal entrance (1 bay or 6% of total provision which ever higher is recommended). Note: Accessible parking bays should have a firm and smooth surface which is slip resistant. A surface with similar qualities should be used along the principal access route.
2. To consider the provision of an accessible WC suitable for wheelchair use.
3. To consider the design and position of door furniture in terms of reach and grip.
4. To ensure that the force required to open doors is not excessive (20-30 Newton's recommended).
5. To ensure that general areas accessible by members of the public are suitable for use by disabled people e.g. have level access thresholds, surfaces suitable for independent use by wheelchair users, and potential hazards are clearly identified etc.
6. To consider the use of colour and tonal contrast of floors, walls, doors and door furniture to improve visibility for all users.
7. To provide clear signage and general wayfinding information suitable for the needs of disabled visitors.

The above list (B) is not meant as an exhaustive list of requirements needed to comply with the DDA but as an indication of some design aspects that should be considered.

Please note that compliance with Part-M does not remove all liabilities under the DDA 1995.

From October, 2004 service providers may have to make 'reasonable adjustments' in relation to those '*physical*' features of their premises that make it impossible or unreasonable difficult for disabled people to access a service. This may include removing, altering or providing reasonable means of avoiding physical features.

At present service providers are not required to make permanent alterations to the physical fabric of premises, fixtures, fittings or furnishings when providing auxiliary aids. However, the Act does not prevent service providers from taking these requirements into account at an earlier stage. Anticipating these requirements in existing building and maintenance schedules would be advisable in order to anticipate the 2004 requirements.

Should you wish to discuss any of the above issues please do not hesitate to contact me on (0118) 974 6379.

If you have any queries with regard to the Building Regulations please contact the area building control surveyor.

Yours faithfully,

Henry Knight
Access Officer

CC: Elaine Vashi - WDC Planning Dept.

Memo

To: Elaine Vashi

From: Conrad Moore

Date: 26/07/02

Re: **Policy Comments upon F/2002/7032**

Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home at Cross Lanes Stud, Nelsons Lane, Hurst.

Countryside Policy

PPG 7 makes clear that the Government policy is that the countryside should be safeguarded for its own sake and non-renewable and natural resources should be afforded protection. PPG 7 acknowledges though that urban fringe places often have areas of vacant and underused land and that tackling these problems requires a positive approach to planning and management aimed at securing environmental improvement and management. This can be seen as a beneficial use that meets a wider community need. This is set out in Paragraph 3.24. Furthermore Annex F does not see equestrian uses as alien to the countryside provided there is no impact on countryside character. Applicants can be expected to manage the land to overcome concerns set out in Paragraph F2. Paragraph F5 clearly states that the Government wishes to see a positive approach towards applications for horse based development that respects the rural environment. This proposal will retain horses and agricultural livestock on the land.

However PPG 7 was amended in March 2001 to "encourage rural enterprise". This can be seen as a rural enterprise that maintains the economic, social and environmental well being of rural areas. The general decline in agriculture will continue and MAFF estimates that just over 400,000 people were employed in agriculture in 1999 compared to 475,000 in 1995. Following foot and mouth and globalisation of the food market prices this will continue. Nationally 6% of farmers are expected to leave the industry according to MAFF figures this year and this sought of alternative enterprise should be considered favourably.

Agriculture is defined in section 336 of the Act as including
"horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of the land for other agricultural purposes."

This is a very wide definition and the proposed uses cannot be considered to fit strictly within this definition with the exception of grazing. Their current site forms part of a larger and active agricultural holding. This proposed use involves grazing and keeping of livestock is not alien to the countryside. I would consider this use as sui generis. This said the existing use at Brittons Farm does blend in with the rural characteristics of Wokingham Without, and where livestock can be perceived appropriate on a farm.

In respect of the mobile home guidance in PPG 7 Annex I should be followed, given that there are similarities to an agricultural use. This is a commonsense viewpoint and not established in case law. The agent makes clear in the supporting documentation that the rescue centre in law must be staffed at all times. This can be considered as a similar requirement to the ostrich farm on Easthampstead road where the keeping of dangerous animals required staffing at all times and where the Council permitted a mobile home. As such this would meet the functional tests and animal welfare. Whilst this is not an agricultural enterprise, the financial test can be met as the charity has enjoyed charitable status since 1984. Viability would have been a test of the Charity Commission and one that the animal rescue group satisfied. As such the proposal could comply with *Wokingham District Local Plan (Deposit Draft, As Amended)* Policy WCC6.

Structure Plan policy C2 allows development required for re-use, adaptation or redevelopment of existing buildings to allow diversification and to maintain and enhance the rural environment (criteria (ii)). The proposals can be considered to fall within this. C2 in the last paragraph also states that the proposal has to be appropriate in scale, form, impact, and is acceptable in terms of other policies. This is similarly reflected in the *Wokingham District Local Plan (Deposit Draft, As Amended)* Policy WCC1.

Policy WCC1 applies and the broad principle should be considered acceptable under Category G. It is appropriate for the reasons set out above as well as the potential amenity and environmental health considerations below. However considerations in the final paragraphs after the criteria are important. The Inspector has recommended changes to the categories, but this one still applies as category H. The final paragraph is still applicable. Further development on this site and a change in intensity of use could result in urbanising effects such as vehicle movement, intensity of use, noise, lighting, and equine/dog bric-a-brac being permanent in nature. These potential future impacts should be guarded against.

The new buildings will need to comply with Policy WCC4. They appear to be visually low key, and well related to existing buildings on site. The Local Plan Inspector has clarified the wording and interpretation as non-residential buildings in a re-worded policy. This criteria policy should be used.

The agent has offered that the use of the land and additional structures be strictly tied to the charity use. This is in the last paragraph of Part 4.0 of the Agents covering letter. This should be taken up and guidance on such conditions is provided in PPG 7 Annex I paragraphs I17 to I19 inclusive to protect the countryside against the risk of pressure for new houses and inappropriate development.

Landscape Issues

The site is within the countryside with long views across it. Detailed comments from Catherine Brimble should assist in assessing any potential impact on the rural character. Appropriate landscape and planting schemes need to be demonstrated in accordance with Policy WLL7. Berkshire Structure Plan Policy C9 should also be considered in this context. Landscaping should not be an afterthought to any consent.

Detailed comments from the Tree Section should be sought, as I note that mature trees and hedging exist on the site. They may be physically damaged by construction and potentially impeded from future growth without careful management of grazing animals. These factors could threaten their longevity. Their loss would have significant impacts on landscape character. These are factors to consider under Policy WBE11. The Inspector has recommended re-formatting the Policy, but the factors to take into account remain the same.

Transport

This development in the countryside will need to take account of Highway Safety (Policy WT7) and Parking Provision (Policy WT6). These issues are also reflected in the Berkshire Structure Plan policies T1, T4, T7 and LD5. The Highways Team will comment on these aspects.

Archaeology
The site is within an area of high archaeological potential where Policies WHE15 & 16B apply. The Local Plan Inspector has recommended re-wording but has kept the thrust of the policy the same. An archaeological evaluation may be required and legal agreements sought.

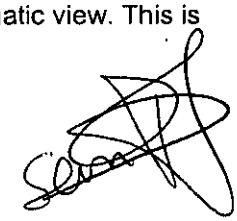
Flooding and Groundwater
The site is identified within a Groundwater Protection Zone – Policy WIC15. This site is within Zone 3 and can be sensitive to development and pollutant sources. The Environment Agency must be consulted as organic waste as a source pollutant for example may result from the animal rescue use. There are no details as to the disposal of animal waste (manure) and lined manure pits may be necessary for example. Given the proximity of the groundwater source at Forest Road, Emmbrook I would also advise that you consult Thames Water for their views as they are responsible company for water supply. Whilst the area is outside an identified flood zone, these fields have a high water table, illustrated by the number of ponds and ditches in the locality with water all year round. Whilst the site is located outside the Environment Agency 2001 floodplain, Policies WIC16 and WIC15 may still apply. There is clearly a risk of flash flooding or changes to the water table. PPG 25 states that any assessment of flood risk should take account of the risk of flash flooding.

Flood risk may prove to be acceptable, in consultation with the Environment Agency. However this does not address the fact whether the new building could be insured. The Association of British Insurers is no longer tied to Environment Agency views on flood risk and uses much stricter criteria to assess. It may be advisable through the use of an informative for the applicant to contact the Association of British Insurers. This proposal may affect potential property buyers through mortgage availability or existing mortgage terms and conditions. The Applicant should be advised of this. The Environment Agency through conditions and/or s.106 agreements may request mitigation measures.

Environmental Health
Environmental Health and the Environment Agency views should be sought, as there may be amenity implications for the property on the corner of Nelsons Lane and the adjoining farm to the east. This could arise from noise and smell. These issues are addressed in Policies WOS 6 and WOS 7. The Inspector has amended this but not to the extent of altering consideration of this proposal.

Conclusions
The sui generis proposal can be supported in policy terms, taking a pragmatic view. This is subject to the satisfactory resolution of:

- Flooding and groundwater
- Pollution
- Highways
- Landscape
- Archaeology



Conrad Moore.
Senior Planner.

HIGHWAYS CONSULTATION SHEET HR.

From: Elaine Vashi **Date:** 15 July 2002

Application Number: F/2002/7032

Proposal: Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

Parish: HURST PARISH

Site Address:
Cross Lanes Stud, Nelsons Lane, Hurst, Reading.

Applicant:
The Diana Brimblecombe Animal Rescue Centre C/O G B Newman.

Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comment

No objection in principle subject to the following.

1. There is insufficient turning space indicated for the visitor parking spaces. Needs to be 6m behind each space.
2. Please indicate provision of 4 parking spaces for staff with associated turning.
3. Parking and turning for service/delivery/animal vehicles must be provided. Please address.

* Revised plans are required.

Signed: _____ **Print name:** AC 25/7/02

TO: **DEVELOPMENT CONTROL**
Elaine Vashi

FROM: Environmental Design

DATE: 24 July 2002

Location:	Cross Lanes Stud, Nelsons Lane, Hurst
Proposal:	Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.
Application Number:	F/2002/7032

In response to your consultation dated 15 July 2002 for the above application, the landscape comments are as follows:

The site is located within the countryside and consists of a number of existing buildings relating to the stud farm and several paddocks that are currently not being grazed. The site is enclosed both along Nelsons Lane and Wokingham Road by reasonably dense, high hedgerows, therefore restricting views into the site from these roads. A more mature hedgerow with hedgerow trees forms the north western boundary of the site.

Although I have no objection to the proposal in principle, I do have sight concerns over the cumulative impact of the additional structures or use of hard material within the site on the wider landscape character of the area that do not seem to be detailed in the application. The applicant will need to provide the following information in order that a more informed judgement can be made on the application:

1. Size and structure of the aviaries.
2. Poultry compound – shelters, coops provided? And if so how many and what size?
3. Rabbit and hamster area outside – number of hutches or shelters in this area.
4. In relation to areas 2 & 3 above how will these areas be separated, i.e. type of fencing?
5. Is there an area for staff parking and if so where and how big?
6. Other areas of hard surfacing such as paths between various buildings/sheds and exercise area, what will be the extent of these?

I believe that there is some existing vegetation along the boundary between the site and the farm to the east. Part of the proposal is to erect a 2m close-boarded fence along part of this boundary, will this be in addition to the vegetation or is the applicant proposing to remove it? Could the close-boarded fencing be omitted altogether and this boundary reinforced with additional native vegetation? This type of fencing is also shown to enclose the animal viewing area to the south east will be

visually prominent when entering the site and not in keeping with the rural character of the area. New planting is shown in front of the proposed fence, however laurel is not native species and therefore would not be acceptable in this location. Native hedgerow type planting to include a number of trees combined with a less prominent type of fencing would be an acceptable solution in this area, the planting should also continue along the whole length of the fenceline to the reception office.

Other planting shown around the acoustic fencing should also be of native species.

The 2m high chain link fencing around the dog exercise area will run for approximately 80m along Nelsons Lane adjacent to the roadside hedgerow and will be visible above the top of the hedgerow. This type of fencing is incongruous to the rural character of this area, so perhaps the fencing could be lowered adjacent to the hedgerow so that the existing vegetation screens the chainlink fence. Another option would be to plant a number of native trees along this boundary to provide extra screening.

The hedgerow around the site is an important feature and will need to be retained intact as part of the change of use of the site. I am concerned that highways may need part of the hedgerow around the site entrance to be removed for sightlines, which would not be acceptable from a landscape perspective.

Catherine Brimble

Catherine Brimble
Landscape Architect

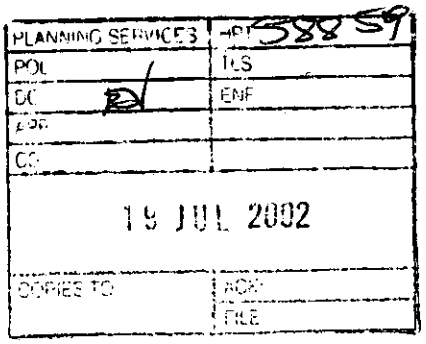
Recd PM 19-7-02

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473



30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

19th July 2002

Dear Mrs Vashi,

Application F/2002/7032 – Cross Lanes Stud, Nelsons Lane, Hurst.

I should like to thank you for your letter, dated the 15th July, which enclosed the Planning Notices for the above Application.

The Notices have been posted, as requested, adjacent to the three roads surrounding the site. The Nelson's Lane Notice has been displayed on the Main gate into the Application Site, whilst the Notices in Pound Lane and Wokingham Road are displayed on staked boards.

Further to our previous discussions, I am pleased to advise you that the three immediate neighbours, Mrs Holdstock, Mrs Ashton and Mr Campbell, have now submitted their letters of support for our Application, together with some other residents in Pound Lane.

Thank you for your continued assistance in this matter.

Yours sincerely,

G B Newman

Mrs E Vashi
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR.

The Dog Warden would like to comment on this application.

I said we would need comments by 21st Aug (latest)

Hope this is OK.

Tanya.

8/8/02.

12

- suzanne McLaughlin - cinkrim committee date
- & sarah lo[illegible].

Tel. (0118) 974 6229
Date: 08 August 2002
Your Ref:
My Ref:Tanya Davies
F/2002/7041

Mr R Dean
12 Halfway House
Maidenhead Rd
Maidenhead

SL6 6PP

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

Dear Sir

Application Number: F/2002/7041

Site Address: **Grundon Ltd Star Works, Star Lane, Knowl Hill Reading**

Proposal: **Proposed change of use of building from the manufacture of concrete to the recycling and recovery of materials from waste electrical and electronic equipment. Part demolition of building and proposed extension.**

The Council has received an application to carry out the above development proposal.

If you wish to see the submitted plans and accompanying details you can do so at the District Council Planning Services reception at Shute End, Wokingham from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00 Friday, **or** at Woodley Library, Headley Road, Woodley from 9.30am to 7.00pm Monday, Thursday and Friday, 9.30am to 5.00pm Tuesdays, 9.30am to 1.00pm Saturdays and 1.00pm to 4.00pm Sundays. The library is closed all day on Wednesdays. **If you intend to view this application at Woodley Library please allow 4 working days from the date of this letter for delivery of plans. It would be helpful if you could take this letter with you or quote application number F/2002/7041 to enable staff to locate the correct application.**

If you wish to comment on the proposals please reply in writing within 21 days from the date of this letter quoting Application Number **F/2002/7041.** Only remarks about planning matters can affect the Councils decision. In order to assist you in deciding what comments are relevant please see the attached list. These are not exhaustive. ***Please note that due to the volume of planning applications we are currently dealing with it will not be possible for case officers to respond to individual questions raised in letters of comment.***

An authorised officer under delegated powers decides the majority of applications; the Development Control Committee generally decides major applications and those raising controversial issues. Where an application is to go to Committee and you have commented on the proposals, you will be advised of the date and given the opportunity to speak at the meeting. All those making comments will be notified of the decision when it is made. Comments can also be made on line using the District Council's web site at www.wokingham.gov.uk under Planning.

Please note that all comments made will be open to public inspection. If you are not the owner of the property, please pass a copy of this letter to the owner. Should you have any queries regarding this application please contact the planning case officer Tanya Davies on (0118) 974 6229.

Yours faithfully,

Tanya Davies

Development Control Officer

(*) PRE-APP ATTACHED (*)

Application Number : F/2002/7032	**Map No :** 49
Case Officer : EV.	**Site Area :** 5.44
Valid Date : 11.7.02	**Received Date: 04/07/2002**

Level : Delegated Application

Description : Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

Location : Cross Lanes Stud, Nelsons Lane, Hurst, Reading.

Parish : SA **Ward : HUR** 15.7.02

Applicant : The Diana Brimblecombe Animal Rescue Centre C/O G B Newman.

Fee Required: £880 **Fee Received: £660** (i) additional for mobile home.

Additional: ..220.. **or Refund: .....**

Enforcement Section to be notified ☐ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS			
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS	Side elevs of kennel block + elevs of acoustic fencing	15.7.02	
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED			
OTHER			

Is the site in a Conservation Area: ☐ Yes ☐ No If "Yes" which one _____

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS 15.7.02B

Building Control

Heritage (Harold Sanders)

Landscape ✓ Outside settlement boundary

Trees

Environmental Health ✓

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans ✓

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

Highways ✓

CPRE ✓

Dis. Access officer ✓

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency ✓ - Kennals
- Sewage treatment
- Groundwater prot. zone

Railtrack

Police Arch Officer

Thames water Drainage ✓

HERITAGE BODIES

Victorian Society
The Georgian Group
Ancient Monuments Society
Council for British Arch
RCHME
NRPB (Telecommunications)
Sport England
Society for Proct' of Ancient Bldgs
English Heritage

OTHERS

.....

(Rural Area Countryside)

.....

.....

.....

.....

NEIGHBOURS

3x S/N (Nelsons Lane, Wokingham Rd & Pound Lane)

+ See map

Pre-app attached

(Please return to Jan for filing if not relevant to this application)

Organisation_Name	Building_Name	address1	Postcode
GRANGE FARM			RG100RR
	KNOWLANDS	KNOWLANDSNELSONS LANEREADING	RG100RR
	PHOENIX	PHOENIXNELSONS LANEREADING	RG100RR
	CROSS LANE COTTAGE	CROSS LANE COTTAGEPOUND LANEREADING	RG100RS
	HERIOTS	HERIOTSWOKINGHAM ROADREADING	RG100RX
	THE BUNGALOW	THE BUNGALOWNELSONS LANEREADING	RG100RR
	THE MOUNT	THE MOUNTLINES ROADREADING	RG100RT

Received by Wokingham District Council

Application No: F/2002/7032

Proposal:
Proposed change of use from stud farm to animal rescue centre with kennels, reception area and mobile home.

Location:
Cross Lanes Stud, Nelsons Lane, Hurst, 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 and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2002/7032 to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Elaine Vashi P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 08/08/2002. 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 be possible for an individual reply to be issued to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

**Trevor Watson
Development Control Manager**

15 July 2002

04.JUL.2002 7032

President: The Rt. Hon. Viscount Alanbrooke

Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473

30 Martins Drive
Wokingham
Berkshire
RG41 1NY

Tel: 0118 9782808

3rd July 2002

Dear Mrs Vashi,

Cross Lanes Stud, Hurst.

Further to our recent discussions, I enclose, under this cover, six copies of our Application for planning consent in respect of the Change of Use on Cross Lanes Stud.

I was finally able to speak to Mrs Drake earlier this week when she returned from leave and she has suggested a meeting between us to discuss the proposal. I understand she intends to contact you regarding a mutually convenient appointment.

Thank you for your kind and constructive assistance in progressing this matter.

Yours sincerely,

G B Newman

Mrs Elaine Vashi
The Planning Department
Wokingham District Council
Shute End
Wokingham
RG40 1WL

04 JUL 2002 7032

President: The Rt. Hon. Viscount Alanbrooke
Founder: Mrs D S H Brimblecombe M.B.E.

The Diana Brimblecombe Animal Rescue Centre

Registered Charity No 288473
Brittons Farm, Waterloo Road, Wokingham, Berkshire, RG40 3BZ
Tel: 0118 9782868

Application to Wokingham District Council for Planning Consent for Change of Use at Cross Lanes Stud, Nelson's Lane, Hurst from a Stud Farm to an Animal Rescue Centre.

1. Introduction

The Animal Rescue Group, Wokingham, is a registered Charity which seeks to provide care and comfort for animals in need of sanctuary. It attempts to provide facilities for a very wide range of domestic pets and any injured or distressed wild animals normally considered part of the United Kingdom's natural fauna. The Charity has neither the facilities nor expertise to deal with exotic pets and any such enquiries are referred to more specialised societies. The Charity presently occupies premises at Brittons Farm, Waterloo Road, Wokingham, where its animal rescue centre has been based for some thirty years, but is now obliged to seek alternative accommodation due to the following factors:

- The Charity's lease on the existing Animal Rescue Centre at Brittons Farm is now approaching the end of its term and, for reasons beyond the control of the Charity, a new or extended lease is not available.
- The existing premises are restricted to a land area of approximately a quarter of an acre. This not only restricts the size and configuration of the accommodation available to the animals, but is also inadequate to permit facilities for training or exercise. Our animals are presently exercised on neighbouring farmland and it has been indicated that our use of this facility may be terminated.
- New regulations, anticipated at the end of 2002, will require rescue centres to be formally registered and will impose a number of requirements upon animal accommodation which the Charity will be unable to meet at Brittons Farm.

The Charity has been actively seeking alternative accommodation for the last four years and a number of potential sites have been progressed in terms of planning and acquisition. In this area, however, rural sites with an appropriate land area attract extensive interest and our need to seek a relevant planning consent for change of use invariably places us at a disadvantage in respect to other potential purchasers. On two occasions we have successfully negotiated appropriate planning consents only to lose out to cash buyers at the last moment. The Owner of Cross Lanes Stud, however, has very kindly permitted us to enter into a purchase contract conditional upon obtaining an appropriate planning consent. Viewed realistically, Cross Lanes Stud almost certainly represents our last opportunity to secure an appropriate permanent home before we are required to vacate Brittons Farm and failure to negotiate a suitable consent will probably result in the closure of our Charity.

2. The Charity

The Animal Rescue Centre was founded, some forty years ago, by Mrs Diana Brimblecombe, who remains in daily control of its activities. Some thirty years ago the activities were relocated to Brittons Farm, Mrs Brimblecombe's personal residence, where she has subsequently provided a continuous haven for homeless and unwanted animals. The Rescue Centre has accepted, cared for and re-homed literally thousands of domestic animals, representing a multitude of species and breeds. Additionally it has provided care, veterinary treatment and accommodation to hundreds of wild animals before returning them to their natural habitat.
In 1984, the Rescue Centre was granted formal charitable status by the Charity Commission. In 2001, Mrs Brimblecombe was awarded the M.B.E. in recognition of her dedication to animal welfare. The Charity is funded entirely by public subscription and all monies received are devoted entirely to the welfare of its animals. Its four employees, supplemented by a body of volunteers, work on a shift basis to provide the core staff administering daily care and attention to the animals. The Charity's affairs are supervised and regulated by an Executive Committee of eight Trustees who are all unpaid volunteers. It is financially and operationally supported by a large number of members, volunteers and donors from Wokingham, Bracknell, Reading and other local areas.
The Charity acts as an official receiving centre for a number of public bodies who have occasion to acquire stray or unwanted animals, including the Thames Valley Police, Wokingham District Council, Social Services and the RSPCA. It additionally attempts to assist other animal welfare organisations if they experience difficulty in accommodating particular animals.
The Charity recently extended its activities to provide an advisory service to local schools and youth organisations, attempting to provide young people with advice on the responsibilities of pet ownership and the techniques of animal care, thus, in the long term, hopefully reducing the number of animals obliged to seek sanctuary.

3. The existing Animal Rescue Centre

The Charity presently enjoys a peppercorn lease on land at Brittons Farm, situated approximately a quarter of a mile south of Wokingham, but that lease now has only a short residual term. As explained above, the present site, which imposes severe restrictions upon the activities of the Charity, would be unable to meet pending regulations and, in any event, is unavailable for use after the expiry of the current lease.

The Rescue Centre at Brittons Farm developed during a period in which Mrs Brimblecombe received very limited financial support and the accommodation for the animals was not purpose built, but improvised from garden sheds and any other available materials. Mrs Brimblecombe's private quarters, used to provide essential daily services for the Centre, also serve as the only available accommodation for sick or injured animals. The site area is extremely limited and is consequently inadequate to provide either proper accommodation or adequate exercise facilities for the resident animals. One of the prime problems emanating from this lack of space is that animal accommodation units are concentrated closely together in unsuitable formations, leading to almost constant confrontation between dogs, or species naturally belligerent to one another. This is problematic not only in terms of the stress occasioned to the unfortunate animals in sanctuary, but also in respect of the resultant disturbance and level of noise emission.

4. New Premises

As a result of a very substantial legacy, kindly bequeathed to the Charity by a lifelong friend of Mrs Brimblecombe, the Charity is now in a position not only acquire a suitable freehold site, but also to erect some custom-designed accommodation for its animals. The provision of such accommodation would not only immeasurably enhance the quality of life available to our animals, but would also significantly improve the general ambience of the Centre.

The only aspect of the Charity's activities which might reasonably give rise to some of concern or nuisance to the immediate locality would be the barking of dogs resident at the sanctuary. At the present Sanctuary, the only kennelling available to house the fourteen dogs that may be accommodated at the Centre at any one time, are flimsy timber/mesh units arranged in an extremely compact formation. This not only results in the complete absence of any soundproofing and wide fluctuations in ambient temperature, but also results in constant confrontation between the animals. At a new site with adequate space, it would be the Charity's intention to erect purpose built, linear kennels in sound-absorbent materials, providing a high degree of acoustic attenuation and adequate thermal insulation, with the added advantage that each animal would have its own private space. The cats, rabbits, guinea pigs, birds and other species, which constitute the vast majority of the Centre's normal population, would also be housed in more spacious and comfortable accommodation. The new site would also need to have sufficient land to permit an exercise area of at least an acre, ideally surrounded by a six feet high chain-link fence. This would not only provide our animals with space for adequate exercise, but would also enable dogs to be unleashed, permitting evaluation and training before re-homing. Sufficient additional space would enable the Charity to directly accommodate its rescued horses, which are presently stabled in leased premises at a local equestrian centre.

The Rescue Centre, as required by law, must be staffed on a round the clock basis and a resident manager is therefore necessary. The sanctuary normally has between one and four members of staff on duty at any one time. It is difficult to define the number of people who visit the Rescue Centre, but, on average, between three and eight visitors per day attend the existing site during the opening hours of 10 am to 4 pm. It would be most desirable to have a completely separate area for the reception of these visitors, as many of the people considering adoption of an animal have relatively young children who accompany them to the sanctuary, occasionally posing safety or disturbance problems. Such an area would feature a small Reception office, parking for three or four cars and a fenced area in which animals could be safely introduced by the staff to their prospective new families.

The Charity has been seeking, without success, to acquire a suitable property for almost four years, but is in a difficult situation, in that it invariably requires planning consent for change of use of any relevant property to an animal rescue centre. Whilst an animal rescue centre does not feature as a specified activity for planning consideration under the defined Countryside Policy provisions, a rescue centre is clearly analogous in nature to those activities specified and unsuitable to a purely urban environment. During recent attempts to obtain planning consent upon a property in Old Wokingham Road, Wokingham, the Planning Department of Bracknell Forest Borough Council accepted this view and kindly supported our application for change of use. Almost simultaneously with the proposed grant of consent, however, the owner of the property elected to sell, without notice, to an alternative buyer.

The Charity entirely accepts that any permission granted for change of use, for additional structures, or the amendment of existing accommodation, would require to be strictly tied to the use of the property for its own activities and that the property would need to be restored to its present use and configuration if its use as our rescue centre was terminated.

5. The Application Site

The site is situated immediately to the north-east of the junction of Pound Lane and the A321 Wokingham/Hurst road and has a total area of some 5.4 Hectares (13.4 Acres). Entrance to the site is gained from Nelson's Lane via a gravel drive leading to a timber-framed quadrangle Stable Block featuring ten stables, a Feed Store, a Tack Room, Kitchen/Shower Room and a toilet. The site also features a 2-bay pole barn and a small stable building.

The site adjoins a dwelling known as "The Phoenix" along its eastern boundary. The only other immediately local dwellings are Cross Lanes Cottage, at the Pound Lane / A321 junction and Mount Farm in Lines Road. The Charity has discussed its proposals in detail with these residents and is most grateful for their full support for our Application.

The site was the subject of a grant of planning consent in 1991 which, subject to several conditions, permitted its use as a Stud Farm. A further grant of planning consent was obtained in 1999 for a ménage, which has not yet been constructed.

There is a triangular section of land between the application site and the A321 which will not be conveyed to the Charity under the proposed site purchase. This land is owned by Wokingham District Council, presumably to facilitate envisaged improvements to the line of the A321, but the owners of the Application Site do enjoy a right of way over the land until such time as it is required for local authority use. The land in question, shown clearly by the red boundary of the Application Site on Drawing 2, would be retained in its present usage as pasture and has not been included in any specific provisions for the envisaged animal sanctuary.

6. Drawings

The following drawings have been prepared to indicate our proposals for the application site.

Drawing 1. Location plan (Scale 1:20,000)
Drawing 2. Existing site layout and accommodation (Scale 1:1250)
Drawing 3. Proposed site layout and accommodation for new animal rescue centre (Scale 1:1250)
Drawing 4. Proposed kennel block (Scale 1: 100)
Drawing 5. Proposed usage of existing stable block (Scale 1:100)
Drawing 6. Proposed usage of existing Barn as a Cattery (Scale 1:100)
Drawing 7. Proposed "Wessex Melbury" Park Home (Scale 1:100)
Drawing 8. Proposed timber Reception Office (Scale 1:100)

7. The proposed Animal Rescue Centre.

The site represents an ideal location for the envisaged new rescue centre, with adequate land to permit all our desired facilities. The existing accommodation would be adequate to provide all necessary storage, staff facilities and permanent quarters for the animals with the exception of the rescued dogs. Its utilisation as kennels would not only perpetuate the confrontational problems, but would also provide inadequate acoustic attenuation. It is therefore proposed that a custom-built kennel block be constructed to the north west of the stable block, using specifically chosen sound-insulation materials. These kennels would be enclosed, upon three sides, by a 2.1m high concrete acoustic fence of the type manufactured by Allen Concrete of Walton-on-Thames. Such an enclosure would provide additional and extremely effective attenuation of sound in the direction of any local dwellings. At the present time, the specific provisions of the pending legislation on animal rescue centres have not been published and the kennels would therefore be constructed in accordance with the regulations presently issued by Wokingham District Council governing animal boarding licences. Each kennel would feature a sleeping area of 2.25 m^2 and an exercise area of 3.25 m^2, with the partition walls constructed in 100 mm rendered blockwork. The roof of the sleeping areas would be constructed in Torvale "Woodcemair" slabs, providing both temperature insulation and acoustic attenuation, whilst the exercise areas would be roofed in transparent acrylic corrugated sheets. The internal end partitions and rear fence would be in galvanised wire mesh to permit maximum ventilation during daylight hours. The concrete raft base would incorporate an appropriate damp proof membrane and would be screeded, at a suitable gradient, to a drainage channel at the rear of the kennels. The timber doors to the sleeping areas would be faced with a suitable plastic sheet material.

The existing Barn would be converted into a cattery, which would also be constructed in accordance with WDC's current specifications for boarding catteries. The six cubicles, constructed in 100 mm rendered blockwork, would provide elevated sleeping quarters of area 1.6 m^2 and exercise areas of 3.3 m^2, thus each being adequate to accommodate two cats. The existing concrete raft would be treated with a damp proofing sealant and screeded at a suitable gradient to a common drainage channel. The internal roofs of the cubicles would be constructed in galvanised mesh. The east elevation of the Barn would be weatherproofed with a

shiplap / galvanised mesh to a height of 2.6 m and acrylic corrugated sheeting above, thus maximising daylight visibility.

The site does not feature any resident accommodation and, in view of the legal necessity to man the site on a continuous basis, permission is sought to site a two-bedroom mobile "Park Home" to the east of the Barn as living quarters for the Centre Manager. Sited in such a position, the unit would not intrude upon the western view of "The Phoenix" and would be ideally placed for the Manager to have a comprehensive view of the Centre's facilities. The "Melbury" two-bedroom unit manufactured by Wessex Park Homes of Blandford Forum, Dorset, has been identified as a suitable unit

The existing stable block would be used to provide a variety of accommodation and storage units as detailed in Drawing 5.

It would be desirable to restrict entry to the Stable Block and kennel areas to staff and it is proposed that a Visitor Reception Area be created to the east of the stable block, effectively sealing access to the animal accommodation area at the existing inner gate. A small, timber, garden shed would be erected for use as a Reception Office, with a fenced area immediately to the rear in which animals might be introduced to visitors. To accommodate our maximum demand, which occurs primarily at weekends, we envisage a small area for parking four cars.

Storm water drainage would be to the existing system, supplemented by additional soakaways for the new units. Foul drainage for the current units would be to the existing septic tank. It has not been possible to determine the characteristics of that system at the present time and the intention would be to install a separate system to service the new accommodation.

1789/a

SECTION 66 CERTIFICATE

WOKINGHAM UNITARY
Aiming for Excellence

Application No.

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

04. JUL. 2002 7032

CERTIFICATE A

I certify that:

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

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

OR

CERTIFICATE B

I certify that:

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

Owner's(a) name	Address at which notice was served	Date on which notice was served
J FITZSIMONS	CROSS LANES COTTAGE POUND LANE HURST	20.06.02

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

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

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

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

(b) Insert description of steps taken.

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

(b) .....

.....

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

- Notice of the application as attached to this Certificate, has been published in the (c) .....

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

on (d) .....

1789/b

CERTIFICATE D

I certify that

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

OR

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

(b) . . . . . .

. . . . . .

(b) Insert description of steps taken

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

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

● Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

on (d) . . . . . ●

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

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

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

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

OR

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

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

Signed . . . . . C D Newman

On behalf of . THE DIANA BRAMBLECOMBE ANIMAL RESCUE CENTRE . . . . . .

Date . . . . . 03.07.02 . . . . . .

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

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

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

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

FOR OFFICE USE ONLY 04 JUL 2002
04.JUL.2002 7022

1.	APPLICANT'S NAME	THE DIANA BRIMBLECOMBE ANIMAL RESCUE CENTRE
	ADDRESS	BRITTONS FARM, WATERLOO ROAD
		WOKINGHAM, BERKSHIRE
	POST CODE	RG40 3BZ PHONE 0118 9782868
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	G. B. NEWMAN
	ADDRESS	30 MARTINS DRIVE
		WOKINGHAM, BERKSHIRE
	POST CODE	RG41 1NY PHONE 0118 9782808
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	SITE LOCATION	CROSS LANES STUD
		NELSON'S LANE, HURST
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		CHANGE OF USE FROM A STUD FARM TO AN ANIMAL RESCUE CENTRE WITH ERECTION OF A TWO-BED PARK HOME, KENNELS AND RECEPTION OFFICE
5. Give the area in hectares or part of a hectare	AREA OF SITE	5.4 HECTARES
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	PROSPECTIVE PURCHASER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	PLEASE SEE ATTACHED SCHEDULE

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?
Tick the boxes(x)

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

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

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

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

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

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

A STUD FARM VACATED FEBRUARY 2002

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

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

14. STATE EXTERNAL MATERIALS TO BE USED.

AS SPECIFIED ON RELEVANT DRAWINGS AND IN ATTACHED STATEMENT

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

EXISTING HEDGE AND ENTRANCE GATES WITH NEW FENCING ALONG EASTERN BOUNDARY AS SHOWN ON DRAWINGS

16. HOW WILL SURFACE WATER BE DISPOSED OF?

TO SOAKAWAYS

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

~~If no, please give details~~ PLUS ADDITIONAL UNIT

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

AS EXISTING

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

YES

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	N/A / *	N/A / *	N/A / *
BUNGALOW	1 / 4 *	N/A / *	N/A /
FLAT/MAISONETTE	N/A / *	N/A / *	N/A / *
OTHER	N/A / *	N/A / *	N/A / *

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? YES/NO — If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? YES/NO — If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION
The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

£660

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED C Newman ON BEHALF OF THE DIANA BRIMBLECOMBE ANIMAL RESCUE CENTRE DATE 3RD JULY 2002

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

1769c

PLANNING APPLICATION

PART 2

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

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

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS	N/A			
A2	FINANCIAL AND PROFESSIONAL SERVICES	N/A			
A3	FOOD AND DRINK	N/A			
B1(a)	OFFICE (other than A2)	10	NIL	13	NIL
B1 (b)	RESEARCH AND DEVELOPMENT	N/A			
B1 (c)	LIGHT INDUSTRIAL	N/A			
B2	GENERAL INDUSTRIAL	N/A			
B3-7	SPECIAL INDUSTRIAL	N/A			
B8	STORAGE OR DISTRIBUTION	72	47	NIL	12
C1	HOTELS AND HOSTELS	N/A			
C2	RESIDENTIAL INSTITUTIONS	N/A			
D1	NON-RESIDENTIAL INSTITUTIONS	N/A			
D2	ASSEMBLY AND LEISURE	N/A			
OTHER	Please Specify ANIMAL ACCOMMODATION	98	12	146	47
OTHER	Please Specify				
	TOTAL	180	59	159	59

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

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	10	1
Proposed	4	0

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

AN ANIMAL RESCUE CENTRE (PLEASE SEE ATTACHED STATEMENT)

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

THE DIANA BRIMBLECOMBE ANIMAL RESCUE CENTRE BRITTONS FARM, WATERLOO ROAD, WOKINGHAM, BERKSHIRE, RG40 3BZ

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?

Existing Staff	Transferred Staff	New Staff	Total
0	4	0	4

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

NO

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

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

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

WHAT ELSE MAY YOU HAVE TO DO ?

Listed Building Consent: for works to a Listed Building; or for demolition works on land within the curtilage of a Listed Building or within a Conservation Area.

Advertisement Consent: for the display of advertisements or signs

Building Regulation Approval: for most new building or construction work.

Special forms are available for these types of applications.

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

WHAT HAPPENS TO THE APPLICATION ?

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

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

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

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

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

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

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

HOW LONG WILL IT TAKE ?

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

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

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

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

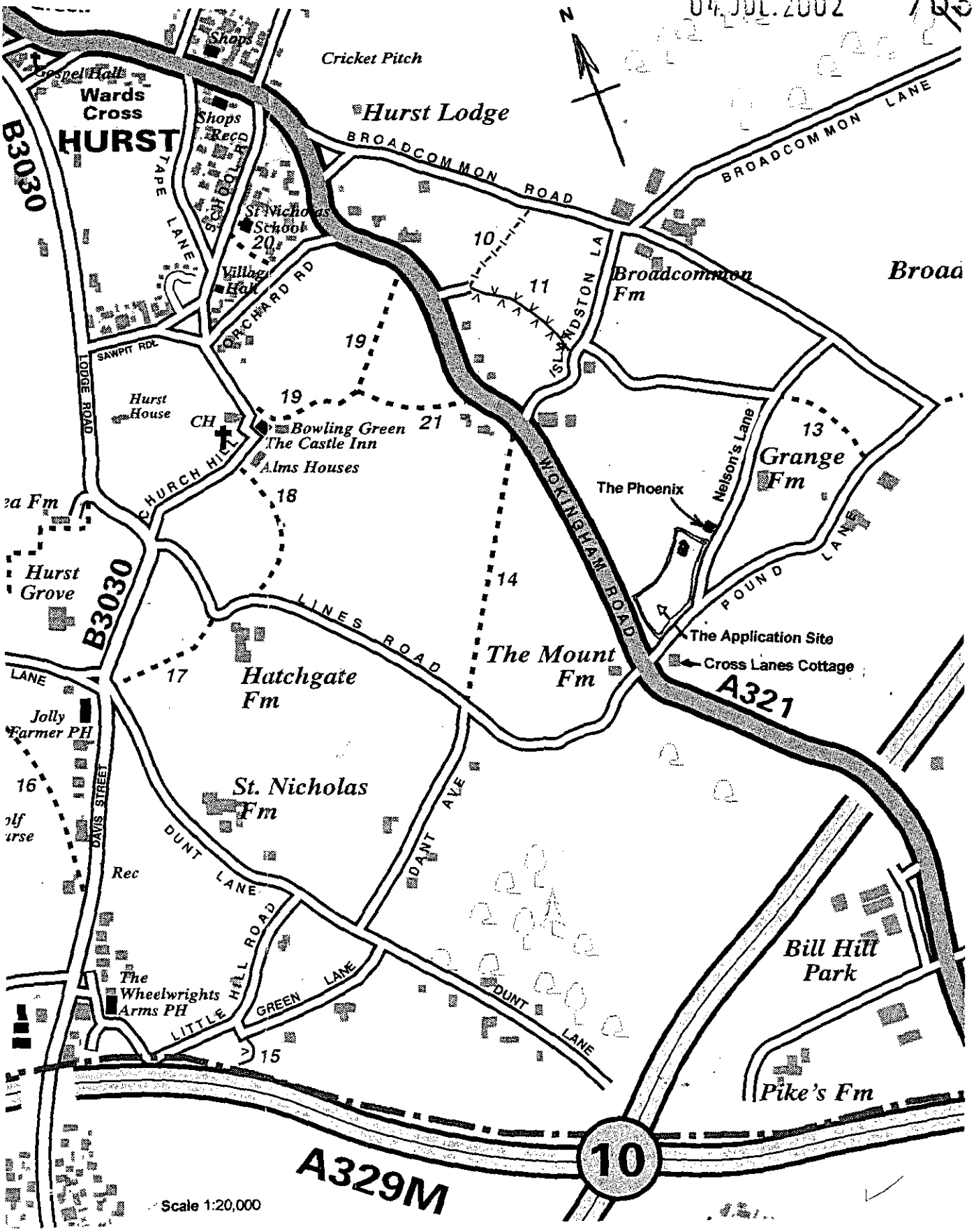
WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

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

DATA PROTECTION ACT 1984

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

04 JUL 2002 7032

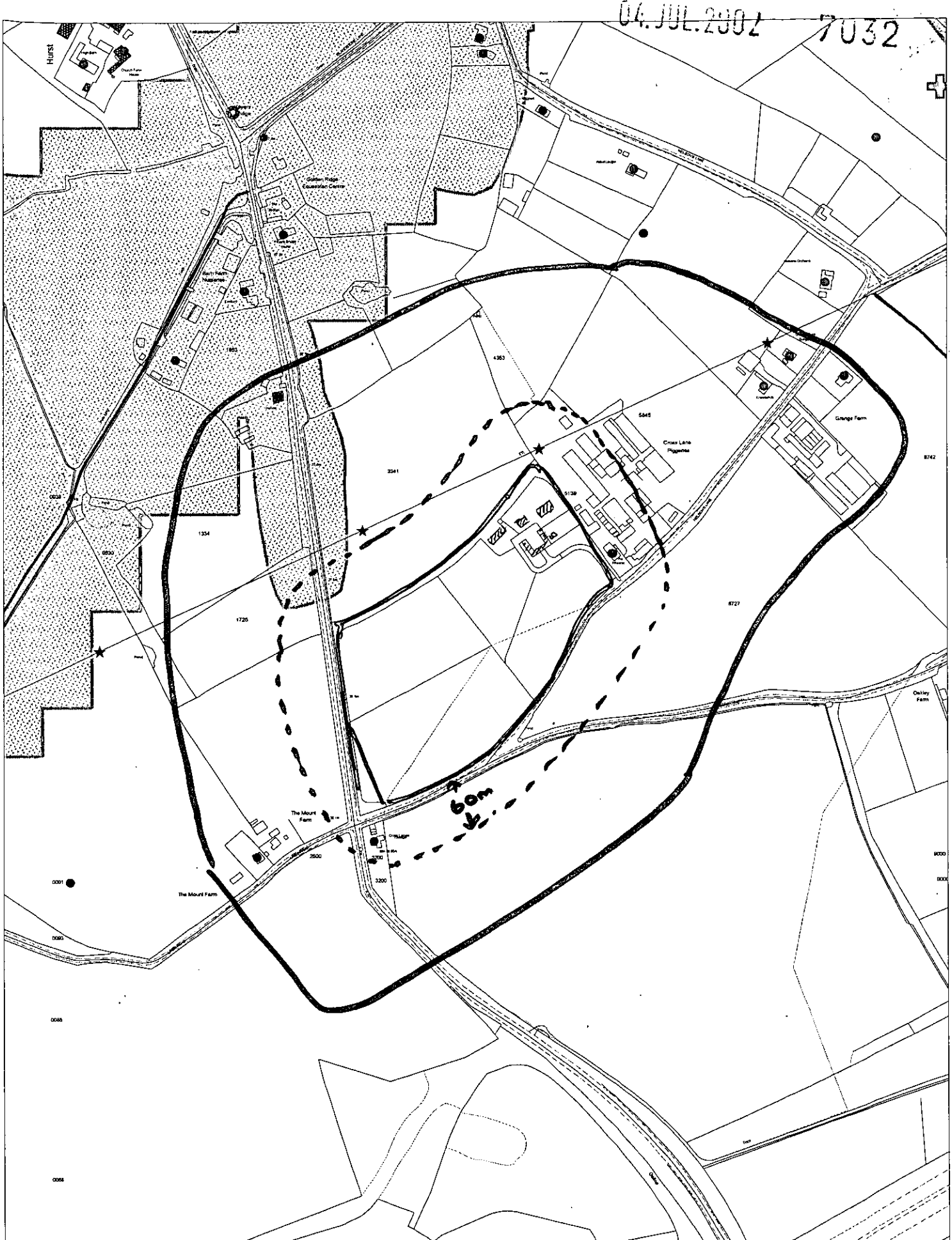


Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Recsue Centre

Drawing 1: Location Plan

04. JUL. 2002 7032



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Development Control Section, Environmental Services, Wokingham District Council.

11 July 2002

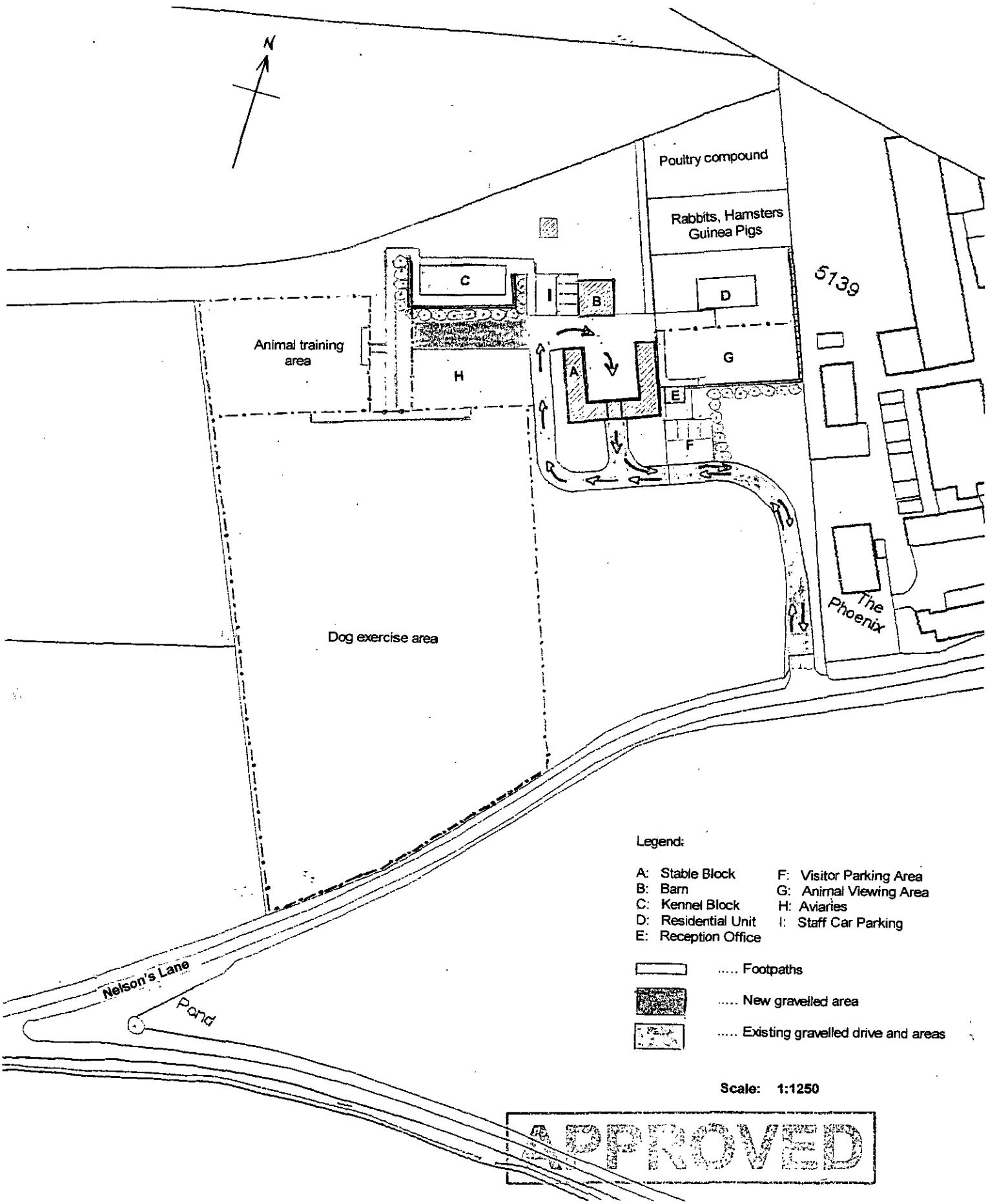
Scale: 1 : 5000

N W E S

Cross Lanes Stud, Nelson's Lane, Hurst

Application by the Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a stud farm to an animal rescue centre.

Drawing 9 – Proposed parking, footpaths and traffic flow



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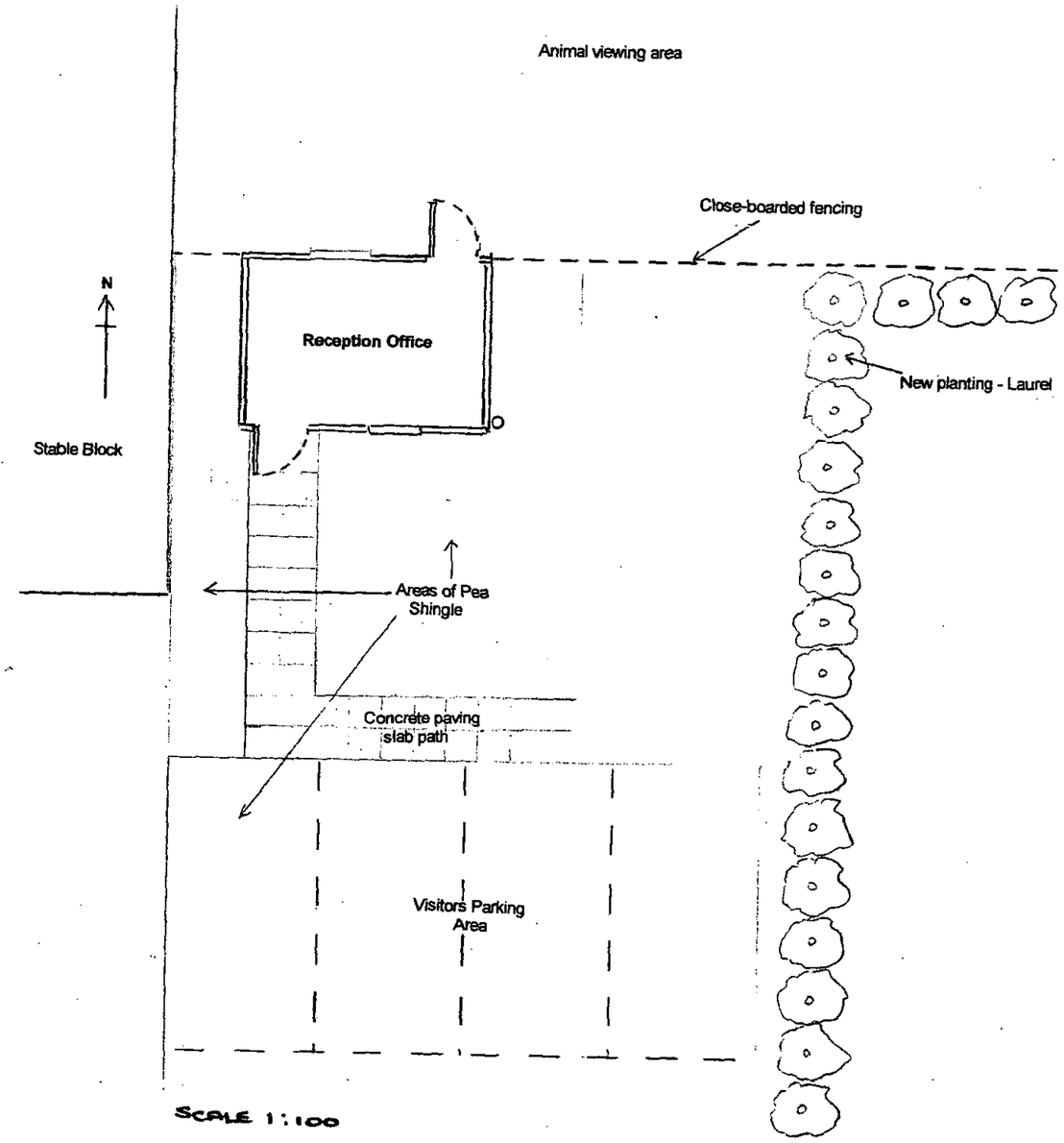
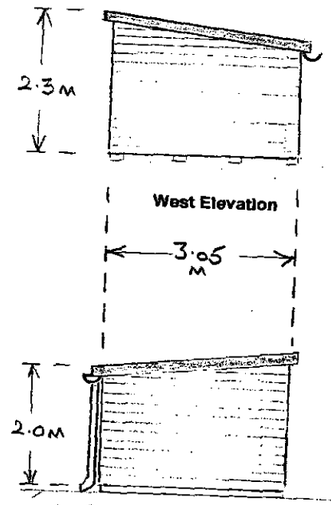
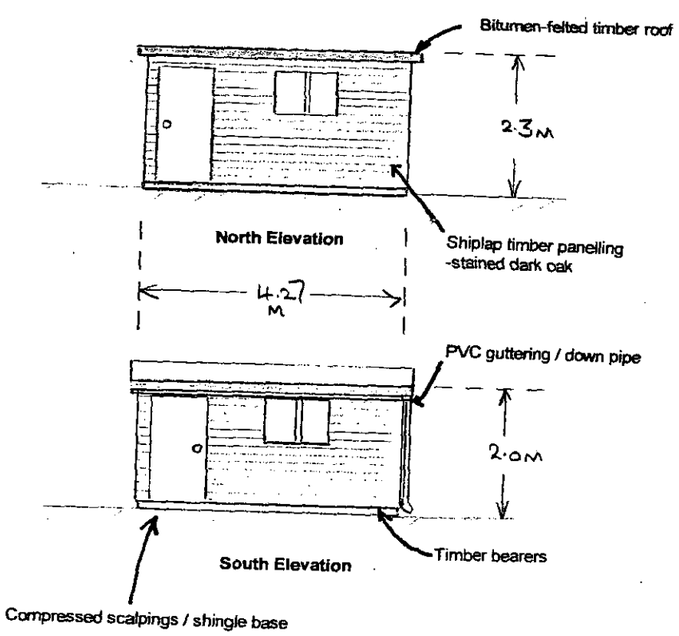






Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 8: Proposed timber Reception Office

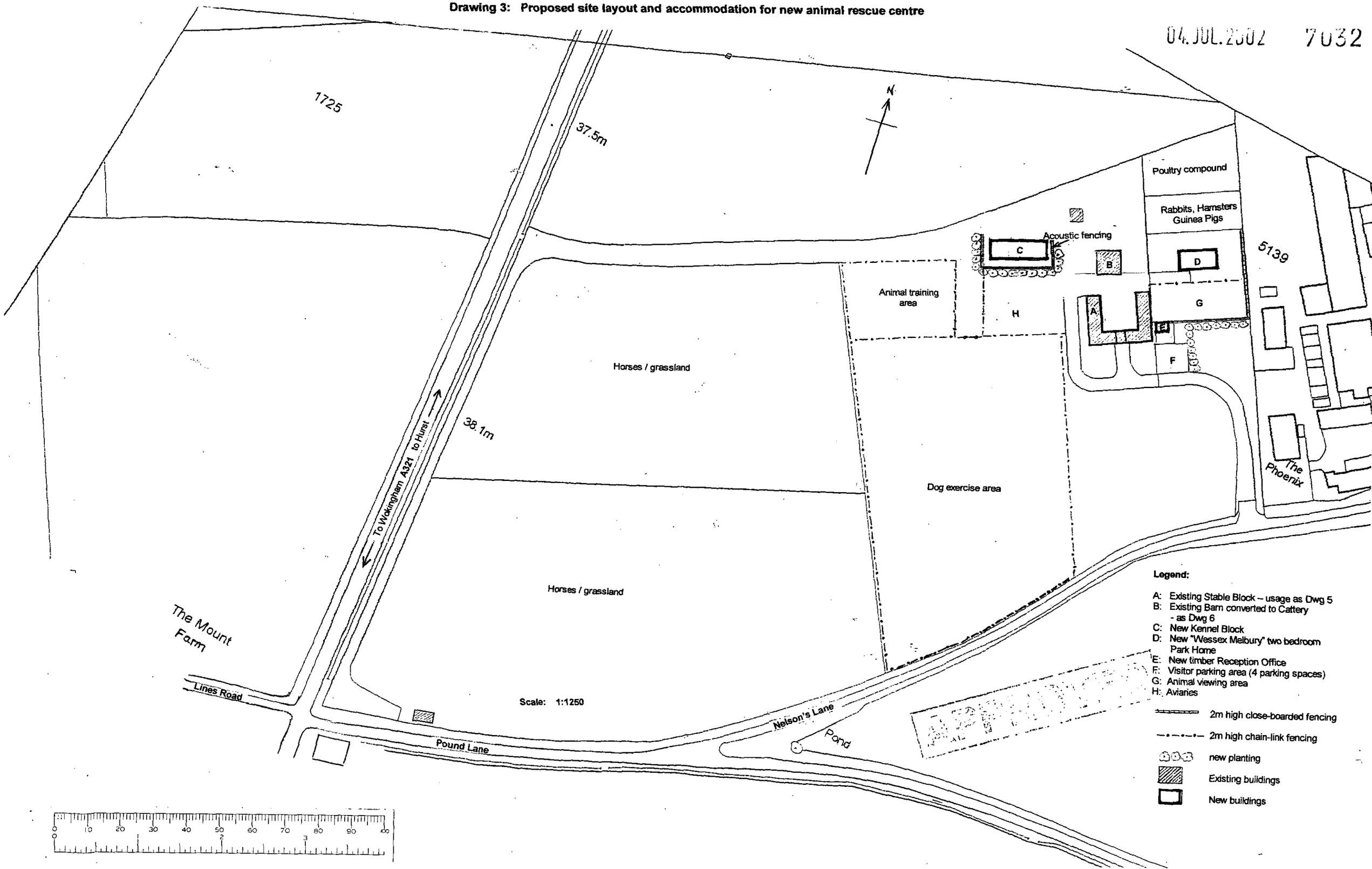
APPROVED

Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 3: Proposed site layout and accommodation for new animal rescue centre

04.JUL.2002 7032



Legend:

A: Existing Stable Block – usage as Dwg 5
B: Existing Barn converted to Cattery - as Dwg 6
C: New Kennel Block
D: New "Wessex Melbury" two bedroom Park Home
E: New timber Reception Office
F: Visitor parking area (4 parking spaces)
G: Animal viewing area
H: Aviaries

2m high close-boarded fencing

2m high chain-link fencing

new planting

Existing buildings

New buildings

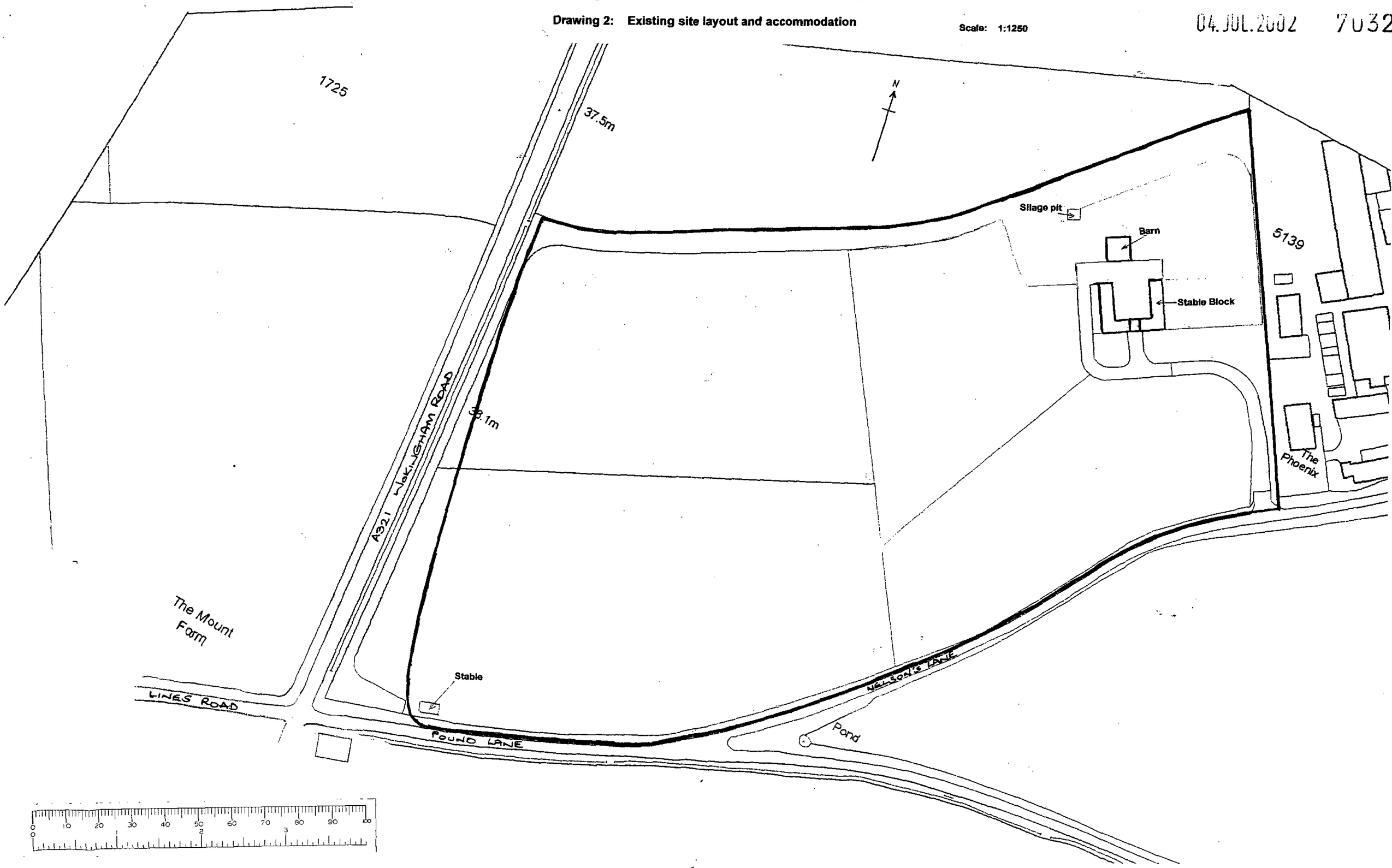
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

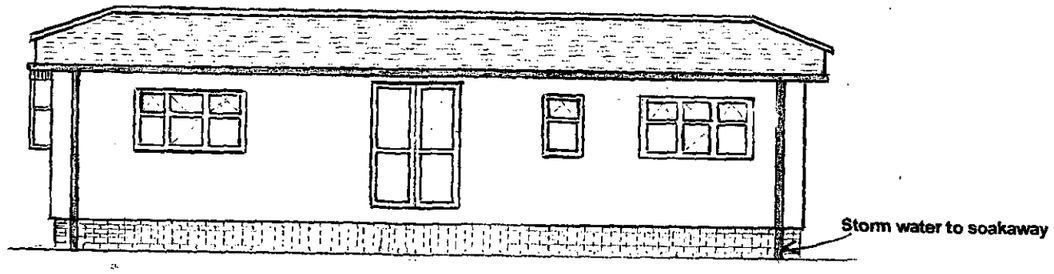
Drawing 2: Existing site layout and accommodation

Scale: 1:1250

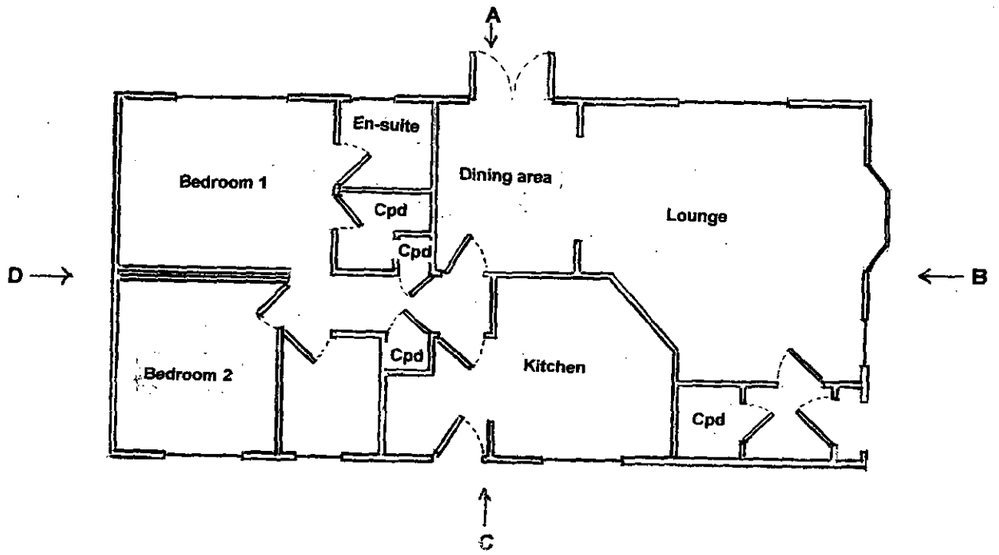
04.JUL.2002 7032



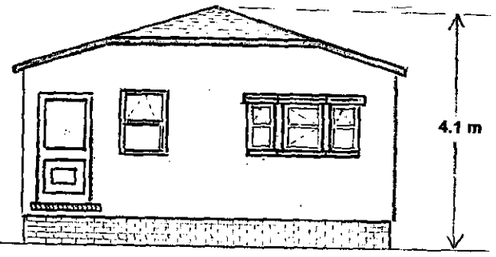
04.JUL.2002 705



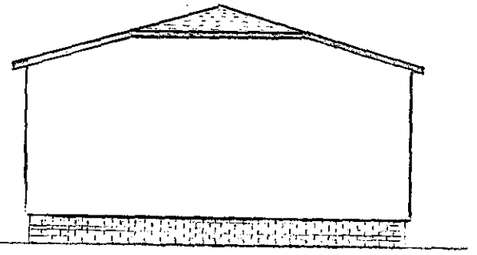
Elevation – View A



Plan

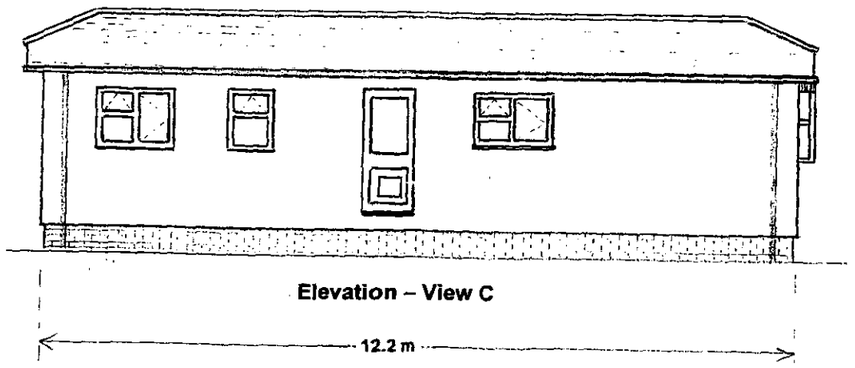


Elevation – View B



Elevation – View D

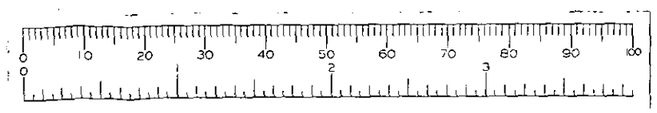
6.1 m



Elevation – View C

12.2 m

Scale 1:100

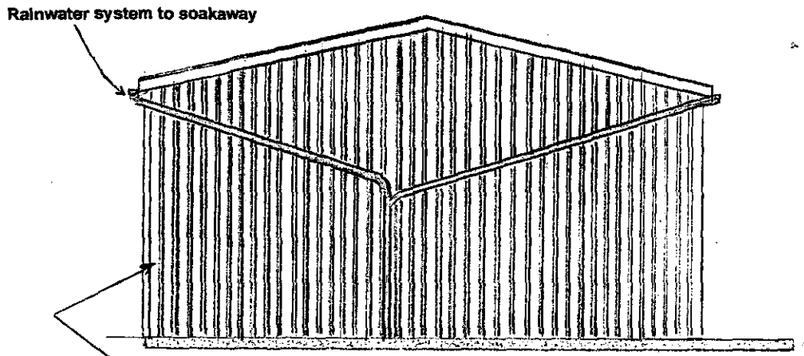


Cross Lanes Stud, Nelson's Lane, Hurst

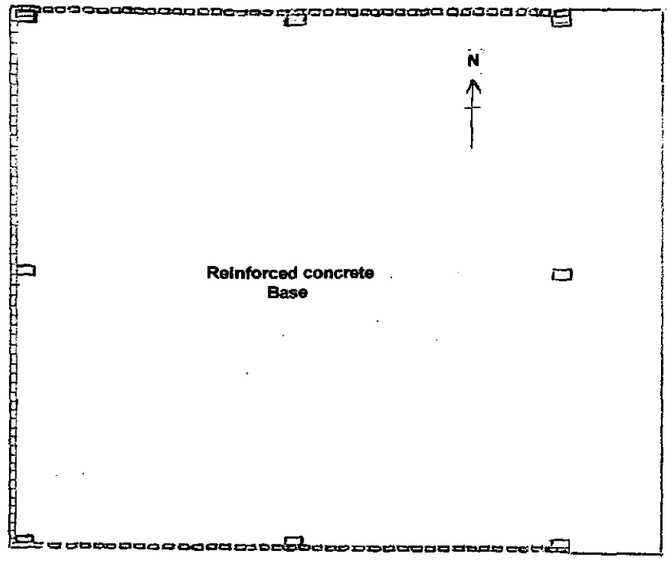
Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 7: Proposed "Wessex Melbury" Park Home.

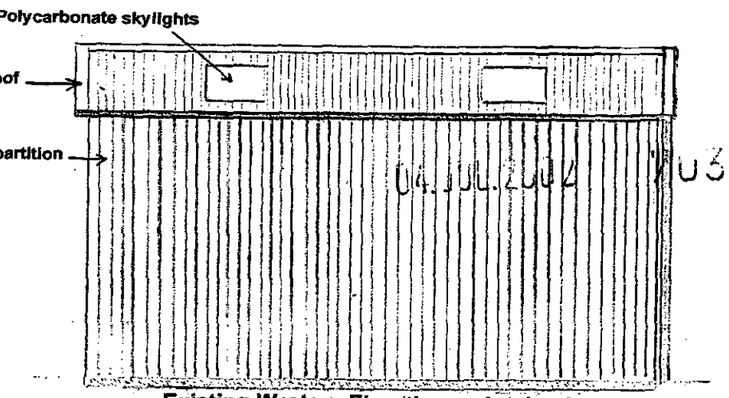
APPROVED



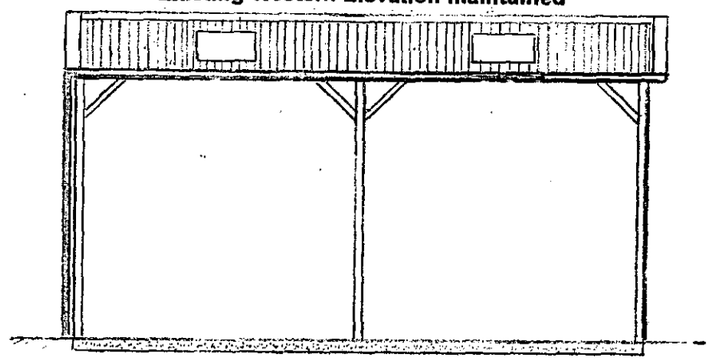
Existing Southern Elevation maintained



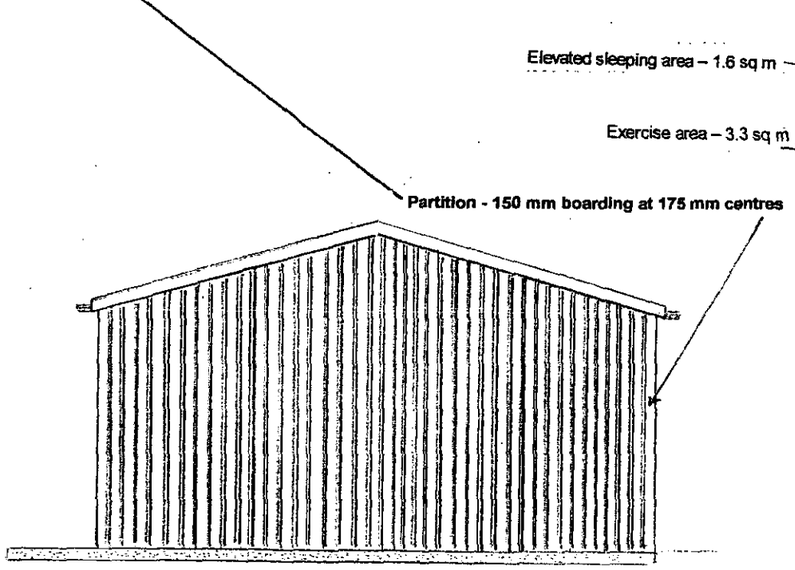
Existing Floor Plan



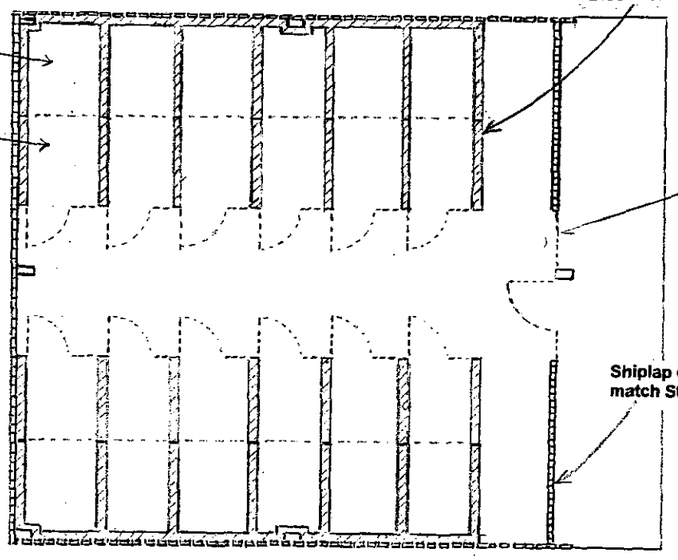
Existing Western Elevation maintained



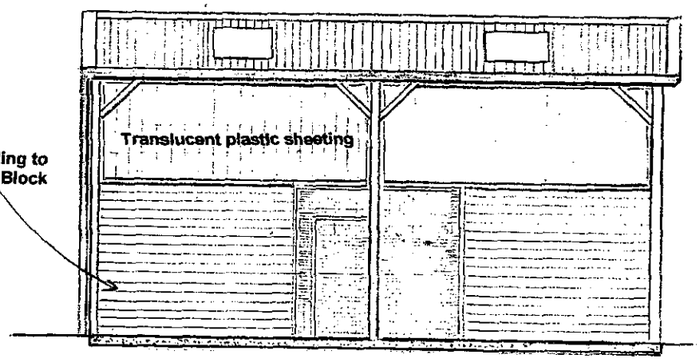
Existing Eastern Elevation



Existing Northern Elevation maintained

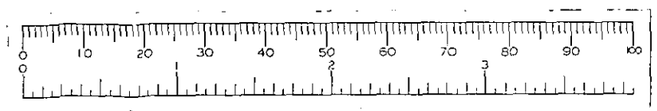


Proposed Floor Plan



Proposed Eastern Elevation

Scale: 1:100

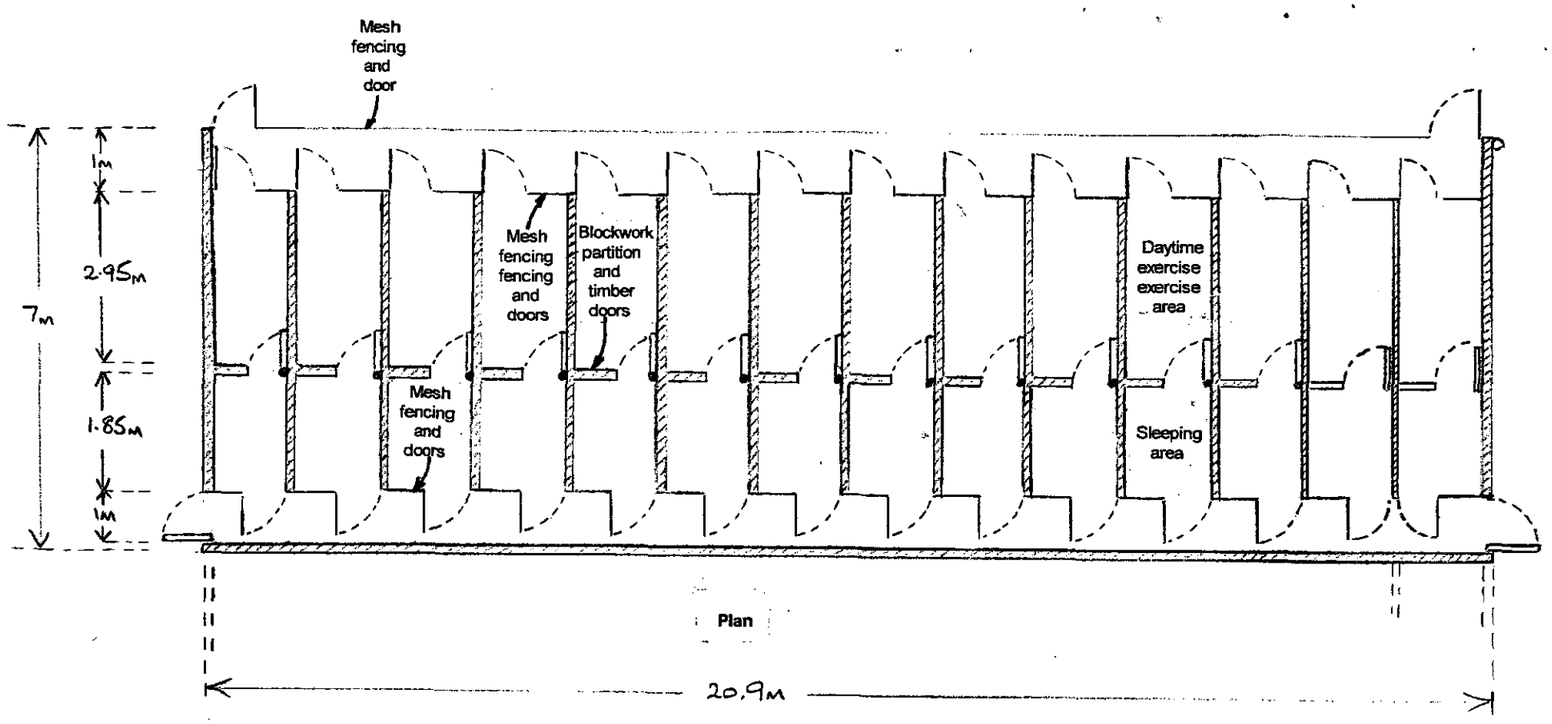


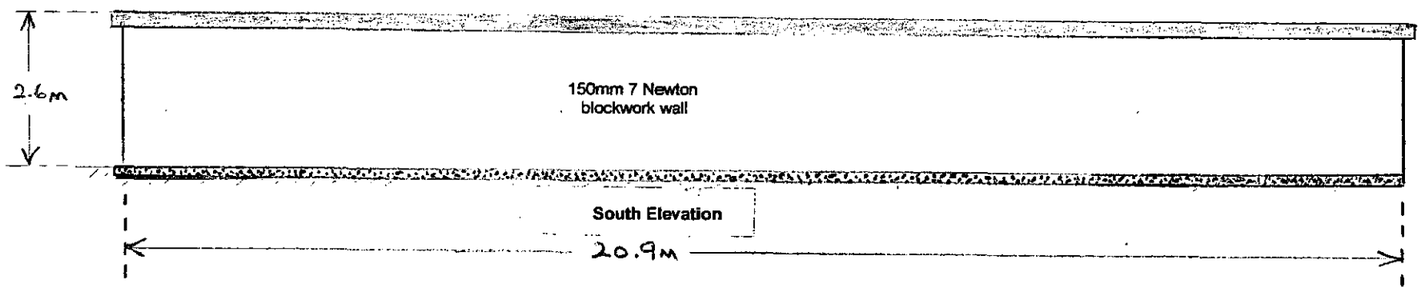
Cross Lanes Stud, Nelson's Lane, Hurst

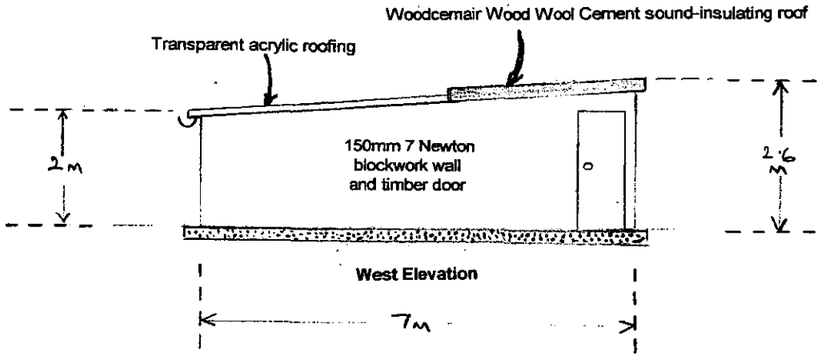
Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

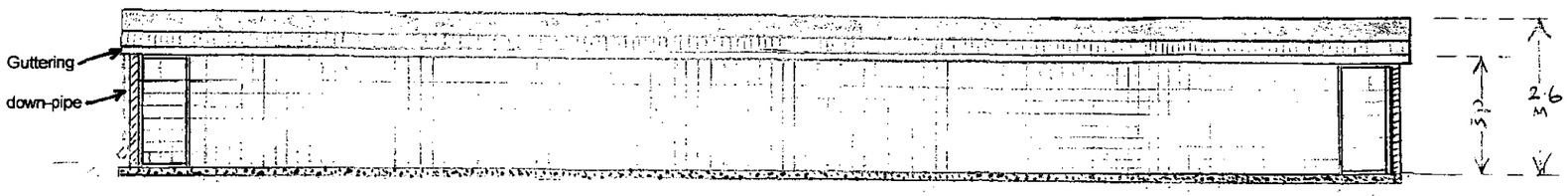
Drawing 6: Proposed usage of existing Barn as a Cattery

04.JUL.2002 7032









Legend:

Concrete raft foundation:

Woodcemair Wood Wool Cement sound-insulating roof

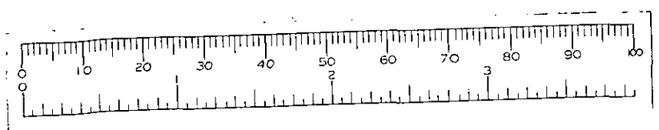
Transparent acrylic corrugated roofing

Scale 1:100

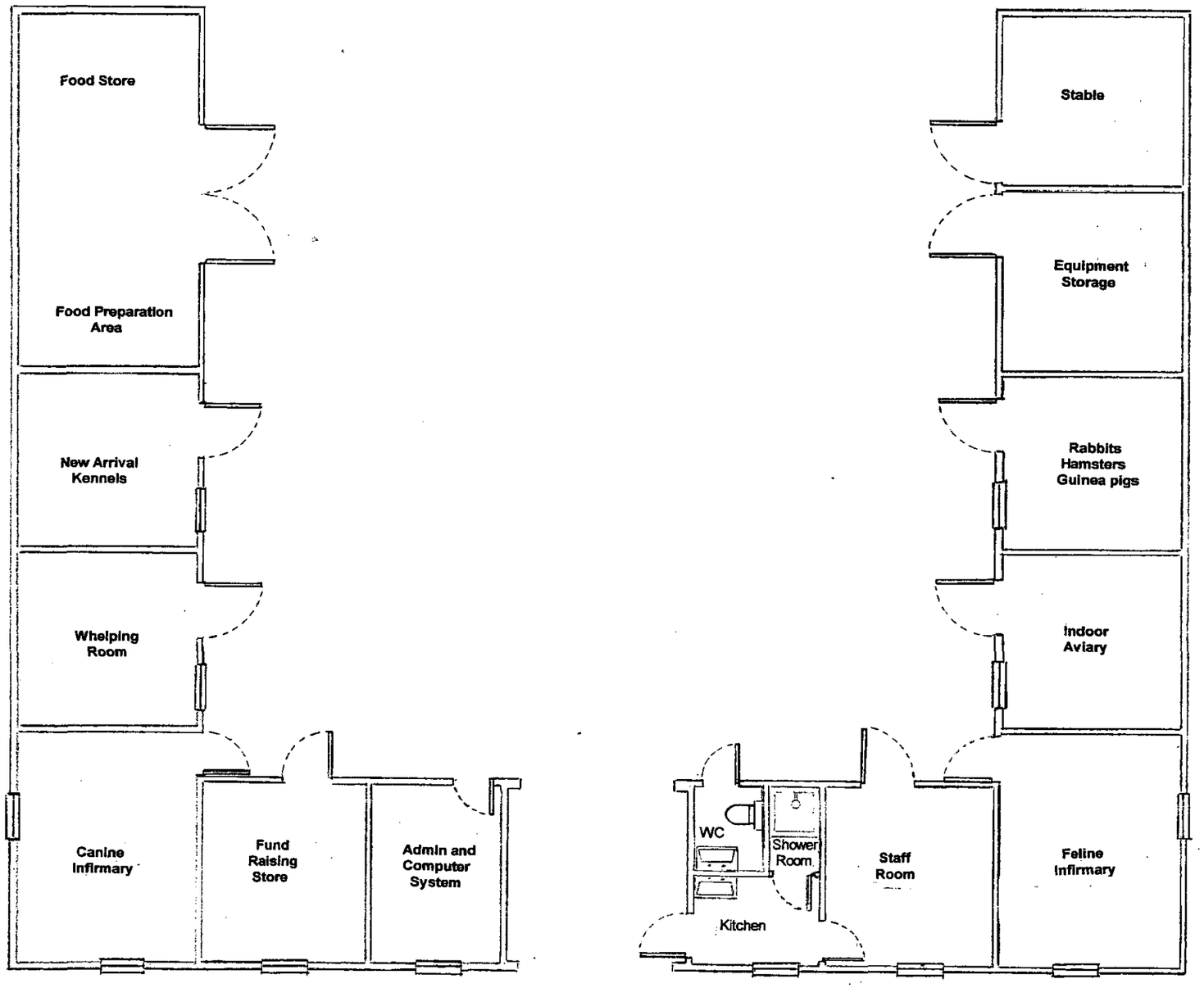
Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 4: Proposed Kennel Block



04.JUL.2002 7U



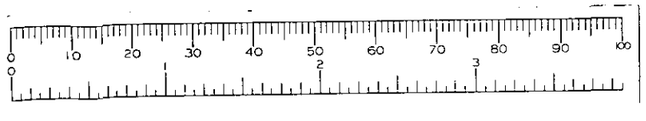
Scale: 1:100

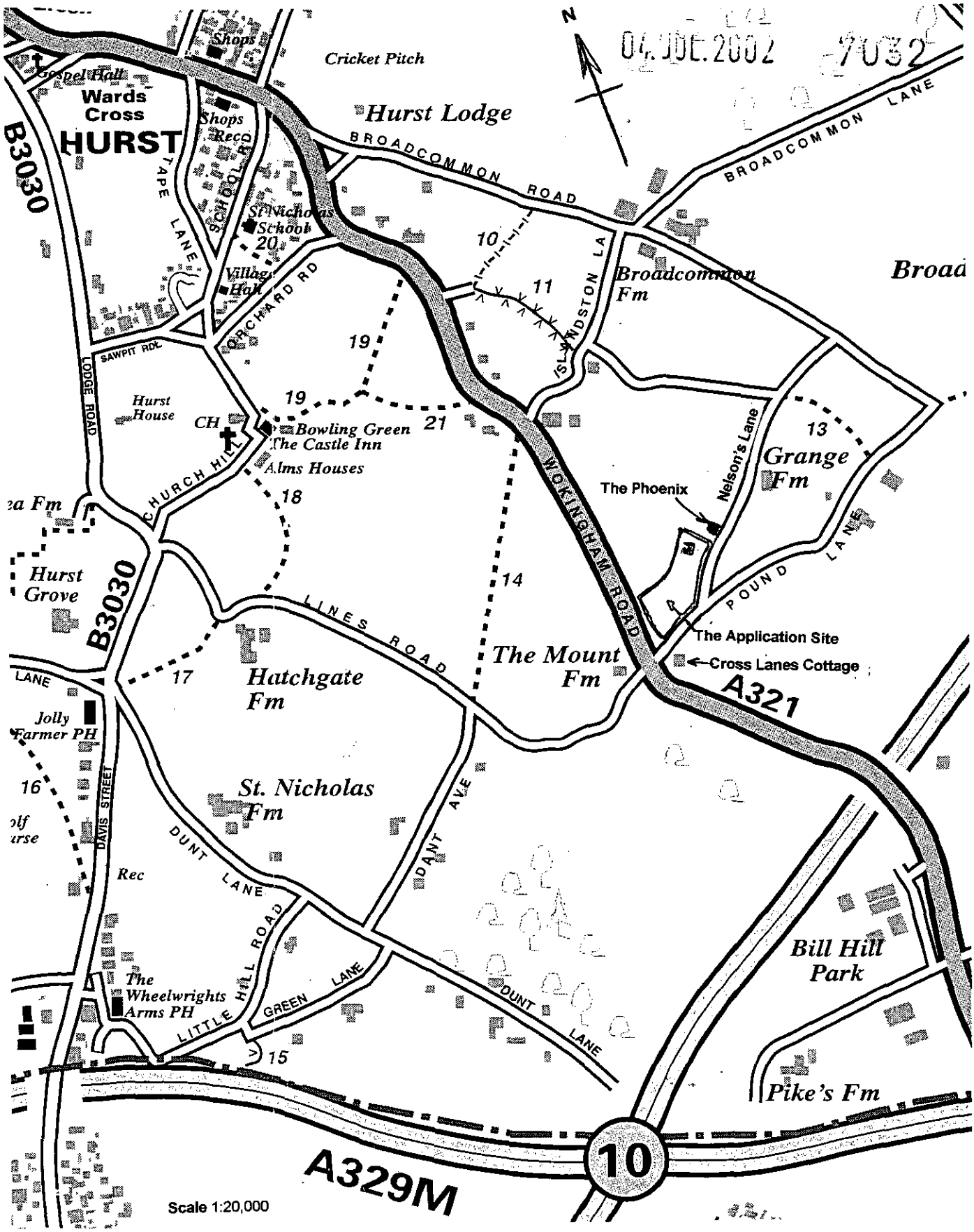
APPROVED

Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Rescue Centre

Drawing 5: Proposed usage of existing Stable Block





Cross Lanes Stud, Nelson's Lane, Hurst

Application by The Diana Brimblecombe Animal Rescue Centre to Wokingham District Council for change of use from a Stud Farm to an Animal Recsue Centre

Drawing 1: Location Plan

DEVELOPMENT CONTROL COMMITTEE – 2 October 2002

MEMBER'S UPDATE.

LOCKEY FARM, SINDLESHAM ROAD, ARBORFIELD
Application No: F/2002/6971 Pages 10-20

Further comments from the Arborfield Parish Council on 6th August are:

> *The Parish Council has no objections in principle however members are concerned that adequate provisions are in place for the appropriate disposal of carcasses and manure and if possible would request that disposal is on site. Members also note that there should be a turning area for the lorries exiting the Mole Road.*

Waste Disposal

Concern has been expressed with regard to waste disposal on the site. The Environmental Health Officer has stated that the Local Authority cannot restrict or prevent manure being spread on the field as it is for agricultural use. As the premises is for free range production and the chickens will be outside a lot of the time, it is anticipated that there will not be a large amount of waste produced. If odour does become a problem, the Environmental Health can act under the Environmental Protection Act to mitigate smell. If Members are minded to, a general condition could be placed on any consent given stating:

1. Disposal of all waste products from the proposed use shall be carried out in such a manner so as to prevent nuisance from odour in neighbouring or nearby properties.

   Reason: To protect the residential amenities of surrounding property owners.

Concern has also been raised with regard to the disposal of carcasses from the proposed development. The following additional condition is to be placed on any approval:

2. Any animal carcasses are to be disposed of in an approved manner in accordance with the Animal By-products Order 1999 (made under the Animal Health Act 1981).

   Reason: To ensure effective disposal of dead animals.

Financial Viability

Figures have been produced by the applicant in the last week with regard to the proposed development. Reading Agricultural Consultants consider the figures show the proposed development to be financially viable.

HACKTHORNE COTTAGE, CHARLTON LANE, SWALLOWFIELD.
Application No. F/2002/6429, Pages 21-32

The letter from the Parish Council has been attached to this member's update.

LAND AT MARSH FARM, LOWER EARLEY WAY, EARLEY.
Application No. F/2002/6578. Pages 42-59.

A further letter of objection has been received, the objections can be outlined as concerned about overlooking, incorrect boundary position, foul sewer easement and impact upon roads and schools.

The recommendation on page 53 should read as follows

"To establish what decision Members would have made had the appeal against non-determination of the application not been lodged."

Reason for refusal No.11 should read as follows:

11. The submitted Contaminated Land Assessment does not contain sufficient information to adequately assess the condition of the site or the necessary remediation measures required to determine the suitable use of the site for residential development. Therefore the proposed development is contrary to OS1 and EN2 of the Berkshire Structure Plan; policy LBE1 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

WATSON PETROLEUM, FISHPONDS ROAD, WOKINGHAM
Application No. O/2001/5130 Pages 60-70

A letter has been received from the agent today requesting that given the tight timescales the application be deferred in order to discuss and consider the contributions.

LAND REAR OF 207-219 READING ROAD, WOKINGHAM
Application Nos F/2002/6713 and F/2002/7267, Pages 70-99.

Application F/2002/6713

Section F on page 76 of the agenda refers to contributions towards education facilities in the locality. The level of contribution required has been reassessed on the basis of the latest published information. The site lies within the catchment of Emmbrook Infant, Junior and Secondary Schools: in view of the current surplus at the primary catchment schools no contribution towards primary education is sought but the contribution towards secondary education facilities has increased to £35,057. An additional contribution of £466 for the provision of a fire hydrant has also been agreed.

Additional Consultation

In addition to the petition reported to the Development Control Committee at the meeting on 4 September 2002, and referred to in the consultation section of the report relating to this item, a 977 signature petition has been received from residents of Reading Road and its vicinity. The petition, which is not specific to any application but is relevant to this proposal, will be reported to the Development Control Committee, as a separate item, in the near future. It reads as follows:

"We the undersigned, petition Wokingham District Council to reject outline planning applications from developers who purchase back garden plots of residences in the area of Reading Road, from Woosehill Roundabout up to Winnersh Crossroads and in streets adjacent to Reading Road, in order to build large housing developments which will require vehicular access to the Reading Road.

As existing residents in the area outlined above, we make this petition on the grounds that further housing developments will result in unsustainable pressure on local infrastructure, local doctors and local schools. Greater volumes of traffic on the Reading Road, which is already grid locked at several times of the day will also endanger cyclists, including children from three neighbouring schools, who use the designated cycle paths on either side of the road ".

Application F/2002/7267

Revised plans have been received, showing changes to the junction with Reading Road. This will require additional consultation and, therefore, Members are requested to defer a decision on this application.

Recommendation

The recommendation on page 78, is revised as follows:

1. GRANT PLANNING PERMISSION for application F/2002/6713, subject to a legal agreement to secure £40,000 towards sustainable transport measures, £35,057 towards provision of secondary education facilities, £7,000 towards community leisure provision, £1,200 towards library facilities and £466 for provision of a fire hydrant and conditions as set out on pages 78-81 of the agenda.
2. Defer a decision on application F/2002/7267 to allow consultation on the revised plans.

ARDWELL HOUSE, ARDWELL CLOSE, CROWTHORNE
Application No. F/2002/6270 Pages 110-137

Corrections/points of clarification to report

1. Comments on additional plans (bottom of p.12) should be 14 addresses not 7.
2. Site is in Crowthorne but in parish of Finchampstead
3. P.112 – typographical error – should be Ravenswood Avenue not Rosewood Avenue.
4. Strip of land at side of No. 27 Ravenswood Avenue where adjacent to Ardwell Close is Highway Authority land.
5. Rear of No. 27 is about 50m rather than 48m from the proposed building.

Additional consultations

8 letters in response to latest September revised plans: Previous objections and concerns still stand and the small reduction in height would not overcome overlooking and overbearing objections.

LAND REAR OF TIMBERSCOMBE, KINGFISHERS COVERT & WOODSIDE, LITTLE FRYTH, FINCHAMPSTEAD
Application Nos. F/2002/6538 & 6539 pages 138-156

Correction to report

Letters of objection received from 41 not 29 addresses. Comments as already reported.

Additional letter form M.P.: Strongly supports local residents in opposing the applications.

OAKLANDS NURSERY, GREEN LANE, WINNERSH.
Application No F/2001/5267, Pages 157-176.

Corrections to Report

There is an error on page 157 of the report. The recommendation should be "REFUSE PLANNING PERMISSION". The recommendation as set out on page 164 of the report is correct.

Section F on page 162 refers to provision of play equipment at *"Simmons Close".* This should be *"Simon's Park or Lowther Road".*

Additional Consultations

Two petitions have been received regarding developments in the vicinity of Reading Road. Although these do not relate to specific applications, they are relevant to this proposal. The earlier, 303 signature petition, was reported to the Development Control Committee on 4 September 2002. Subsequently, a 977 signature petition has been received from residents of Reading Road and its vicinity. The second petition, will be reported to the Development Control Committee, as a separate item, in the near future. It reads as follows:

"We the undersigned, petition Wokingham District Council to reject outline planning applications from developers who purchase back garden plots of residences in the area of Reading Road, from Woosehill Roundabout up to Winnersh Crossroads and in streets adjacent to Reading Road, in order to build large housing developments which will require vehicular access to the Reading Road.

As existing residents in the area outlined above, we make this petition on the grounds that further housing developments will result in unsustainable pressure on local infrastructure, local doctors and local schools. Greater volumes of traffic on the Reading Road, which is already grid locked at several times of the day will also endanger cyclists, including children from three neighbouring schools, who use the designated cycle paths on either side of the road ".

359-361 READING ROAD, WINNERSH
Application Nos O/2002/6628 & F/2002/6896, Pages 177-204

Additional Consultations

In addition to the petition reported to the Development Control Committee at the meeting on 4 September 2002, and referred to in the consultation section of the report relating to this item, a 977 signature petition has been received from residents of Reading Road and its vicinity. The petition, which is not specific to any application but is relevant to this proposal, will be reported to the Development Control Committee, as a separate item, in the near future. It reads as follows:

"We the undersigned, petition Wokingham District Council to reject outline planning applications from developers who purchase back garden plots of residences in the area of Reading Road, from Woosehill Roundabout up to Winnersh Crossroads and in streets adjacent to Reading Road, in order to build large housing developments which will require vehicular access to the Reading Road.

As existing residents in the area outlined above, we make this petition on the grounds that further housing developments will result in unsustainable pressure on local infrastructure, local doctors and local schools. Greater volumes of traffic on the Reading Road, which is already grid locked at several times of the day will also endanger cyclists, including children from three neighbouring schools, who use the designated cycle paths on either side of the road ".

Additional Conditions

Two additional conditions are proposed:

20. The dwelling/building shall not be occupied until visibility splays of 2 metres by 2 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.

Reason: In the interests of highway safety and convenience.

21. No building shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of eight metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

Revised Informative

Informative 1 on page 189 should be revised to refer to Drawing No 402/3:1 D, received on 24 September 2002.

CROSSLANES STUD, NELSONS LANE, HURST
Application No. F/2002/7032, Pages 205-220

Corrections to the report

Page 206 refers to the requirement for a S106 Legal Agreement to ensure that the manager's accommodation proposed is removed should the animal rescue centre relinquish their use of the site. It is also considered that the legal agreement should limit the occupation of the mobile home to a person solely working for The Diana Brimblecombe Animal Rescue Centre and any resident dependents.

Members should note that currently the Animal Rescue Centre, which is located at Brittons Farm, has residential accommodation as the Charity has grown up around the home of Mrs Diana Brimblecombe who currently manages the facility. However, due to personal circumstances and the natural limits of the current site the facility can no longer function at Brittons Farm, hence the need to find an alternative site, as explained on page 205/206.

The recommendation on page 210 should read:

'GRANT planning permission subject to completion of a Section 106 Agreement

and to the following conditons...'

Additional Consultations

Environmental Health have commented on the application and have no objections subject to conditions limiting the number of dogs housed at the centre and also the provision of additional acoustic fencing.

Additional Conditions

One additional condition has been proposed:

9. The proposed mobile home shall be removed by the 3rd October 2007 and the land returned to its former state.

Reason: In the interests of visual amenity

Corrections have been proposed to conditions 7 and 8 and they should read as follows:

7. The number of dogs shall not exceed a maximum of 21, at any one time.

8. Notwithstanding the details shown on the submitted plans the kennels shall be enclosed on all sides by a 2.1m high concrete acoustic fence, which shall be provided prior to the first occupation of the building and shall be retained so long as the building remains in use for kennelling

SWANCRAFT BOATYARD, HIGH STREET, WARGRAVE.
Application No.F/2001/4390 & CA/2001/4741. Pages 221-244.

2 further letters of objection have been received. The issues raised in these letters have been addressed in the appraisal section of the main report.

The highway officer has no objection to the proposed development but has recommended the imposition of the following conditions:

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

    Reason: To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

21. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes.

    Reason: To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

22. No other development of the site shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing spaces within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear. No building shall be occupied until this has been provided in accordance with the approved details. This space shall thereafter be maintained at all times for this purpose.

    Reason: In the interest of highway safety and convenience.

23. No building shall be occupied until vehicular access has been surfaces with a bonded material across the entire width of the access for a distance of 5 metres measured from the carriageway edge.

    Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

Condition 3 should also be reworded to read as follows:

3. The development shall not commence until details of all boundary treatments including the specification of the proposed entrance gate ....

LITTLE COURT, CHARVIL LANE, SONNING
Application No: F/2002/6248 and F/2002/6249 Pages 244-254

Final comments have been received from Council's Access and Movement officers on Revised plan 1496/101A. They have advised that should approval be granted, the following additional conditions need to be placed on any approval:

13. Before any other part of the development hereby permitted is commenced, the vehicular access proposed shall be formed and provided with visibility splays shown on the approved drawing number 1496/101A. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in

height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

Reason: In the interest of highway safety and convenience.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

Reason: To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

It is also recommended that condition 5 be altered to read:

5. Prior to commencing work on site, the applicants shall submit details of protective fencing to be erected around the construction site in order to prevent newts entering the construction area. Work shall not commence on site until the details have been agreed in writing by the Local Planning Authority.

Reason: To ensure adequate protection of a protected species (newts)

Please note also that the condition numbering has been duplicated. There are therefore 14 conditions in total including those above.

100 THAMES VALLEY PARK
Application No: TP/2002/7249 Pages 254-258

Paragraph 1 Planning History of the Agenda should read:

Planning History – The property is located within an identified settlement as well as being within a core employment area (business park). Planning permission was given in September 2001 for the temporary siting of a portable building to house computer equipment ancillary to the main building. Condition 1 of this consent states that the retention of the building shall be until 31st October 2002. On or before this period, the building shall be removed and the land restored to its former condition on or before the 31st March 2003.

78 COLEMANS MOOR ROAD, WOODLEY, READING
Application no. F/2002/6920 Pages 259-264

The recommendation on p. 259 should read:

"RECOMMENDATION: GRANT PLANNING PERMISSION".

The recommendation in paragraph 6, p. 261, should read:

" - GRANT planning permission with the following..."

21 MILL LANE, EARLEY
Application No: F/2002/7360 Pages 265-271

The previous planning refusal (F/2002/5640) proposed the two storey side extension to project 3.3m beyond the main rear building wall of the dwelling. The present application shows this first floor element to be removed and therefore the rear projection is only at single storey level.

CRAZIES HILL C OF E PRIMARY SCHOOL, CRAZIES HILL, WARGRAVE, READING.
Application No: F/2002/7306 Pages 286- 291

Wargrave Parish Council: no objection

Neighbour Notification: 2 letters of support.

Changes to the conditions proposed

Condition 5 (page 289) requires that a school travel plan be submitted prior to the occupation of the classroom. It is considered that since the application would not result in an increase in the number of pupils attending the school, and as the school is committed to producing a School Travel Plan by 2005 this condition should be removed and should instead be an informative.

Advertisement of application

As set out in the report the Committee is requested to resolve that the Development Control Manager be authorised to approve this application under delegated powers as it has not been advertised as a departure to the Local Plan. The advertisement will appear in the Reading Chronicle on Friday 11th October and the 21 days will expire on 1st November.

SWALLOWFIELD PARISH COUNCIL

PARISH COUNCIL OFFICE
SWALLOWFIELD STREET, SWALLOWFIELD
READING, BERKS, RG7 1QX
Tel: 0118 988 5929 Fax: 0118 988 6443
email: clerk@swallowfieldpc.gov.uk

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12 SEP 2002	
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11th September 2002
FAXED AND POSTED

60920

Planning Dept.,
P.O. Box 157,
Wokingham District Council,
Shute End,
Wokingham,
Berks. RG40 1WR

Dear Sirs,

Application Number: F/2002/6429 revised plans dated 23/08/02 showing amended window details
Location: Hackthorn Cottage, Charlton Lane, Swallowfield
Proposal: Proposed two storey side extension to dwelling
Case Officer: Louise Smith

The Parish Council is pleased to note that the window positions on the west and north elevations have been altered such that they are now visually acceptable. Consequently the Parish Council no longer has any objection to the proposed design of the extension to the existing dwelling.

However the Parish Council is surprised that this application has been allowed to go forward to the planning committee given that the standard of draughtsmanship has not improved, and that the committee had specifically commented that the standard was unacceptable and that therefore the revised application should only be re-presented to the committee when it had been drawn to an acceptable standard.

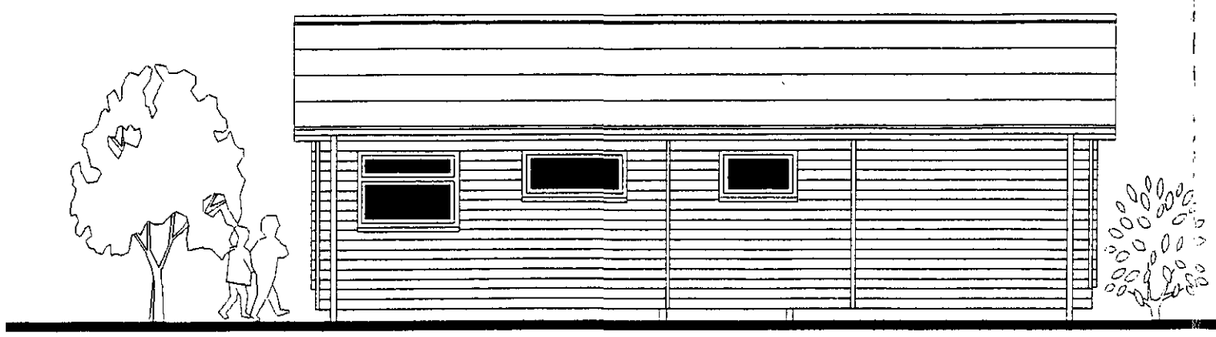
The Parish Council is concerned that as the draughtsman of the submitted plans may have little knowledge of building construction, then when the works are under construction there could be problems either with actually constructing the extension in accordance with the plans, or in complying with building regulations. Consequently the finished works may vary to the works as drawn.

The Parish Council therefore requests that if planning permission is granted to this application with the existing drawings, then an experienced building control officer is appointed to closely monitor the works with particular emphasis on the visual appearance of the external elevations.

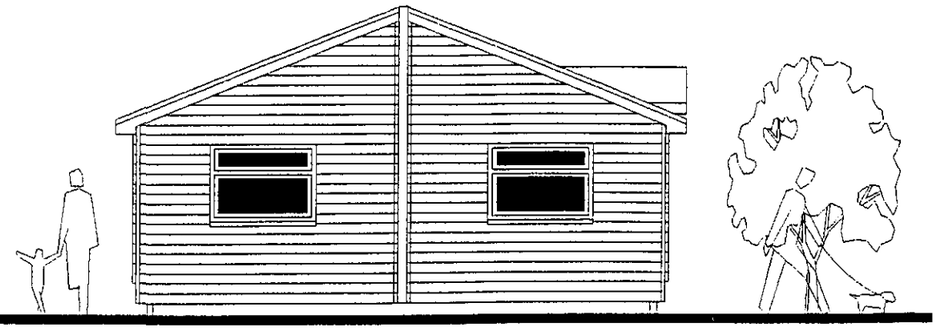
Yours faithfully,

C Adams

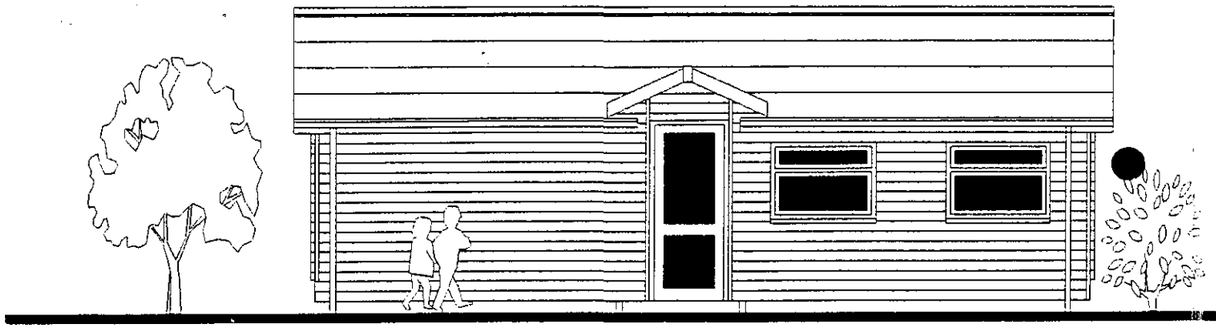
Mrs. C. Adams, Clerk



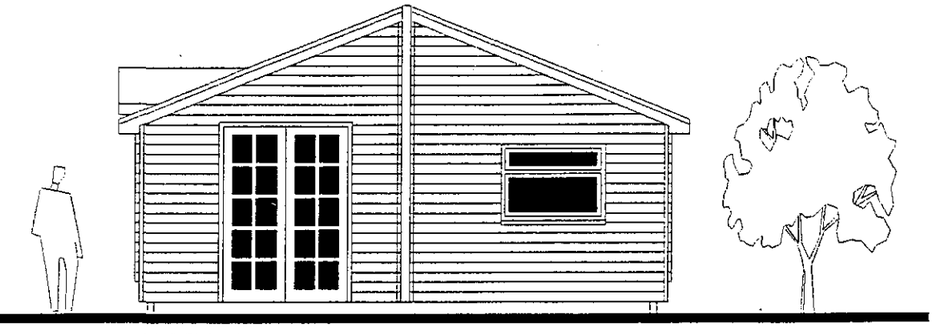
REAR ELEVATION



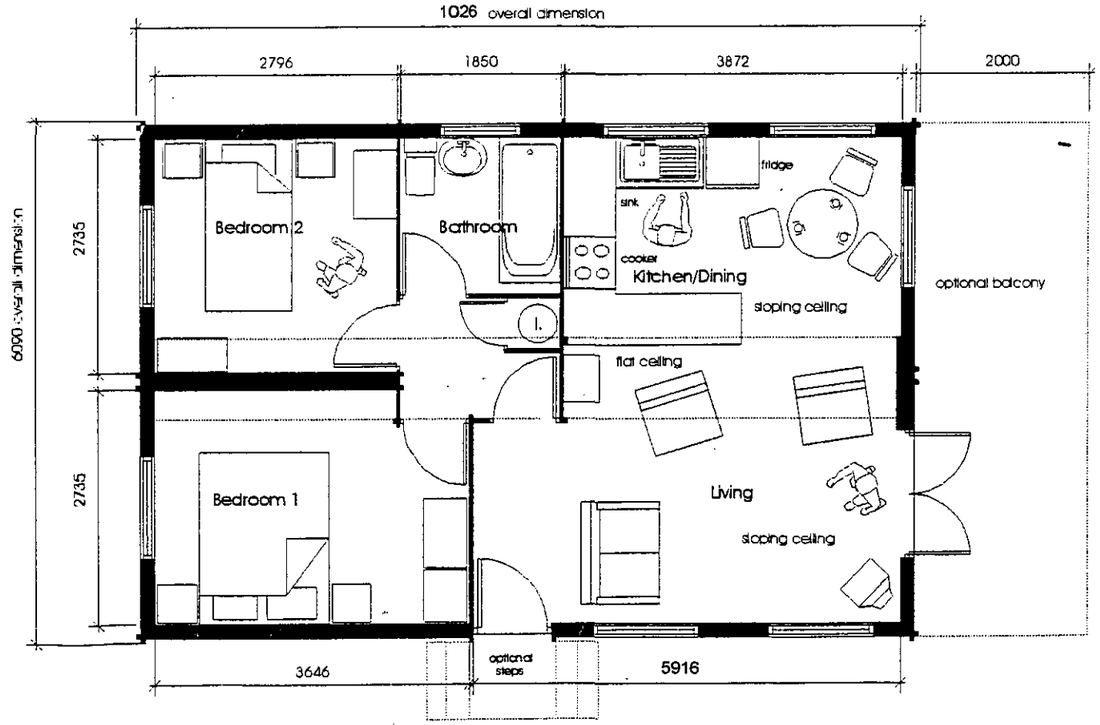
SIDE ELEVATION

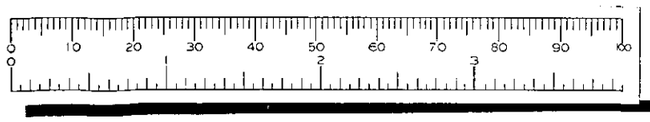


FRONT ELEVATION



SIDE ELEVATION





Title:- *The Bayton* *Mobile Home*

Drawing number:- *D/032*

UNILOG BUILDINGS

M & M Structures Ltd.
Hunt House Sawmills, Clows Top, Nr Kidderminster. Worcs DY 14 9HY
Telephone 01299 832611 Fax 01299 832536

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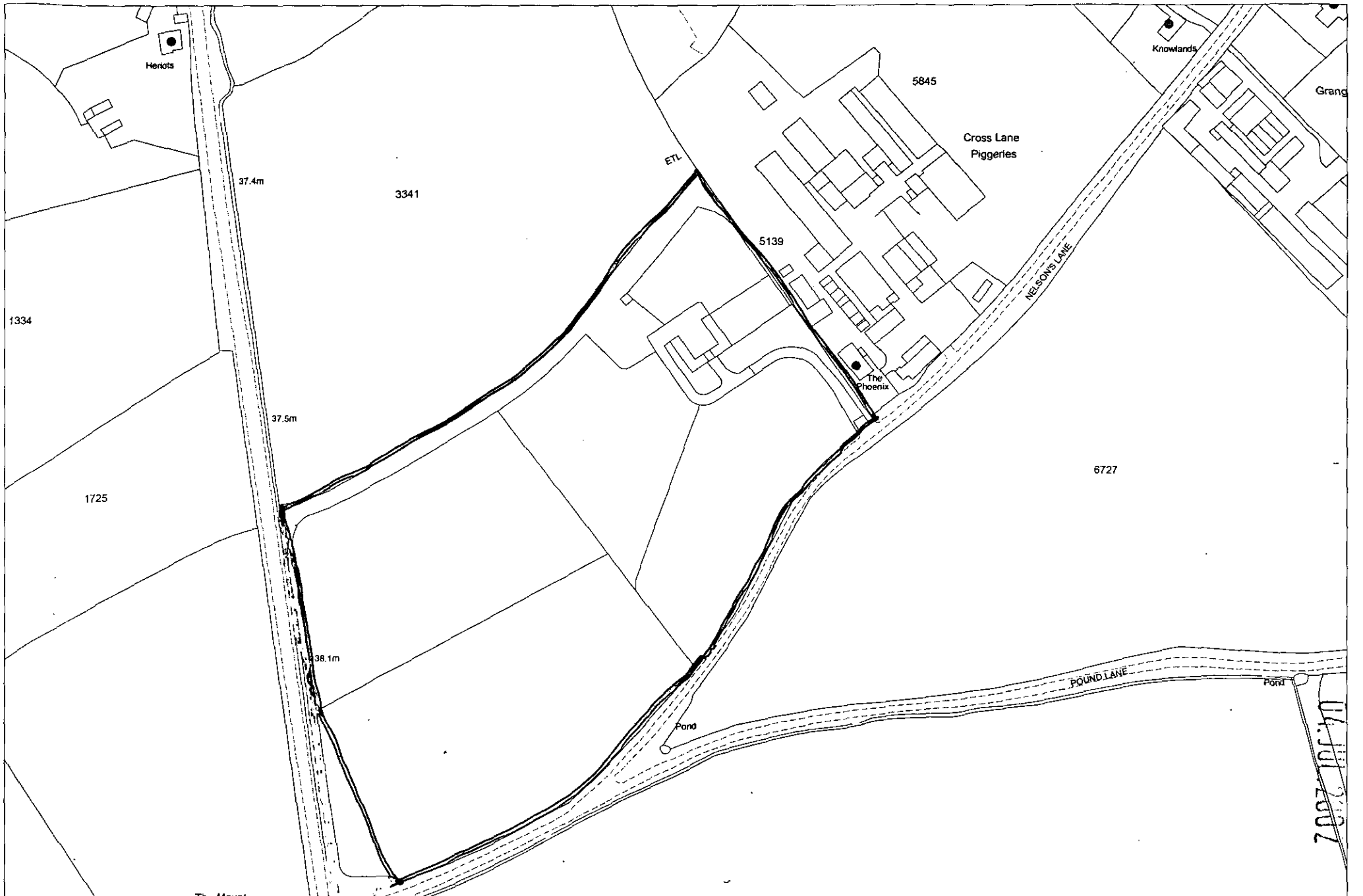

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Central Support Section, Environmental Services, Wokingham District Council.

4 July 2002

Scale: 1 : 2500

17 JUL 2002