

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250848
Site Address:	Wargrave Manor, Wargrave Hill, Wargrave, Wokingham, RG10 8JL
Expiry Date:	03 November 2025 (EoT)
Site Visit Date:	n/a
Proposal: Application to modify the Section 106 Legal Agreement dated 8 August 2023 in relation to planning permissions 230284 and 230285 to enable a change in legal interest in the property whilst retaining the previously authorised development.	

PLANNING CONSTRAINTS/STATUS

Conservation Area
Grade II Listed Buildings
Bat Roost Habitat Suitability
Countryside
Green Belt
Great Crested Newt Consultation Zone
Ground Water Zones
Minerals Site Consultation Area
Nuclear Consultation Zone
Radon Affected Area
Landscape Character Assessment Area
SSSI Impact Risk Zones
Great Crested Newt Consultation Zone Householder

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP11 – Proposals Outside Development Limits CP12 – Green Belt
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC06 – Noise CC07 – Parking

	CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB01 – Development within the Green Belt TB06 – Development of Private Residential Gardens TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets TB25 – Archaeology
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Wargrave Parish Design Statement

PLANNING HISTORY

Application No.	Description	Decision & Date
2/1951	TPO	1951
R/209/66	Alterations to servant quarters & garage	1966
R/9/67	Pavilion at swimming pool	1967
R/229/67	Milking parlour, yard and barn	1967
R/282/67	Access road to farm buildings	1967
R/390/68	New vehicular access	1968
R/420/68	Wrought iron entrance gates	1968
0/199/68 45/69	Bungalow (lodge) at entrance)	1969
R/221/69	Dutch Barn	1969
R/305/69	Vehicular access	1969
724172	Greenhouse & conservatory	1972
316/73	Workshop	1973
00944	Extension at East Lodge	1974
03966	Alterations to Stable Cottage	1976
04356	External alterations	1976
06884	Balustrade & colonnade & lift extension	1977
07576	Extension of south Lodge for office space	1977
08279	Conversion of milking parlour	1978
BR8730	Erect/ extend garage	1978
08691	new stables and conversion of existing	Refused: 1978
09316	New stables & garage	1978
09318	Living room/ bathroom extension	1978

09319	New garage at East Lodge	1978
09320	Manege	1978
09322	Canopy in yard adj. milking parlour	1978
09325	Convert old stables to 5 dwellings	1978
09480	1st floor wing extension over E side kitchens	1978
27426	Invalid lift	1989
28089	New access	1987
32095	Garages	Refused: 1988
33279	12 car garaging/ store/ sitting room for drivers	1989
34934	12 car garaging/ store/ sitting room for drivers	1989
35161	New lake/ temple	1990
F/1998/68293	Entrance gates	1998
F/2003/8763	Bridge from roof terrace to conservatories	2003
F/2004/1594	Conv. store/ office to ancillary residential	2004
F/2008/1470	All weather equestrian track	2008
F/2010/2500	Stables & stores	Refused: 2010
F/2010/2422	Equine pool, plant and enclosures	Refused: 2010
F/2011/0022	Garaging for estate machinery & plant	Refused: 2011
F/2011/0024	Hay storage barn	Refused: 2011
CA/2011/0023	Demolition of portcabin	Approved: 2011
F/2011/0385	Proposed horse water walker	Refused: 2011
F/2011/0385	Relocation of East Lodge entrance gates	Approved: 2011
230284	Full application for the proposed change of use of existing stables and erection of new buildings to provide staff accommodation and ancillary spaces within the grounds of Wargrave Manor.	Approved: 14 August 2023
230285	Application for Listed Building Consent for the proposed change of use of existing stables and erection of new buildings to provide staff accommodation and ancillary spaces within the grounds of Wargrave Manor.	Approved: 14 August 2023

CONSULTATION RESPONSES

Internal

WBC Highways – No objection
WBC Landscape and Trees – No objection
WBC Built Heritage Officer – No objection
WBC Ecology – No objection

External
n/a

REPRESENTATIONS	
Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	No comments received
APPRAISAL	
Site Description: Wargrave Manor is a sizable estate and the main house is Grade II Listed along with a late 19th Century Stable Court and the 2 lodges forming entry points to the site. The site is private, there are no footpaths and it is relatively well screened by hedge, trees, fencing and walls. Access to the site is generally from the A321 Wargrave Road and Wargrave Hill. Background: The extant planning permission (230284) included a change of use of existing stables and erection of new buildings within the Green Belt to provide staff accommodation and ancillary spaces within the grounds of Wargrave Manor. This scheme amounted to 'inappropriate development' within the Green Belt. However, the Council deemed that the applicant demonstrated a very unique set of circumstances in security and logistical terms that amounted to 'Very Special Circumstances' (VSCs) for the purpose of assessing 'inappropriate development' proposals within the Green Belt. In this respect, the original officer report states that "... <i>the applicant is an overseas Head of State and the accommodation is for their entourage and staff when visiting the country. Whilst the level of accommodation can be considered as a lifestyle choice that is not relevant to Green Belt considerations, in this case, there is merit to the significant level of accommodation given their international status and the level of security and personnel that would be expected to travel for someone of this status</i>". A s106 clause to retain the property within the ownership of a property company of the Sultan's (Bucentaure Anstalt), or otherwise demolish the new buildings, was deemed necessary and suitable to ensure that any harm to the openness of the Green Belt was temporary and reversible. In addition, the proposed demolition of 15 buildings helped offset the impact of the new development which was also deemed to consolidate historic sprawl and improve estate management. Proposal: This application seeks to vary the Section 106 Agreement dated 8 August 2023 (between Wokingham Borough Council and Bucentaure Anstalt) in relation to planning permissions 230284 and 250848. The Deed of Variation inserts new definitions (Beneficial Owner = Government of the Sultanate of Oman; Related Party = entities legally or beneficially owned or controlled by the Beneficial Owner; Notice of	

Disposal) and replaces the demolition/disposition clause so that any sale, disposal, rent or lease of the Main Dwelling requires prior demolition and restoration of the New Buildings, except where the transaction is to a Related Party and a Notice of Disposal in the prescribed form is served by the Owner's conveyancer at least 10 Working Days in advance. Bucentaure Anstalt remains the Owner/signatory under this engrossment.

Assessment - variation of a planning obligation

This process is set out in s106A of the Town and Country Planning Act 1990. The Council has 3 options when determining an application for a Deed of Variation (DoV) to a s106 legal agreement:

- (a) that the planning obligation shall continue to have effect without modification,
- (b) if the obligation no longer serves a useful purpose, that it shall be discharged;
or
- (c) if the obligation continues to serve a useful purpose but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

When determining DoV applications, there are four questions that need to be considered:

1. What is the current obligation?
2. What purpose does it fulfil?
3. Is it a useful purpose?
4. If so, would the obligation serve that purpose equally well if it was subject to the proposed modifications?

Question 1 – What is the current (i.e. original) obligation?

As set out in the original s106 agreement, the obligation requires that prior to any disposition (sale, rent, lease) of Wargrave Manor, the new buildings permitted by the 2023 permission (230284) must be demolished and the land where the new buildings were located to be restored to its original condition.

Question 2 – What is the purpose of the obligation?

The original officer report indicates that “...*the accompanying Legal Agreement ensures the buildings will be removed if the Wargrave Manor is sold off outside of the family*” and this would ensure any harm to the openness was temporary and reversible, and deemed acceptable in this instance, given if the Very Special Circumstances that have been attributed to the applicant.

Question 3 – Does the obligation still serve a useful and credible purpose?

The obligation remains necessary and effective in safeguarding openness and preventing permanent harm to the Green Belt. Indeed, the obligation continues to serve a critical Green Belt planning purpose in accordance with guidance contained within the NPPF and against relevant local plan policies. Hence, question 4 needs consideration.

Question 4-Does the modification serve a useful purpose?

Following negotiations with the applicant, the proposed modification introduces a narrow exemption permitting dispositions only to a Related Party (entities owned or controlled by the Government of the Sultanate of Oman), subject to a Notice of

Disposal served no less than 10 Working Days prior to completion in the template form appended to the agreement.

Hence, the property would continue to be under the same ownership and diplomatic use by the Oman Head of State. The Owner would have to HM Land Registry for entry of the specified title restriction on BK59278 and supply updated office copies once registered. The Council would have to respond to certificate requests under that restriction within 10 Working Days. Any disposition outside this exemption continues to trigger the demolition and restoration requirement, thereby maintaining the original planning purpose of safeguarding Green Belt openness.

As such, the proposal maintains the original unique set of circumstances which equate to VSCs for the purpose of assessing the 'inappropriate development' within the Green Belt. In addition, no other material considerations exist that would warrant taking a different decision to that on the original application (250848).

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Not required
Recommendation:	
Date:	24 December 2025
Earliest date for decision:	17 May 2025

Recommendation agreed by: (Authorised Officer)	
---	---

Date:	19.12.25
--------------	-----------------

PLANNING CONSTRAINTS/STATUS
Insert where relevant