

**RESPONSE TO APPLICATION 242893 RELATING TO BRICK BARN, REMENHAM HILL, HENLEY-ON-THAMES.
RG9 3HN.**

1. Application 242893 appears to take the form of an out-of-time appeal, not on a point of law, against the binding decision by the Planning Inspectorate, following the appeal made by the Appellants (John & Bridget Bateman), against the Enforcement Order served by Wokingham Council on 14 June 2023. As such it should automatically fail.
2. Notwithstanding the Statement of Community Involvement in application 242893, we have not been consulted on this latest application for proposed development at Brick Barns by the Applicants (John & Bridget Bateman). No public notice of consultation has been displayed at Brick Barns over the period of consultation to 03 January 2025.
3. As direct neighbours, we hoped the conclusion of the last appeal by Appellants against the Enforcement Order served by Wokingham Council on 14 June 2023, and the binding decision of the Planning Inspectorate, would bring the matter of unauthorised development at Brick Barns to an end. In a nutshell, the Planning Inspectorate upheld Wokingham Council's case at appeal that the Appellants illegally developed the land of Brick Barns with the erection of numerous outbuildings and hardstanding, thereby suburbanising the area (green belt):

"Without planning permission, the unauthorised change of use of the Land to residential garden including, the erection of five buildings; changing of ground levels; and formation of hardstanding".

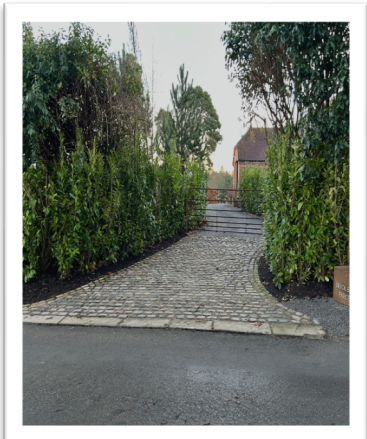
4. Compliance with the Enforcement Order is underway and we look forward to its conclusion as during the whole time we have lived at Noble Barn, now over five years, there has been continual building work at Brick Barns and ensuing disturbance in one form or another.
5. Specifically, regarding the three points put forward in the latest planning application, 242893, we believe the following information and evidence should be considered:

(a) "Retention of part of the unauthorised drive in a modified form, to enable the delivery of goods required for the maintenance of the land and to allow a vehicle to empty the cesspit without preventing the closure of the lane to other traffic and neighbours during the required servicing."

Response to items 3.4 to 3.11 – Cesspit /delivery of goods for land maintenance

- Access for a waste management vehicle to empty the cesspit at Brick Barns, as located on the supplied drawing (242893-Planning Plans-10122024), is easy to achieve via the new drive without closing or blocking Dairy Lane because the new drive at Brick Barns has a large bell mouth opening and is wide (see Figure 1).

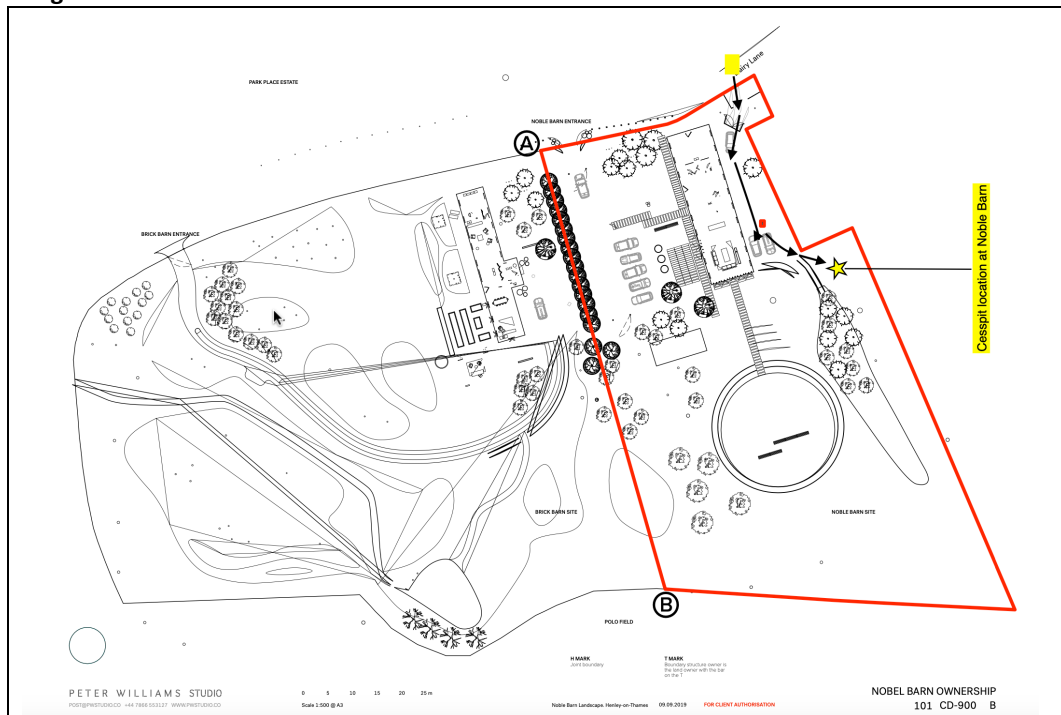
Figure 1

	New drive, with wide bell mouth, at Brick Barns
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- Waste suppliers such as ABS offer a range of vehicles to empty cesspits, including 1,000-gallon waste management vehicles with hose pipes many metres long. See: [A Better Service Waste Management](#)
- The cesspit at Noble Barn, as developed by the Applicants, is in a more awkward and distant corner from Dairy Lane than the cesspit at Brick Barns (see Figure 2) and it can be accessed by a large waste management vehicle through a drive with:
 - No bell mouth opening onto Dairy Lane
 - A narrower opening than the new drive at Brick Barns
 - A drive with bends and hard steel-edged corners and
 - A large metal-edged pine tree border to navigate

Figure 2



- The pictures in Figure 3 below, taken on 24/12/24, demonstrate how the cesspit at Noble Barn can be accessed by a large vehicle and how the same operation can happen at Brick Barns via its larger entrance:

Figure 3

	• North drive entrance at Noble Barn: 3.6m wide with no bell mouth opening • Bends and metal-edging to navigate
	• Curve with metal-edged pine tree to navigate
	• 1000-gallon vehicle, seen from further up Dairy Lane towards Brick Barns, reverses into north driveway of Noble Barn, with ample turning room

	The same vehicle making the reverse turn into the north driveway of Noble Barn, viewed from within the driveway
	Vehicle easily completes the manoeuvre into driveway
	Vehicle reverses along the north driveway of Noble Barn, passing the metal-edged pine tree border

	• Vehicle arrives at opposite end of Noble Barn driveway • Now uses extensive hose pipes (which can be seen on the truck) to reach the cesspit
	• Cesspits for a two-person dwelling typically require emptying once per year and the process of emptying takes approximately 15 minutes • Here the hoses from the lorry can be seen deployed by the operative to the cesspit

- *'An unauthorised drive in modified form'* would not be sufficiently robust to support the large vehicles John & Bridget Bateman describe in their application, particularly with increasing wet weather as the British climate changes. Dairy Lane during the winter already reflects this as delivery trucks and other commercial vehicles frequently use the grass verges to pass one another, resulting in ruts and muddy tracks (see Figure 4 below). As such, the condition of the proposed track shown in Fig. 2 of application 242893 would be impossible to maintain if a large drainage truck or an agricultural vehicle were to pass over it.

Figure 4

	Typical condition of Dairy Lane
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- In the past, on the land of Brick Barns, what began as an unauthorised drive across the field, was subsequently covered in substantial hardstanding. Given the previous history of unlawful development at the property we would be concerned this could happen again, damaging the natural environment.
- In short, we believe continued use of the unauthorised driveway as proposed in application 242893 is borne out of the personal preference of the Applicants, rather than any necessity. We have demonstrated how access can be achieved to the cesspit at Noble Barn using a typical waste management truck. There is no reason why the Applicants should not do the same at Brick Barns, nor why any other agricultural or other delivery vehicles cannot use the new drive at Brick Barns to access the land.
- Consequently, the new 'agricultural gate' (See Figure 5) which has been installed on Dairy Lane at the entrance to the unauthorised driveway, which is out of keeping with the estate rail across the rest of Park Place, should be removed, blocked up (and replaced with estate rail), in line with the Planning Inspector's binding decision.

Figure 5

	• Newly installed gate at unauthorised driveway • Non-native laurels yet to be removed to allow views across the park
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(b) "Retention of Building 4 (as identified on the application plans) for the use in connection with the maintenance of the land, and modified to provide replacement bat roosts; and"

Response to items 3.12 to 3.14 inclusive

- No evidence that bats exist at Brick Barns, such as a bat survey, is supplied with the application.
 - The new drawings of Building 4 to provide bat roosts lack full measurements including the total height. The space set out in application 242893 is very large, and it is not clear why bats require this amount of space, nor how control of the bat roosts would be managed. There is also no guarantee that any bats would choose to occupy the proposed bat roost but to be clear, with this application, no evidence has been provided of bat roosting on the property at all.
 - It is not unreasonable that Applicants will need proportionate space to house equipment to maintain the land of the Brick Barns plot. If that is the case, they should apply for that alone upon completion of the existing Enforcement Order.
- (c) "Retention of one and a half, raised timber flower beds within the cottage garden, that fall outside of the residential curtilage to Brick Barns."*
- While no evidence is supplied of environmental recognition by garden interest groups or journalists, we do not believe it would be harmful to keep the raised beds.

Conclusion

Application 242893 appears to take the form of an out-of-time Appeal, against a binding decision by the appointed Planning Inspector, not on a point of law. As such it should automatically fail.

From: Mr & Mrs T. Betts
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Date: 02 January 2025