
WOKINGHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

**Luffs Farms
C/O Mark Leedale Planning
52 Crondall Lane
Farnham
Surrey
GU9 7DD**

Application Number: F/2007/2154

Parish: Hurst

Location: Land at, Lodge Road, Whistley Green.

Proposal: Proposed erection of stables and barn to form equine treatment centre with menage, access and horse walkers.
Storeage building for tree nursery.

The Wokingham Borough Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development for the reason(s) specified hereunder.

Reasons

1. The proposal represents a development that, by virtue of its size and scale, would be considered to result in a harmful impact to the visual character and open nature of the countryside, which is contrary to Policies WCC1 and WOS3, of the Adopted Local Plan and Planning Policy Statement 7.
2. The applicant has not demonstrated a need for a commercial development in an unsustainable location, therefore the proposal does not comply with Policies WCC1 and WOS1 of the adopted Local Plan and Planning Policy Statement 7.
3. The applicant has not demonstrated that the proposed development would not lead to an increase in traffic movements to and from the site onto the B3030 using an access that is not of adequate design to cater for such an increase contrary to Policy WT7 of the adopted Local Plan
4. The proposal would lead an increase in the number of people and properties at risk of flooding and is likely to lead to increased flooding and water contamination contrary to Planning Policy Statement 25.
5. The applicant has failed to demonstrate that the proposal would not have a detrimental impact on Newts contrary to Planning Policy Statement 9.

Informatives

This refusal is in respect of Plan Nos. LRH/01, 02, 03, 04, 05, and the two location plans received by the Local Planning Authority on 07 September 2007

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 DP6, DP8

Wokingham District Local Plan Policies WOS1, WOS3, WCC1, WBE5, WR11, WT2, WT7

SPG Landscape Character

PPS7

PPS9

PPS25



Mark Cupit

Development Control Manager

Date: 31/10/2007

Should you require further guidance or information on the conditions and/or reasons set out in this decision notice please contact the Planning Case Officer, on telephone number: or by email at:

NEW DWELLINGS - If this notice relates to approval of new dwellings please ensure that you contact The Council to arrange for an address & post code to be allocated. Details can be obtained from Mrs V Conlon on 0118 974 6303.

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.

In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following: -

i) that there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and

ii) that the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

APPEALS TO THE SECRETARY OF STATE

PLANNING & ADVERTISEMENT APPEALS

- 1) If you disagree with the decision of the your local planning authority to refuse planning permission or you do not think that conditions placed on an approval are justified or reasonable, then you can appeal to the Secretary of State for the Environment, Transport and the Regions.

If you want to appeal you must do so within **6 months** of the date of the decision notice for **planning applications** and within **8 weeks** in respect of **advertisement applications**, using a form you can get from The Planning Inspectorate. They can be contacted on (0117) 372 6372 or you can write to them at: Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN.

- 2) In some exceptional circumstances an appeal can be considered if more than 6 months or 8 weeks have elapsed since the date of your decision. If the 6 month/8 week time limit has expired and you wish to appeal please contact the Planning Inspectorate to find out if they are willing to accept it.
- 3) The Secretary of State does not have to consider an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development or could not have approved permission without the conditions it imposed while having regard to the statutory requirement of the development order or any directions given under the order. In practice The Secretary of State does not normally refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.
- 4) It is a statutory requirement for all appellants to copy their appeal forms direct to Wokingham District Council, Planning Services, P.O. Box 157, Civic Offices, Shute End, Wokingham, RG40 1WR, at the same time as the appeal is sent to the Planning Inspectorate. Details of this procedure will be included on the appeal forms.

PURCHASE NOTICES

- 1) If the local planning authority or the Secretary of State for the Environment, Transport and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state or cannot make the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- 2) In these circumstances the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase an owners interest in the land in accordance with the provisions of Part XI of the Town and Country Planning Act 1971.

COMPENSATION

- 1) In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or is granted subject to certain conditions by the Secretary of State for the Environment, Transport and the Regions on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provision of the Town and Country Planning Act 1990.