



Appeal Decisions

Hearing held on 6 November 2024

Site visit made on 6 November 2024

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal A Ref: APP/X0360/C/24/3342197

Land at Poppies Farm, Pound Lane, Hurst, Wokingham RG10 0RS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the Act"). The appeal is made by Mrs J Robertson against an enforcement notice issued by Wokingham Borough Council ("the Council").
 - The notice was issued on 26 March 2024.
 - The breach of planning control as alleged in the notice is without planning permission the material change of use of the land for the stationing of a mobile home for the purposes of human habitation.
 - The requirements of the notice are:
 - i) Cease the use of the Land for the stationing of a mobile home for the purposes of human habitation.
 - ii) Remove from the Land the mobile home, concrete base and steps shown in the approximate location outlined in red on the attached Plan.
 - iii) Disconnect all pipes and cables in connection with the supply of water, gas, electricity and foul drainage and the disposal of sewage.
 - iv) Remove all residential items and associated paraphernalia.
 - v) Remove from the Land all resultant materials associated with steps (ii), (iii) and (iv).
 - vi) Restore the Land to its former condition prior to the breach of planning control taking place.
 - The period for compliance with the requirements is: 12 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act ("the DPA").
-

Appeal B Ref: APP/X0360/W/24/3342193

Caravan at Poppies Farm, Pound Lane, Hurst, Wokingham RG10 0RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs J Robertson against the decision of Wokingham Borough Council.
 - The application Ref is 232524.
 - The development proposed is described as application for an agricultural worker's dwelling (mobile home) (retrospective).
-

Appeal C Ref: APP/X0360/W/24/3342189

Poppies Farm, Pound Lane, Hurst RG10 0RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs J Robertson against the decision of Wokingham Borough Council.
 - The application Ref is 232525.
 - The development proposed is described as retrospective application for two modular agricultural buildings.
-

Summary of Decisions:

Appeals A, B and C are allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Preliminary Matters

1. The three appeals relate to different parts of the northern of two fields owned and managed by the appellant as a single parcel of land, along with rented land elsewhere. Appeal A is limited to a small area similar to the footprint of the mobile home. Appeal B includes that area, along with land adjacent to the west and south, in use as a parking and turning area for the site as a whole and as access to the land to the east. Appeal C relates to an area which includes the modular buildings, land around them, and access to them from the caravan.
2. Mark Leedale Planning (MLP) confirmed that Mrs J Robertson was the appellant for all three appeals, rather than MLP. MLP acted as the appellant's agent.
3. In relation to Appeal A, Mrs Robertson withdrew her appeal on ground (f) at the Hearing. I have therefore considered Appeal A on grounds (a) and (g).
4. For Appeal A, the Notice stated that it was issued under Section 171A(1) of the Act, but did not specify the paragraph within which, in the opinion of the Council, the breach of planning control fell. Nevertheless, reading the Notice as a whole, it clearly targeted the carrying out of development without planning permission, and the Council confirmed it was served under paragraph (a) of Section 171A(1). The parties agreed that no injustice would occur to the appellant or the Council were I to correct the Notice accordingly.
5. Requirement (ii) of the Notice specifies the removal of physical works carried out but not expressly referred to in the breach of planning control alleged. At the Hearing the parties agreed that the physical works specified facilitated the material change of use of the land, but were ancillary to it, and could be required to be removed. Doing so would, in any case, be necessary to restore the land to its former condition prior to the breach of planning control taking place.
6. For Appeal B, the parties agreed a revised description of the development, as follows: "The change of use of the land for the siting of a mobile home to form an agricultural workers dwelling (retrospective)." At the Hearing the appellant agreed with the Council that, although a plan of the current caravan was included in the application, the development was a material change of use of the land. The parties also agreed that the plan referenced MLP/01 was not part of the application. I have therefore considered Appeal B on this basis.
7. For Appeal C, the parties agreed a revised description of the development, as follows: "The erection of 2 no. modular agricultural buildings with associated hardstanding." At the Hearing, the appellant confirmed the hardstanding was part of the proposal, with external elements indicated on the submitted plans, and an internal concrete base within each building. The parties also agreed that references to plan RAC/7920/12 should have been to RAC/7920/12revA, in relation to the application and the grant of temporary planning permission for these buildings. I have considered Appeal C accordingly.

Appeal A on ground (a)/the DPA and Appeals B and C

Main Issues

8. Appeals on ground (a) are made on the basis that planning permission ought to be granted for the matters constituting the breach of planning control stated in the Notice.
9. The appellant seeks residential use for a temporary period of 3 years, to allow her time to establish the rural enterprise.
10. The main issues for Appeal A on ground (a)/the DPA and Appeals B and C are:
 - whether there is an essential need for a mobile home to accommodate a rural worker for a temporary period of 3 years (Appeals A and B);
 - whether there is a need for the two modular agricultural buildings and associated hardstanding (Appeal C);
 - the effect of the development on the character and appearance of the area (Appeals A, B and C); and
 - the personal circumstances of the appellant (Appeals A and B).

Essential need for a rural worker's home

11. The appellant lives in the mobile home on the land where she runs a farming enterprise and facility for 16-24 year olds Not in Education Employment or Training ("NEET"), and children with Special Educational Needs ("SEND") attending local schools. The use is accredited under the Countryside Educational Visits Accreditation Scheme (CEVAS), and farming and veterinary students also attend from local agricultural colleges and universities, along with volunteers.
12. It is common ground that the land is located in the countryside, outside the development limits identified in the development plan. Development plan policy, which is described below, constrains development in the open countryside, and the National Planning Policy Framework ("the Framework") seeks to avoid the development of isolated homes in the countryside unless, among other things, there is an essential need for a rural worker to live permanently at or near their place of work in the countryside¹.
13. Among other things, the Planning Practice Guidance (PPG)² advises that relevant considerations may include: evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (functional need); and the degree to which there is confidence that the enterprise will remain viable for the foreseeable future (viability).

Functional need:

14. The Council describes the use of the land as a mixed use for agriculture, equestrian and NEET facility. With the NEET/SEND participants and volunteers assisting with livestock across the site, its elements function together as a

¹Paragraph 84.

² Reference ID: 67-010-20190722

single mixed use, even if the NEET/SEND welfare facilities are physically limited to one area of the land.

15. The PPG anticipates scenarios where farm animals require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health, or from crime. Whether there is a functional need for a rural worker's dwelling therefore depends on the nature of the farming element of the use, particularly in relation to livestock.
16. In January 2020, at appeal³, an Inspector ("the previous Inspector") considered whether there was a need for the temporary siting of a log cabin/mobile home as an agricultural worker's dwelling, and the erection of an agricultural building.
17. By that time the appellant's plans had changed from an equestrian NEET facility to an agricultural one. The Inspector reported that the education and training elements of the enterprise had not commenced, but considered the need for a rural worker's home on the basis of the agricultural-based, rather than equestrian-based, NEET facility.
18. The previous Inspector found there would be a functional need for temporary rural worker accommodation on the basis of the enterprise as it then existed, and as it was intended to grow over the projected 3-4 year period. She also granted planning permission for the erection of an agricultural building on the basis that there was a need for it to serve the enterprise then and going forward.
19. The appellant owns the 2.3 hectares ("ha") of land at Poppies Farm, and rents nearly 80ha under Farm Business Tenancies and annual Grazing Licenses, plus in one case verbal agreement. That land is used for grazing and the production of fodder. Although the parties agree it is not uncommon for farmers to rent some additional land, the extent of the land only available to the appellant on short term tenancies may have influenced the nature of the farming the appellant undertakes on the land she owns, particularly in respect of livestock with little or no grazing land requirement.
20. The appellant has failed to gain planning permission from the Council for a variety of agricultural buildings on the land, and livestock numbers have not increased at the rate envisaged at the time of the previous appeal. But, with the recent temporary grant of permission for the modular agricultural buildings, livestock numbers have grown to 46 cattle (including 20 store calves), 113 sheep (plus lambs born in 2024), 3 breeding sows, 9 goats, 18 ducks, 3 geese, 12 chickens and 8 quails, plus 4 horses and 2 donkeys. In particular, store cattle can now be kept on site and will be housed year-round in the modular agricultural buildings on the land. The general-purpose agricultural building is used for the suckler herd.
21. The three agricultural buildings⁴ are used all year round for the keeping of livestock, and the modular agricultural buildings can be set up internally to facilitate occupation by a variety of animals at any one time, plus storage of feed and equipment.

³ appeal reference APP/X0360/W/19/3234343

⁴ The 2 modular agricultural buildings and the general-purpose agricultural building

22. In the winter months all cattle are kept onsite in the buildings, except the bull, along with the lambs, rams and store calves. In February sheep due to lamb in April/May are also brought into the modular agricultural buildings, along with cows due to give birth, and remain until around August when lambs generally graze offsite.
23. Pig farrowing occurs in the spring/summer, but will be year-round if suitable pig housing can be secured. In the summer, most animals graze off-site, except some rare breeds and the store cattle. Goats breed and stay onsite, along with the pigs, horses, donkeys and small animals.
24. In the autumn most animals are brought back onsite to keep them out of the wet ground and rest the land. A large amount of fodder (generated from land offsite) is stored on the land as feed for the winter period.
25. The appellant considers it would be impossible for her to keep and breed livestock on the land without the modular agricultural buildings and a residential presence within sight and sound of the animals. The Council acknowledge there is a functional need for a worker, but do not accept that need must be met by a 24-hour onsite presence.
26. Given the emphasis on keeping animals in buildings on the land throughout the year, and the way the buildings are used for the breeding of livestock across the seasons, the need for 24-hour monitoring is not a seasonal one. In my view, the number of different animals, and their different locations across the site would make effective monitoring by CCTV very difficult. I therefore agree with the appellant that a presence on-site, within sight or sound of the livestock is necessary in the interests of animal welfare.
27. The appellant seeks temporary planning permission for accommodation for a rural worker for a period of three years. Given the nature of the livestock farming occurring, I am satisfied there is a functional need for year-round rural worker's accommodation on the land.

Viability:

28. The previous Inspector considered the viability of the enterprise in terms of projections at that time and found there to be insufficient evidence that the enterprise would be viable going forward. The enterprise is Poppies Farm Ltd, which encompasses both the farming and NEET/SEND activities.
29. The land available to the appellant at Poppies Farm and rented for grazing and fodder production is around 80ha, nearly double that available at the time of the previous appeal. The appellant considers the grazing land requirement to be 25.13ha, accounted for by suckler cows, finishing steers, calves and sheep, plus the ponies kept on site. Grazing land listed as currently available to the appellant amounts to 31.6ha, and the appellant has been offered a further 10.1ha by the Haines Hill Trust, significantly exceeding that identified as needed. Therefore, despite the insecurity of tenure of much of the grazing land, being in the form of annual grazing/fodder licences, I have not seen convincing evidence that a shortage of grazing land, or land for the production of fodder, is a substantial risk to the enterprise.
30. The appellant keeps rare breeds, and sells some meat directly to local restaurants and a butcher. The September 2024 Business Plan update

specifies 3 pubs and a butcher taking whole or half animals, along with farm and meat box sales.

31. The evidence before me included 4 years of accounts from April 2021 - April 2024; the first two years as the appellant operating as a sole trader, and the last two as Poppies Farm Ltd. They show the farming elements of the enterprise are not yet self-sustaining. Most notably, the appellant's labour is not accounted for, and labour costs listed are limited to a small sum for casual labour.
32. With the increase in stock numbers, the appellant's assessment is also that two full-time workers will be needed once calf rearing commences. But half of that requirement is accounted for by the ponies, which are associated with the NEET, rather than agriculture, and are commonly managed by persons living off-site. Without the ponies, the requirement is for one agricultural worker.
33. I have seen no projected figures for the 3-year period for which the mobile home is sought, although figures provided in the Business Plan documents show how the agricultural element of the enterprise could develop. At the Hearing the appellant advised her projections indicated that sufficient funds would be generated to cover the labour requirement for one full-time worker within years 2-3, and two full time workers plus profits by year 4. But I have not seen these projections, or the assumptions associated with them, and can therefore afford them only very limited weight.
34. However, the inability of the appellant to secure planning permission for the modular agricultural buildings until very recently have significantly hindered progress against the business plan's aims. The erection of the modular agricultural buildings and the general-purpose agricultural building in 2023 have facilitated a significant increase in stock numbers and the financial benefits arising from that increase have not yet been fully reflected in the most recent accounts available. The appellant now has the ability to follow Years 2 – 4 of the business plan (or years 3 - 4 as the case may be), and the budget forecasts within it predict it will be profitable with a surplus sufficient to pay an agricultural wage within the 3 year temporary period sought by the appellant.
35. Furthermore, the rural enterprise is not solely agricultural, and income from the NEET/SEND facility has grown significantly, amounting to 85% of income in the year ending 31 March 2024. Net profits for the years ending March 2023 and March 2024 were £11,700 and £25,315 respectively. In the most recent year that would account for the labour cost of a full-time farm worker on the minimum wage. Should it continue, it would assist in the establishment of the agricultural element of the enterprise.
36. At the Hearing the Council alleged that the use occurring, as an agricultural NEET facility, was materially different to the equestrian NEET facility granted by the 2013 planning permission. That permission was for the keeping of horses in association with an educational facility for young adults, and the erection of buildings and structures associated with that use, including a day room and stables.
37. I have seen no reference to any such argument having been made at the time of the previous appeal, when the farming and agricultural NEET of the enterprise were considered together. Even if the original NEET planning

permission was not lawfully implemented, the Council has since granted further permissions for it in 2022, 2023 and 2024⁵ to allow for variations to the dayroom and stable buildings on the land. These permissions were granted at a time when the facility was operational, and was clearly an agricultural one. The 2024 approval described the stable building as a "livestock stable building" and referred to the operation of the farm and rural/agricultural enterprise and required details of "livestock numbers" by condition.

38. Whether or not the NEET/SEND facility occurring fully reflects the planning permission(s) granted, I have seen no evidence that the appellant would be prevented from fully implementing one or more of the permissions granted by the Council, making changes to the NEET operations occurring if necessary. There is sufficient financial evidence before me to afford the appellant a period of three years within which to seek to establish the rural enterprise. With the breeding programme now underway and the store cattle onsite, income from agricultural sources is likely to play a greater role.
39. Considering all these matters, the evidence demonstrates the need for a rural worker to live on the land to ensure the effective operation of the agricultural elements of the rural enterprise. It also demonstrates there is a realistic prospect that the enterprise will be and remain viable within the next 3 years, even on the basis of the agricultural elements of the enterprise alone.
40. In conclusion, there is an essential need for a mobile home to accommodate a rural worker on the land for a temporary period of 3 years. The development therefore accords with the relevant provisions of Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document (2010) ("CS") Policy CP11. The policy permits development in the countryside outside development limits where it contributes to diverse and sustainable rural enterprises and meets other policy requirements. It also accords with the support in the Framework for homes for rural workers which are described above, and for the development and diversification of agricultural and other land-based rural businesses⁶.

Need for the modular agricultural buildings/hardstanding

41. In February 2024 the Council granted planning permission for the modular agricultural buildings and associated hardstanding for a temporary period of three years (reference 240144).
42. The appellant advises the modular agricultural buildings now allow her to keep store cattle and implement the intended cattle breeding programme. She is nevertheless concerned that breeding will occur only for a short period, as it will need to cease months ahead of the end of the 3-year temporary period.
43. The buildings are steel framed sectional structures with plastic fabric roofs. A concrete base has been installed in one building, and was being installed in the other at the time of my visit. Externally, unbound hardstanding material has been laid in front of the buildings.
44. At the Hearing the appellant spoke of the challenges of seeking to establish the agricultural element of the enterprise without being able to gain the planning permissions needed for the livestock buildings and the uncertainty of

⁵ Application references: 221567, 232526 & 240810

⁶ Paragraph 88 of the Framework

its future in planning terms. She reported being left stockless at times in relation to cattle due to restricting or ceasing the breeding programme, losing cattle to injury on account of a lack of hard ground, losing lambs given the lack of buildings, infections during farrowing from the lack of suitable facilities for the sows and their young, and the emotional toll of being unable to provide suitable housing and facilities to alleviate the suffering of livestock.

45. The appellant's livestock farming depends on suitable buildings, and it has only been possible to significantly increase the livestock numbers kept onsite since the buildings have been in place. Although the appellant rents land elsewhere, most is grazing land without buildings, or land from which feed crops are harvested. There is only one other building suitable for the keeping of livestock and the modular agricultural buildings are a necessary part of the cattle farming occurring. They also make a significant contribution to the management and care of other livestock.
46. The concrete base and hardstanding areas are also necessary to accommodate constant use of the buildings for livestock and equipment and access to them throughout the year. That is particularly so given the clay soils and the dampness associated with them, as acknowledged in the Wokingham Borough Landscape Character Assessment (2019) ("WBLCA").
47. I note the Council's concerns about the extent of development of the land parcels, and have considered below the effect of the buildings on the character and appearance of the area. In terms of need, there is no other farmyard or collection of buildings available to the farm, and I acknowledge the need for a hub for the farming operation which facilitates the observation and care of livestock. The modular agricultural buildings make an important contribution to the rural enterprise, and to ensuring it can be sustained in future.
48. In conclusion, there is a need for the two modular agricultural buildings and associated hardstanding to support the farming enterprise. The development therefore accords with the relevant aspects of CS Policy CP11, which restricts development in the countryside outside development limits, but permits it where, among other things, it contributes to diverse and sustainable rural enterprises. Their retention is also supported by paragraph 88 of the Framework, which states planning decisions should enable the development and diversification of agricultural and other land-based businesses.

Character and appearance

49. The land is part of the Ashridge Farmed Clay Lowland Landscape Character Area ("LCA"), which is described as a simple farmed landscape dominated by open arable fields and some pasture, with mature hedgerow trees. Within the LCA, settlement is focussed on ribbon development along local roads, scattered farmsteads and manor houses. The strong rural character is described as only being affected by the M4 and A329(M) motorways which cut through the area.
50. The land associated with the appeals is located at the end of a long track accessed from Pound Lane, outside the village of Hurst. It consists of two fields, each enclosed by mature boundary hedgerows and trees.
51. The land is surrounded by agricultural fields, and the M4 motorway to the south. The motorway is not readily visible from the northern field, but from

the southern field it is audible and one of its signs can be seen above boundary vegetation. The adjoining land parcel to the east, perhaps once a farmstead, has been significantly developed with small buildings associated with its use as a cattery and kennels.

52. The developments before me are located in the northern field parcel. The planning permissions for the equestrian and educational facilities have established small buildings at the end of the drive on its western edge, along with poultry structures and the manège extending eastwards.
53. The mobile home is located near the entrance, close to the northern boundary, and I have not been advised whether it is the same one as that considered by the previous Inspector. Although the mobile home is higher than many caravans, the vegetation along the northern boundary was taller at the time of my visit. The striking twin-unit design of the current caravan, with its tile-effect pitched roof, pale brown walls and brown window frames, takes design cues from a modern bungalow. Having established a functional need for it above, it is not inappropriate in its context for a temporary period, and will barely be seen beyond the immediate land parcels operated by the appellant.
54. The central location of the modular agricultural buildings in the northern field, places them just beyond the manège, in a location generally associated with the educational and equestrian development. The visible presence of buildings on the adjoining land also places them in an area already subject to development. They are low-lying in nature, largely green in colour, and agricultural in character, and would not lead to an excessive encroachment or expansion of development away from the original buildings.
55. The landscape strategy of the WBLCA is to conserve and enhance the existing rural character, conserve characteristic features and the sparse settlement pattern of development. The Council's landscape officer has not objected to either development, and neither have the Council found conflict with Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan (2014) ("MDD LP") Policy TB21, which relates to landscape character. The developments increase the amount of development in the rural area, but do not materially harm the condition, character or features of the landscape. Neither do they amount to unacceptable encroachment into the countryside, considering the temporary nature of the caravan for a period of three years.
56. Having not found material harm arising from the modular agricultural buildings, were I to allow Appeal C and grant planning permission for them, it would not be necessary to require them to be removed from the land, and for the land to be restored to its condition before the development took place. Neither have I been advised of any policy requirement to do so.
57. In conclusion, although the development increases the amount of built development in the countryside, the character and appearance of the wider area is maintained, and there is no material conflict with CS Policies CP1, CP3 and CP11, or MDD LP Policy TB21. Together these policies support development which maintains or enhances the high quality of the environment, reflect and maintain the character of the area, and do not lead to excessive encroachment or expansion of development in the countryside.

Personal circumstances

58. The appellant advises that from the age of three she lived on a farm in Hurst. Her family ceased farming and sold the farm, but retained the land associated with these appeals. She moved out of the village and pursued work with vulnerable people, and on inheriting the land at Poppies Farm, returned to combine farming with the NEET/SEND facility.
59. She lives in the mobile home on the land with her family, which comprises her husband and two young adults.
60. Establishing a new farming enterprise is a challenging task, made more difficult by the recent pandemic, global politics and climate change. At the Hearing the appellant spoke of the emotional and financial strain the difficulties and uncertainty have had on her and her family's wellbeing. She also advised that, should she be unable to live on the land to manage the welfare of the animals, she would have to cease the agricultural and NEET/SEND activities, and sell the stock, land and equipment.
61. Were I to dismiss Appeals A and B, the appellant and her family would lose their home. Doing so would interfere with the appellant's, and her family's, rights to their private and family lives and home, under Article 8 of the Human Rights Act 1998 (HRA). In the event that consideration be given to dismissing Appeals A and B, and upholding the Notice, these matters should be weighed in the planning balance.

Other Matters

62. In relation to Appeals A and B, CP Policies CP1, CP3 and CP6 seek to reduce the need to travel, particularly by car, providing accessible development with sustainable transport choices. At the Hearing the Council accepted that, were I to find an essential need for rural worker accommodation on the land, that would outweigh the harm arising from the limited connectivity of the location in terms of sustainable transport. Having found so, this matter is neutral in the planning balance.

Conditions

63. Considering the conditions suggested by the Council, I have had regard to the approach in the Framework and the Planning Practice Guidance and have amended the phrasing of certain conditions proposed accordingly without altering their fundamental aim.
64. In relation to Appeals B and C, a condition is necessary setting out the approved plans for certainty.
65. In relation to Appeals A and B, conditions are required to permit the siting of only one mobile home and to restrict residential use to an agricultural worker, rather than to the appellant personally, given the functional need is for an onsite agricultural worker. It is also necessary to require the use to cease and the land to be restored after a period of 3 years to afford the appellant the opportunity to establish the viability and financial sustainability of the enterprise within that period.

66. In relation to Appeal C, it is necessary to impose a planning condition limiting use of the buildings to agriculture, given their location in the countryside where development is not normally permitted.

Conclusion on Appeal A on ground (a)/the DPA

67. For the reasons given above, the material change of use of the land for the stationing of a mobile home for the purposes of human habitation accords with development plan policies, and there are no other material considerations that require a decision to be made other than in accordance with the development plan.
68. I therefore conclude that Appeal A succeeds on ground (a). I shall grant planning permission for the use as described in the notice as corrected. The enforcement notice will be corrected and quashed.
69. In these circumstances the appeal on ground (g) does not fall to be considered.

Conclusion on Appeal B

70. For the reasons given above, the material change of use of the land for the siting of a mobile home to form an agricultural worker's dwelling accords with development plan policies, and there are no other material considerations that require a decision to be made other than in accordance with the development plan.
71. The appeal should therefore be allowed.

Conclusion on Appeal C

72. For the reasons given above, the erection of 2 no. modular agricultural buildings with associated hardstanding accords with development plan policies, and there are no other material considerations that require a decision to be made other than in accordance with the development plan.
73. The appeal should therefore be allowed.

Formal Decisions

Appeal A

74. It is directed that the enforcement notice is corrected by the insertion of "(a)" after the words section 171A(1) in paragraph 1.
75. Subject to the correction, Appeal A is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the material change of use of the land for the stationing of a mobile home for the purposes of human habitation at land at Poppies Farm, Pound Lane, Hurst, Wokingham RG10 0RS as shown on the plan attached to the notice and subject to the following conditions:
- 1) The use hereby permitted shall be for a limited period of 3 years from the date of this decision. On or before the date three years from the date of this decision, the use shall be discontinued, the mobile home and all materials and equipment brought on to the land in connection with the

use shall be removed, and the land shall be restored to its former condition before the development took place.

- 2) No more than one mobile home shall be stationed on the land at any time. Its occupation shall be limited to a person solely or mainly working, or last working in the locality in agriculture, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.

Appeal B

76. The appeal is allowed, and planning permission is granted for the material change of use of the land for the siting of a mobile home to form an agricultural worker's dwelling at Poppies Farm, Hurst, Wokingham RG10 0RS in accordance with the terms of the application, Ref 232524, subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with drawing no's RAC/7920/3, RAC/7920/11 and R-2601/1A.
- 2) The use hereby permitted shall be for a limited period of 3 years from the date of this decision. On or before the date three years from the date of this permission, the use shall be discontinued, the mobile home and all materials and equipment brought on to the land in connection with the use shall be removed, and the land shall be restored to its former condition before the development took place.
- 3) No more than one mobile home shall be stationed on the land at any time. Its occupation shall be limited to a person solely or mainly working, or last working in the locality in agriculture, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.

Appeal C

77. The appeal is allowed, and planning permission is granted for the erection of 2 no. modular agricultural buildings with associated hardstanding at Poppies Farm, Pound Lane, Hurst RG10 0RS in accordance with the terms of the application, Ref 232525, subject to the following condition:

- 1) The development hereby permitted shall be carried out in accordance with drawing no's RAC/7920/4A, RAC/7920/10 and RAC/7920/12A.
- 2) The buildings shall be used for agriculture and for no other purpose.

Peter White

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mrs J Robertson – Appellant
Mark Leedale (Principal) - Mark Leedale Planning
Alan Bloor & Olivia Wojniak (Associates) - Reading Agricultural Consultants
Lisa Hobbs FCCA (Director) - UHY Ross Brooke Chartered Accountants

FOR THE LOCAL PLANNING AUTHORITY:

Baldeep Pulahi (Senior Planning Officer) - Wokingham Borough Council
Sarah Castle (Planning Enforcement Team Leader) - Wokingham Borough Council
Jason Varley (Operational Manager – DM and enforcement) - Wokingham Borough Council
Jack Meyer - White and Sons Consultants
Gordon Adams – Highways DC Officer

DOCUMENTS SUBMITTED AT THE HEARING

1. Statement of Common Ground
2. Memorandum from the Council's Landscape Architect dated 31/10/2023