



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

**TOWN AND COUNTRY
PLANNING (ENGLAND) 1990**

Ms Alyson Jones
Boyer
Boyer
Crowthorne House
Nine Mile Ride,
Wokingham
RG40 3GZ

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 211086
Applicant Name: C/O Agent
Site Address: Hare Hatch Sheeplands Nursery, London Road,
Twyford, Wokingham, RG10 9RS
Proposal: Full application for the continued use of existing
sales area permitted temporarily under 173316 and
change of use to include an additional sales area.

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **grants permission** for the above development to be carried out as stated in 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 and Reasons

1. Approved details

This permission is in respect of the plans numbered HH-GS-01 Rev A and HH-GS-02 Rev A, both dated 15 March 2021 and received by the local planning authority on 26 March 2021. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

2. Temporary use

The use hereby permitted shall be discontinued and all goods and paraphernalia associated with the retail use shall be removed from the site on or before 14 March 2023. This relates to both the original and revised (internal and external) space.

Reason: To allow a review of financial viability of the Hare Hatch Sheeplands business on the surrounding properties.

Relevant policy: NPPF Section 13, Core Strategy policies CP1, CP3, CP11 and CP12 and Managing Development Delivery Local Plan TB01.

3. Business plan

A full financial report and business plan shall be submitted to the Local Planning Authority on or before 14 March 2022. The report shall detail income and expenditure, future income forecasts and the business plan shall demonstrate that a viable horticultural business can be operated from the site prior to March 2023 without any retail floor space. In the absence of the submission of such a report and plan the retail use hereby permitted shall discontinue by 14 March 2022. The plan detailing a viable horticultural business shall be implemented prior to March 2023.

Reason: To allow the local planning authority an opportunity to assess the effect of the retail use on the Green Belt and to allow a review of financial viability of the Hare Hatch Sheeplands business on the surrounding properties.

Relevant policy: NPPF Section 13, Core Strategy policies CP1, CP3, CP11 and CP12 and Managing Development Delivery Local Plan TB01.

4. Limitations of use

No goods shall be displayed or sold within the indoor floorspace other than the following:

- a) Bought in plants for immediate sale – including bedding plants, shrubs, trees, house plants etc
- b) Tools and equipment - including forks and spades, hedge shears, loppers, secateurs, gloves, boots etc
- c) Growing media - including composts, grits, sands, bark etc
- d) Fertilisers and chemicals – including fertilisers, pesticides, herbicides, lawn treatments, woodcare, salt etc
- e) Irrigation - including micro watering systems, hose pipes, watering cans, accessories etc
- f) Landscaping and design - including plant supports, fencing, garden arts and ornaments, stones, aggregates, solar lights, etc
- g) Containers including - pots - indoor and outdoor (plastic and terracotta), seed trays, hanging baskets, patio tubs, accessories (pot feet, plant caddy's) etc
- h) Seeds and bulbs - including seeds, bulbs, seed potatoes, vegetable sets etc
- i) Bird/bee/wildlife care - including insect habitats, bird food, hedgehog house's etc
- j) Grow your own – including netting, vegetable troughs, vegetable beds, plastic growing units (mini greenhouses), greenhouse accessories, allotment accessories etc
- k) Christmas trees, decorations, and Santa's grotto (seasonal)

No goods shall be displayed or sold within the (182m²) outdoor space other than the following:

- l) Plants for immediate sale – including shrubs, trees, and house plants.

Reason: In granting this permission the local planning authority has had regard to the special circumstances of the case, being retail development in the Green Belt.

Relevant policy: NPPF Section 13, Core Strategy policies CP1, CP3, CP11 and CP12 and Managing Development Delivery Local Plan TB01.

Informatives

1. Advertisement consent

This permission does not convey or imply any approval or consent that may be required for the display of advertisements on the site for which a separate Advertisement Consent application may be required. You should be aware that the display of advertisements without the necessary consent is a criminal offence liable to criminal prosecution proceedings through the courts.

2. Discussion

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of reaching a mutually agreed outcome.

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

Signed

MHead

Marcia Head
Service Manager - Place & Growth
Date: 13 August 2021

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure)

Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Purchase notices: If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

12 weeks from the decision date above in the case of a refusal of a 'householder' application:
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

12 weeks from the decision date above in the case of a refusal of a 'minor commercial' application:
Being the refusal of an application for development of an existing building or part

of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

6 months from the decision date above in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

6 months from the decision date above in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service as set out on the [.gov.uk](http://www.gov.uk) website which contains information and guides on the appeal process. Alternatively you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Planning Inspectorate website](http://www.planninginspectorate.gov.uk). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

Discharge of Conditions: This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](http://www.planningportal.gov.uk).

Street Naming and Numbering for new dwellings: If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk. Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

Access to privately owned land: The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](http://www.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk.

Building Regulations: Building regulations approval may be required for the proposed development; please see the [Council's building control page](#).

Fire 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.