

Agenda Item 96.

Application Number	Expiry Date	Parish	Ward
220987	10/3/2023 (EOT)	Remenham	Remenham, Wargrave and Ruscombe;

Applicant	Mr Adam Toop
Site Address	The Rose Toop Boatyard Wargrave Road RG9 3JD
Proposal	Full application for the proposed ground floor and first extensions to the existing buildings to provide additional workshop, gallery and mezzanine level for dry storage along with recreational floorspace. Re-cladding of external walls with vertical timber boards. Creation of a river cutting to provide additional /replacement moorings.
Type	Full
Officer	Helen Maynard
Reason for determination by committee	Listed by Councillor Howe and Major application

FOR CONSIDERATION BY	Planning Committee on Wednesday, 8 March 2023
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>This is a full planning application for alterations to an existing boatyard comprising:</p> <ol style="list-style-type: none"> 1. The erection of a first floor extension to the main building. This requires raising of the roof, both eaves and ridge height by approximately 1.5m. the roof extension will be approximately 18m x 13m to create a 154sqm mezzanine level and a 60sqm gallery walkway 2. The erection of a workshop extension (5.5m x 13.4m) with a dual pitch roof, 5.0m in height to ridge and 4m to eaves level. 3. Alterations to the fenestration of the central building on the south west elevation, comprising predominantly glazing of the elevation of the building with bifold doors at first floor level. 4. Formation of a 48sqm balcony at first floor level on the south west elevation of the central building 5. Engineering operation comprising cutting within the site removal of existing grassed area and formation of 10 moorings at the front of the building including 5 pontoons 0.8m in width three of which are approximately 10.7m in length, one is approximately 11.4m in length and one approximately 13.8m in length including the installation of 36, 2m high timber posts, bankside planting and formation of steps and gates to parking area 6. Cladding of entire building in vertical timber boarding 7. Installation of hardstanding and stepped access to car park. 8. Formation of 20 parking spaces <p>Plus various internal alterations to form six toilets and three shower rooms. The shower/toilet facilities will be for those using the moorings and the site facilities.</p> <p>The agent has stated in the Planning Statement that the site will be for the storage, maintenance, repair and renovation of boats for both the Rose Toop collection of timber</p>

boats and tenant boatbuilders. In addition, there will be a storage, display, memorabilia archive and library for the Rose Toop Collection.

The Agent previously stated in a previously refused application for the same development (ref: 213354 refused 22 December 2022) that the mezzanine will be used to host societies and groups of enthusiasts approximately 15 people approximately once per month and with more activity in the summer and the moorings will be publicly available. It is assumed that this is still the intended use as the Applicant refers to this in their Planning Statement.

The application does not involve any change of use or 'redevelopment' of the site as referred to in a number of representations.

The aforementioned 'visitor centre use', is not applied for as part of this application and is considered to be outside the lawful B1 and B8. The mezzanine, balcony and bathroom facilities can only be used for or ancillary to the storage and maintenance of boats and for no other purposes. In the event of an approval, completion of the development and implementation as set out is likely to initiate an enforcement investigation if the 'visitor use' is pursued.

This application is for physical alterations to the site boatyard. Although the applicant owns the Rose Toop Collection and it is his intention to house the boats here; the collection of boats it may house is not a material planning consideration as planning permission runs with the land not with the Applicant, however well-intentioned their proposals are.

The boatyard lies on the east of the Thames 500m from Henley Bridge. The access to the site is via Wargrave Road (A321). To the north west of the site is Thamesfield Cottage and to the south east of the site is the Henley Rowing Club. The site is located within the Metropolitan Green Belt and within Flood Zone 3.

The proposal is considered to be inappropriate development within the Green Belt that fails to preserve its openness, it has a detrimental impact on the character and appearance of the countryside and the Landscape Character of the area.

The application has been listed for Committee by Cllr Howe on the basis that that the proposed changes will make a difference to improving the site looks and usage. In addition to this, the application is a major planning application.

PLANNING STATUS

- Major/Modest/Limited development location
- Wind turbine safeguarding zone
- Farnborough Aerodrome consultation zone
- Sand and gravel extraction
- Special Protection Area – 5 and 7 km
- Groundwater protection zone
- Landfill consultation zone
- Minerals consultation zone
- Nuclear consultation zone
- Contaminated land consultation zone

RECOMMENDATION

That the committee authorise the REFUSAL TO GRANT OF PLANNING PERMISSION subject to the following:

A. Inappropriate development in the Green Belt

The proposal is inappropriate development in the Green Belt that would have a greater and detrimental impact on the openness of Green Belt by reason the intensification of the use, increase in built form and resulting prominent urbanising development. No very special circumstances exist to outweigh this harm or justify the development. The development is contrary Core Strategy policies CP1 and CP12, MDD Local Plan policies CC01, CC02 and TB01 and section 13 of the National Planning Policy Framework (2021).

B. Impact on Countryside & Landscape Character

The proposed development is in the countryside and outside of development limits and would have a detrimental impact on the character and appearance area by reason of an excessive increase in scale, height and prominence that would lead to the encroachment of built form and urbanisation of a sensitive location along the bank of the River Thames. The proposal would be contrary to Core Strategy Policy CP1, CP3, CP11 and MDD Local Plan policies CC01, CC02, CC03 and TB21, the Wokingham Borough Design Guide SPD, the Wokingham Landscape Character Assessment and section 15 of the National Planning Policy Framework (2021).

Informatives:

1. This decision is in respect of the drawings and plans numbered: 1245.PL.001q; 1245.PL.002y; 1245.PL.003q; 1245.PL.004k; 1245.PL.010p; 1245.PL.0011q; and Planting Intent Report (including plans by The Green Room Garden Design dated February 2023).

PLANNING HISTORY		
Application Number	Proposal	Decision
213354	Full application for the proposed ground floor and first floor extensions to the existing building and raising the central roof. To also include external balcony and fenestration changes to the river frontage. Cladding of external walls with vertical timber boarding and the creation of an additional river cutting for additional/replacement moorings.	Refused 22 December 2021
153483	Proposed installation of 6no. floating stages	Refused Dismissed at Appeal
F/2010/2647	Replacement of 50m bank run of interlock steel river bank protection with identical material and to same height and measurements as existing	Approved 24 January 2016

VAR/2007/0052	Application for variation of condition 10 of planning consent F/2005/6031 for stopping of existing vehicular access to site and reinstating footway and verge crossings.	Application not proceeded with 21 February 2007
F/2005/6031	Proposed erection of replacement fire damaged boatyard buildings. Amendment to consent F/2006/4011 to include new access and stopping up existing access	Approved 23 December 2005
F/2005/4011	Proposed erection of replacement fire damaged boat storage and repair building	Approved 5 May 2005
26572	Erection of two buildings extensions to be used as boatyard stores and workshop and also a covered boat store.	Conditional approval
10227	Construction of covered storage shed for boats	Approved

<p>SUMMARY INFORMATION</p> <p>For Commercial Site Area: 0.08ha (882sqm) Previous land use(s) and floorspace(s): B1 & B8 (Boatyard) 918sqm Change in floorspace: + 299.84sqm Proposed parking spaces: 20 spaces</p>

CONSULTATION RESPONSES	
Berks, Bucks and Oxon Wildlife Trust WBC Biodiversity	No comments received.
WBC Drainage	No objections subject to conditions detailing the implementation of bat and bird boxes and landscaping. LLFA has no objection to this application. “Although we have given a view as LLFA, commented on this application but please note that the Environment Agency is the main approval body for main rivers and comments made by LLFA are for advisory purposes nature only. It is the responsibility of applicant to get approval from Environment Agency for fluvial flooding.
WBC Highways	No Objections; parking and existing access acceptable.
WBC Tree & Landscape	Objection. Unacceptable impact on landscape character and setting of the openness of the Green Belt resulting from the urbanised form where the riverbanks is non-urban in character and valued for its scenic quality and recreation on and adjacent to the river.
Environment Agency	Initial objections. However, revised plans received, and objections are removed subject to conditions relating to the planting/biodiversity enhancements;

	Construction Environmental Management Plan; Flood Risk Assessment.
South East Rivers Trust	No comments received.
Natural England	No comments received.
Rivers Advisory Group	No comments received.

REPRESENTATIONS

Town/Parish Council: Support

Local Members: No comments received.

Neighbours:

Support		
1.	Cookham Bridge, SL6 9SN	<ul style="list-style-type: none"> • Improvement on existing boatyard • Enhance stretch of river • Opportunity for people to view and learn about boats used on the Thames in the past
2.	Meadow Farm, M Marlow Road	<ul style="list-style-type: none"> • Applicant has a passion for boats • Facility will improve the site • Asset for boat community and the area
3.	116 Shiplake Bottom Peppard Common RG9 5HR	<ul style="list-style-type: none"> • Re-enhance the area • Bring back local jobs • Highlight skill of traditional river craftsmen
4.	5 Hamilton Road, Wargrave	<ul style="list-style-type: none"> • Re-enhance the area • Bring back local jobs • Highlight skill of traditional river craftsmen
5.	40 Portland Avenue, Hove, BN3 5NG	<ul style="list-style-type: none"> • Improve visual amenity of the area • Safeguarding use for river related activities
6.	116 Shiplake Bottom Peppard Common RG9 5HR	<ul style="list-style-type: none"> • Something needs to be done with this space
7.	40 Deanfield, Henley, RG9 1UG	<ul style="list-style-type: none"> • Support the Applicant • Improvement to the site • Benefits to boating in the area.
8.	Henley Royal Regatta HQ, RG9 2LY	<ul style="list-style-type: none"> • Creating an attractive building • Important associated skills and employment • Arethusa boat (HRR Umpire's launch) part of the collection
9.	Christmas Cottage, Send, Surrey GU23 7DE	<ul style="list-style-type: none"> • Classic Motor Boat Association • Support heritage and skills of Rose Toop Collection • Improve aesthetics of boatyard • New employment • Important Archive of British Boats

10.	Well Cottage, Wallingford OX10 8ER	<ul style="list-style-type: none"> • Allow for history and Thames launches to be showcased • Aesthetically improve the site • Beauty to prominent location • Support Applicant • Look forward to viewing the collection
11.	5 Britannia Place, Henley, RG9 1AG	<ul style="list-style-type: none"> • Home for a unique collection • Educational tool for craftsmen • Centre of excellence • Improve aesthetics of utilitarian buildings • Improve the river vista • Support Applicant
12.	36 Mansion Court, Southsea, PO3 0RX	<ul style="list-style-type: none"> • Support nature of the facility • Preserve heritage of boat building • Support Applicant
13.	Veebee, Wargrave Road	<ul style="list-style-type: none"> • Vision is outstanding • Heritage of Thames critically important to local neighbourhood • Sensitive and imaginative proposal • Opportunity for local traders and the public
14.	153 Greys Road, Henley	<ul style="list-style-type: none"> • Wonderful addition to riverside • Supported by community • Retaining traditional boatbuilding in the town
15.	Elizabeth Road, Henley	<ul style="list-style-type: none"> • Development of an ugly warehouse into a home for vintage boats is a vast improvement on the landscape
16.	Bray Broc Hall, Maidenhead, SL6 1UT	<ul style="list-style-type: none"> • Improve current site • More visually acceptable • Support for wooden boat building industry • Boost to the area
17.	Dukes Wharf, Runcorn, WA7 3AE	<ul style="list-style-type: none"> • Important for heritage collection of boats. • River rowing museum and traditional boat festival in Henley help support this facility.
18.	1 Masefield House, Henley	<ul style="list-style-type: none"> • Will make the river more attractive
19.	Nash House, Pack and Prime Lane, Henley	<ul style="list-style-type: none"> • Beautiful addition to riverbank • Support heritage of the river
20.	Pemberley, Henley	<ul style="list-style-type: none"> • Beneficial to the town as well as those with an interest in boats • Perfect place for this heritage activity • Boatyard museum would be a highlight in Henley and support local economy • Exciting project.
21.	45 Kings Road, Henley	<ul style="list-style-type: none"> • Supports boatbuilding and British heritage • Supports Applicant
22.	51 High Street Tetbury GL8 8NF	<ul style="list-style-type: none"> • Support all proposals • Wonderful ideas
23.	Oak Hatch 81 Reading Road Henley	<ul style="list-style-type: none"> • Should be approved • Wonderful asset

		<ul style="list-style-type: none"> • Employment opportunities • Housing of historic boats • Transform the area of river and improve views
24.	Mere Close, Marlow SL7 1PP	<ul style="list-style-type: none"> • Important collection of traditional craft • Museum, facility and education centre enhances the site
25.	Silgrove House, Rotherfield Greys, Henley	<ul style="list-style-type: none"> • Enhance the site visually particularly from the river • Currently ugly • Create additional amenity to residents and boating enthusiasts
26.	Moorlands Pinkneys Green SL6 6QG	<ul style="list-style-type: none"> • River Thames Society support the application • Not detrimental to the scheme • Enhance the riverside
27.	14 North View, London SW19 4UJ	<ul style="list-style-type: none"> • Enhance the Thames Heritage • Enjoyment for river boat users and enthusiasts • Attractive generous well conceived proposal • Important collection
28.	The Norman Hall, Sutton Courtenay, OX14 4NJ	<ul style="list-style-type: none"> • Valuable asset to traditional boating • Preserve and display boats and boating history important • Scale, appearance and construction appropriate and sympathetic.
29.	River & Rowing Museum, Henley	<ul style="list-style-type: none"> • Reworking of façade improve visual appearance • Preservation and presentation of unrivalled collection • Reinforcing Henleys riverside as a vibrant cultural public space • We envisage that a relationship with the Collection will enable us to achieve far more than we can alone • Believe strongly in the promotion and preservation of Thames boat building which this application supports
30.	25 Denbigh Road, London W13 8NJ	<ul style="list-style-type: none"> • Supports the boating community using this part of the river and secures home for unique collection • Work for local craftsmen and preserve these skills
31.	1 River Terrace, Henley	<ul style="list-style-type: none"> • Improve aesthetics of utilitarian building • Ideal for commercial operation • Cladding in keeping with the area • Well suited for Rose Toop Collection
32.	11 Vermuyden, Earith, PE28 3QP	<ul style="list-style-type: none"> • Opportunity to have unique examples of these boats • Collection cannot be broken up
33.	26 Station Approach, Hinchley Wood KT10 0SR	<ul style="list-style-type: none"> • International important boat collection • Site is an eyesore and developing it is applauded and encouraged • Much needed facility
34.	New Street, Henley	<ul style="list-style-type: none"> • Exciting conservation project for preservation of a traditional skill • Enhance waterside biodiversity into a wetland ecosystem • Current hazardous industrial buildings on site • notforprofit mission to renovate this neglected site into what could become a widely admired boating institute.
35.	43 Clonmel Close,	<ul style="list-style-type: none"> • Meets requirements for development in Green Belt • Maintains heritage

	Caversham RG4 5BF	<ul style="list-style-type: none"> • Sustainable
36.	Summer Place, Loddon Drive, Wargrave	<ul style="list-style-type: none"> • Enhancement of site • Improve appearance • Collection contains traditional river craft which should be preserved
37.	23 St. Ann's Villas, London W11 4RT	<ul style="list-style-type: none"> • Important collection of boats • Critical it has a proper home • Location is perfect for this
38.	4 Willow Drive, Maidenhead	<ul style="list-style-type: none"> • Important collection • Great location
39.	4 High St, Wargrave	<ul style="list-style-type: none"> • Materials are appropriate and sympathetic to the area • Retention of use as boatyard is in keeping with historical use of site. • Important collection of boats.
40.	Meadowcroft, Southampton SO45 1YN	<ul style="list-style-type: none"> • Looks fine
41.	434 Hurst Road, W Molesey, KT9 1QS	<ul style="list-style-type: none"> • Incredible boat collection available to view • Replacement of lost riverside facility • Support traditional boaters • Great change of use of industrial site without it being changed to housing
42.	The Henley Society	<ul style="list-style-type: none"> • Ideal home for this exhibition of historic craft
43.	49 Hill Grove, Kidderminster DY10 3AR	<ul style="list-style-type: none"> • Addresses previous reasons for refusal • Valuable asset for conservation of heritage craft • Improve appearance of river frontage
44.	18 Bramble Hill, Chandlers Ford, SO53 4RP	<ul style="list-style-type: none"> • Great improvement • Prestigious boat collection • Support revised proposal
45.	Ladye Place Cottage, Shepperton TW17 9LQ	<ul style="list-style-type: none"> • Re-purpose site for the collection of historic craft • Enhances the site • Appropriate location
46.	12 Southborough Close, Surbiton KT6 6PU	<ul style="list-style-type: none"> • Support proposals for this museum • Refusal reasons have been addressed
47.	Thames Traditional Boat Society	<ul style="list-style-type: none"> • Outstanding collection of boats • River enhanced by scheme and cladding of building • Opportunity to accommodate various uses, activities and trades • Few facilities for non powered boats on nearby
48.	2 Holly Bank, Wallingford OX10 6ER	<ul style="list-style-type: none"> • Chair of Wooden Boatbuilders Trade Association • Proposed location for this collection is inspirational • Transform appearance of the site • Internationally important collection
49.	24 Robin Hood Lane, Winnersh	<ul style="list-style-type: none"> • Collection needs a permanent home; this location is ideal

50.	57 Speldhurst Road, London W4 1BY	<ul style="list-style-type: none"> •WBC commended for taking care when considering the importance of the riverside. I hope this application addresses the reasons for refusal. •Hobbs continues to use 1/3 of the site so only part of site used for the Collection •Public amenity aspects of the proposal will benefit all.
51.	64 Clemens St, Leamington Spa, CV31 2DN	<ul style="list-style-type: none"> •Thames Traditional Boat Society •Collection is a major part in the heritage of the society •Important to make it accessible to more people
52.	53 Bean Oak Road, Wokingham	<ul style="list-style-type: none"> •The area needs more leisure facilities
53.	Sphinx Hill, Wallingford, OX10 9JF	<ul style="list-style-type: none"> • An island nation must have boats in its blood; so as a concept this application will do nothing but enhance the community and pay tribute to its heritage • This scheme shows every sign of helping to advance our understanding of and love for the river and rivercraft, as the River and Rowing Museum has done on the other side of the Thames.
54.	53 Bean Oak Road, Wokingham	<ul style="list-style-type: none"> • Wokingham needs less housing and more open space and places of interest and leisure.
55.	Ferry Landing, Wargrave	<ul style="list-style-type: none"> • Addressed reasons for refusal on previous application • Some glazing removed • Flood risk and habitat concerns addressed
56.	Royal Mansions, Henley	<ul style="list-style-type: none"> • Support Applicant • Would like to see this new museum
57.	The Pines, Southampton SO40 4UN	<ul style="list-style-type: none"> • Improvement on current commercial farm building • Promote jobs and historic collection • Great location
58.	1 Makins Road, Henley	<ul style="list-style-type: none"> • Support the plans for a museum here. • Support rich heritage of boat building • Improve the current buildings on site.
59.	51 New Road, Bourne End, SL8 5BT	<ul style="list-style-type: none"> • Supported by The Inland Waterways Amenity Advisory Committee • In keeping with boatyard usage
60.	St James Close, Pangbourne	<ul style="list-style-type: none"> • Historical boatyard ensures skills are retained in the future
61.	223 Rosendale Road, London SE21 8LW	<ul style="list-style-type: none"> • Maritime Heritag Trust • Support this exceptional important collection • Addresses concerns of previous application
62.	19 Priory Way, Datchet, SL3 9JQ	<ul style="list-style-type: none"> • Admirable, imaginative scheme • Improve the appearance of the area • Housing an historic collection • Asset to the town • Addresses concerns of previous application • Supports Applicant
63.	New Street, Henley	<ul style="list-style-type: none"> • Great scheme • No reason to refuse this

		<ul style="list-style-type: none"> • Encourages and protects biodiversity • Great home for this collection
64.	19 Priory Way, Datchet, SL3 9JQ	<ul style="list-style-type: none"> • Enhance the area • Important collection • Bonus to those passionate about traditional boats • Supports Applicant
65.	22 Greys Road, Henley	<ul style="list-style-type: none"> • Both Henley and Wokingham will benefit from the provision of this museum
66.	Rt Hon Theresa May MP	<ul style="list-style-type: none"> • Work has been done to address previous reasons for refusal • Development will add value to the local area with a workshop, gallery and recreational spaces
67.	Little Croft, Lower Shiplake, RG9 3PA	<ul style="list-style-type: none"> • Great visitor asset to the town • Enhance look from the river.
68.	2 Wargrave Road, Remenham	<ul style="list-style-type: none"> • Good for the community • Positive addition to educational and cultural institutions in the area
69.	1 Park Crescent, Abingdon OX14 1DF	<ul style="list-style-type: none"> • Previous refusal reasons addressed • Will be a valuable attraction to the area complementing the river and rowing museum
70.	2 Wargrave Road, Remenham	<ul style="list-style-type: none"> • Really excited to see this come to fruition, development will be beneficial to the community
71.	Slatters Farm, Aylesbury, HP18 9RQ	<ul style="list-style-type: none"> • Nationally important collection of boats • Improvements to site and aesthetical improvement • Not a business venture but an act of altruism
72.	9 Broom Close, Esher KT10 9ET	<ul style="list-style-type: none"> • Revisions address refusal reasons • Supports important river heritage • Education and experience for current and future generations. • Enhance the environment.

Officer Notes:

Only material planning considerations raised in the above comments will be considered in the Officer's report.

Of the 72 letters of support approximately 9 representations are from addresses within Wokingham Borough Council administrative area.

APPLICANTS POINTS

- Both before and after the erection of the current buildings, the boatyard use of the site has involved the storage, maintenance, restoration and repair of boats both within existing buildings and in the open (of boats owned by Hobbs and by third parties), the craning in of boats into the river at the start and end of the river season and use of the river frontage for mooring purposes.
- The site has been purchased by the applicant, principally for the storage, maintenance and repair of the Rose-Toop Collection of hand-built wooden vintage

river craft and for storage and display of the associated library, archives and ephemera/memorabilia which is ancillary to the boatyard use and is complementary to the primary activity and would not exist without it. There are currently 37 boats in the Rose-Toop Collection.

- The showers, toilets and other facilities are for both employees of the site and those who wish to use the moorings and is ancillary to the main use.
- The site is not a mixed use/leisure/hospitality/museum use.
- The applicant has spent significant time enhancing the scheme to address the Environment Agency comments during the application.

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP4	Infrastructure Requirements
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
	CP11	Proposals outside development limits (including countryside)
	CP12	Green Belt
	CP15	Employment Development
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB01	Development within the Green Belt
	TB21	Landscape Character
	TB23	Biodiversity and Development
	TB24	Designated Heritage Assets
Supplementary Documents (SPD)	Planning BDG	Borough Design Guide – Section 4

PLANNING ISSUES

Location:

1. The boatyard lies on the east of the Thames 500m from Henley Bridge.
2. The access to the site is via Wargrave Road (A321). To the north west of the site is Thamesfield Cottage and to the south east of the site is the Henley Rowing Club.
3. The site is located within the Metropolitan Green Belt and within Flood Zone 3.

Description of development:

4. This is a full planning application for alterations to an existing boatyard comprising:
 - The erection of a first floor extension to the main building. This requires raising of the roof, both eaves and ridge height by approximately 1.5m. the roof extension will be approximately 18m x 13m to create a 154sqm mezzanine level and a 60sqm gallery walkway
 - The erection of a workshop extension (5.5m x 13.4m) with a dual pitch roof, 5.0m in height to ridge and 4m to eaves level.
 - Alterations to the fenestration of the central building on the south west elevation, comprising predominantly glazing of the elevation of the building with bifold doors at first floor level.
 - Formation of a 48sqm balcony at first floor level on the south west elevation of the central building
 - Engineering operation comprising cutting within the site removal of existing grassed area and formation of 10 moorings at the front of the building including 5 pontoons 0.8m in width three of which are approximately 10.7m in length, one is approximately 11.4m in length and one approximately 13.8m in length including the installation of 36, 2m high timber posts, bankside planting and formation of steps and gates to parking area
 - Cladding of entire building in vertical timber boarding
 - Installation of hardstanding and stepped access to car park.
 - Formation of 20 parking spaces
5. Plus various internal alterations to form six toilets and three shower rooms. The shower/toilet facilities will be for those using the moorings, site facilities as well as employees.
6. The agent has stated in the Planning Statement that the site will be for the storage, maintenance, repair and renovation of boats for both the Rose Toop collection of timber boats and tenant boatbuilders. In addition, there will be a storage, display, memorabilia archive and library for the Rose Toop Collection.

Proposed use of the Site:

7. As advised above, it is apparent from the submitted information, the Applicant's website (<https://www.rosetoopcollection.com/our-services>) and a number of the representations made on the application that the Core part of the Applicant's business relates to recreational boating and leisure, hospitality and museum facility. The Applicant considers that these uses are ancillary to the use of the site for boat storage and maintenance. This 'recreational' activity is specified in the description of development, however no material change of use of the site has been applied for.
8. The Applicant has provided an explanation within the Planning Statement submitted with this application, however it is the Local Planning Authority's view that the recreational use amounts to a material change of use of land for which planning permission is required (this has not been applied for as part of this application). This LPA's reasons are set out below.
9. The context and lawful use of the site is set out in planning permission F/2005/4011 which comprises a condition that states:

Condition 4: The premises shall be used only as a boatyard and for boat storage and no other purpose (including any other purposes in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)". Reason: In granting permission the Local Planning Authority has had regard to special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use.

10. Planning permission 26572 also comprises a similar condition:

Condition 2: The use of the building extensions hereby permitted shall be strictly limited to the purposes set out in the application form and accompanying details. Reason: To ensure that an inappropriate intensification of the commercial use of the site does not occur contrary to the policies of the Green Belt Local Plan and to the amenities of the area generally.

11. It is understood that the use of this space is for the applicant to use in connection with his boat collection and is associated with his personal boating and recreational interest rather than boatyard use itself. It is understood that the applicant is not a boatbuilder by trade. The mixed recreational/leisure/hospitality/museum use does not directly relate to the boatyard and could be considered to create a separate planning use given there is a separate access to the building for this space with no functional relationship to the boatyard.
12. A mixed boatyard/boat storage/recreational/leisure/hospitality/museum use could independently operate if the primary use of the boatyard ceased.
13. In order for a use to be genuinely ancillary, an activity must not be extraordinary and be subordinate. This is supported by extensive case law regarding whether, or not, a use is subordinate to a lawful use. Despite extensive case law which is useful in setting out an approach to ancillary development, it is considered a matter of fact and degree in each case. In this application, the mixed recreational/leisure/hospitality/museum use would not be considered ancillary to the boat storage and maintenance use of the site.

14. Primary uses of land often include ancillary activities, however it is an essential feature of ancillary uses that there must be a functional relationship between the ancillary and primary use. An ancillary use must be related or connected to the primary use, in this case B1 or B8. The internal layout also indicates separate unrelated uses. A recreational visit by enthusiasts to the proposed museum at the site is not directly linked to the lawful industrial (B1 & B8 use). If the industrial boatyard use ceased and it was let or sold to an unrelated user (i.e. not the Rose Toop Collection of boats) and the archive remained with regular visitors there would be a material change of use of this part of the building creating a different mixed use.
15. The mixed use is considered to be extraordinary and not ordinarily ancillary to the primary use, whether or not it may be considered subordinate. Smallness itself is therefore not a reason for holding a use to be ancillary to another use.
16. Ancillary does not mean that the size of the space is small in the context of the development. An ancillary use to a boatyard could be an office, toilet and/or kitchenette facilities for workers only. Although there may be considered a degree of linkage between the use of the mezzanine and the role of the owner, housing and maintaining an important collection of boats, the use is not directly related to the boatyard at the site. It would not be reasonable to provide conditions limiting an ancillary use, if it was genuinely deemed to be ancillary to the primary use of the land.
17. No information has been provided as to the current number of employees or any additional employment generated by the recreational use. It appears that six toilets and three bath/shower rooms would be over and above what could be considered ancillary to a modest boatyard.
18. If the application is approved, the Environment Agency require an accommodation licence for the alterations to the wet dock and moorings. If a permit is approved, the moorings could be used by anyone. On this basis, there would be further uncertainty whether three bathrooms and shower rooms could be considered ancillary to the use when they may not be used in association with the boatyard use.
19. It is noted that a mixed use would take the use out of a water compatible use (boatyard) and could be considered akin to a mixed use (Sui Generis) including "leisure" which falls within the "less vulnerable" use class (flood risk discussed further below). This must be assessed differently in terms of flood risk as it is likely that more people will be entering and using the building.
20. The use of the land further influences the assessment of this application. Discussion on the extension and the use is set out in the Green Belt assessment below.
21. There is also a concern that that the introduction of this new recreational use not ancillary to the lawful use might impact on neighbours amenities.
22. It would also have an impact on parking and access arrangements.
23. On the basis that no change of use has been applied for, the 'recreational floorspace' could only be considered as an ancillary use which could not be controlled by planning conditions as it would not meet the tests for imposing such conditions. In the event of approving such an application, the implementation and completion of the

development described by the Applicant could result in a breach of planning control requiring an investigation.

24. The application is not assessed on the basis of a mixed-use site comprising boat storage, maintenance, hospitality and leisure uses i.e. Sui Generis, it has been assessed in relation to the lawful boatyard use applied for.

Principle of Development

25. The principle of development remains the same as the previously refused scheme ref: 213354.
26. The application site is within the Green Belt. Paragraph 147 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that: "A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt". There are certain exceptions to this listed at paragraphs 149 and 150.
27. The development includes the extension and alterations to an existing boatyard. The only exception the development could fall within definitional scope of is 149 (g). This refers to the "redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development".
28. The proposal would have a greater impact on the openness of the Green Belt than the existing development. The development would be numerically and appreciably greater in height, volume and footprint (set out in the table below). The building would also change from single-storey to two-storey. It appears that the increase in height is solely to accommodate a use that does not form part of this application and for which there is no justification. [Officer Note: The volume calculations have been provided by the Applicant. Approximate measurements of heights and floorspace have been taken from the submitted plans].

Volume:

As existing	As proposed
6529 cubic metres	7625 cubic metres

Heights of building (raising roof of central building):

As existing	As proposed
6.27m to ridge	7.73m to ridge

Floorspace:

As existing	As proposed
918sqm	1217sqm

29. Even in putting aside the numerical increase in size, the development would also be more prominent in the landscape due to the design, which includes a prominent large bank of glazing the elevation facing the river. The building would change form a low-key utilitarian structure which is characteristic of the commercial use of the site to a large a highly noticeable glazed structure on the well-used stretch of the River Thames and from the Thames Path.

30. The existing buildings are prominent in this location, although there is a neighbouring building of similar height (Rowing Club) this is a recreational facility which supports the primary purposes of the Green Belt and is more screened from public view by mature trees and the buildings on Rod Eyot Islands than the application site. Any increase in height of the existing building will have a significant impact on the openness of the Green Belt.
31. The proposal is therefore inappropriate development within the Green Belt that fails to meet any of the exceptions set out in paragraph 149 and 150 of the NPPF.
32. Additionally, the proposal also includes the erection of additional moorings that will further exacerbate the negative impact on the openness of the Green Belt. Although these cannot easily be assessed via a metric measurements in a similar way to a building (as above), they significantly increase the built form and urbanise the site. Moorings at the site have been previously considered in the appeal decision Ref: 153483 and were found to be inappropriate development in the Green Belt. The Inspector concluded that the moorings were not for recreation use and would adversely impact the openness of the Green Belt:
33. *'On the basis of the evidence before me, I therefore consider that the proposed development would not, in itself, constitute the provision of appropriate facilities for outdoor recreation in the sense of paragraph 89. Moreover, and in any event, the proposal could not be considered an appropriate outdoor recreation use in the context of paragraph 89 due to my finding about the adverse impact of the proposal on the openness of the Green Belt which I consider next.'*
34. *'As a result, the proposal does not fall within any of the exceptions set out at paragraph 89 of the Framework and would therefore be inappropriate development in the Green Belt.'*
35. The Environment Agency removed their objections to the moorings stating, *'to conserve the visual amenity of the river and prevent congestion and over-development, moorings at private frontages should not be for any use other than for the private boat belonging to the property owner.'* There would be 10no. moorings, and these would not be for private use of the boatyard. However, the congestion and over-development initially referred to by the EA is consistent with the previous appeal decision as it would harm the open of the Green Belt.
36. The pontoons are floating and attached to 36 timber posts (protruding 2m above the height of the pontoon) and they are considered to be permanent fixtures. The pontoons would be significant in size and permanently fixed into the river and boats could be moored here at any time of day or year resulting in a permanent structure extending up to 14m into the river Thames disproportionately spreading development into the undeveloped river. Whilst it is understood that boats can be moored in this area against the existing mooring. This would be for fewer boats in a linear mooring parallel with the riverbank and no permeant structures existing that permanently harm the open character off the Green Belt.
37. Furthermore, the introduction of 2m high gates and high hedges to enclose the site from the river further impacts on the openness of the site and the Green Belt.

Very special circumstances

38. No very special circumstances (“VSC”) have been put forward by the applicant to justify the expansion of commercial premises within the Green Belt.
39. The site is to be used for a private collection of boats, by a private individual, there are therefore limited economic, social or environmental benefits to the proposal.
40. It is noted from discussions on site that part of the site is rented out to Hobbs of Henley. Although this is likely to be useful income for the Applicant, this cannot be considered within the planning merits of the proposal. There is no reason why the existing tenanted areas could not be used by the applicant to avoid the need for an extension. Furthermore, the open sided part of the boatyard could be enclosed to provide a substantial increase in floorspace for the purposes described rather than having to extend the buildings further and encroach into undeveloped and open land.
41. It is also worth noting that the 2005 development at the site (ref: 050510) was only considered to be appropriate development in this location due to the very special circumstances. These VSC were that an unexpected fire took place at the site destroying the original boatyard and that there was a reduced quantum of development than before the fire therefore a positive impact on openness.

Conclusion on Green Belt impact

42. The proposed development would constitute a substantial extension to the existing building and lead to a significant increase in built form and an inappropriate use on the site for which there is no justification. The proposed development is considered to be inappropriate development that would harm the openness of the Green Belt over and above the current situation.

Character of the Area:

Impact on Countryside

43. Policy CP11 seeks to protect the separate identity of settlement and maintain the quality of the environment. The policy states that proposals outside of development limits will not normally be permitted except where:

*“It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; **and** It does not lead to excessive encroachment or expansion of development away from the original buildings;...”*

44. The proposed development clearly leads to excessive expansion of the development away from the original buildings and encroachment into open countryside including an increase in both footprint and in height of the existing building and encroachment into the River Thames by way of pontoons. It does not, therefore meet the requirements of policy CP11 (2).

Landscape and Trees:

45. The site is bounded along one side by the River Thames and to the other side by Wargrave Road. The surrounding area is semi-rural in character, with the appeal site sitting amongst well-spaced built form running along the south-western side of Wargrave Road.
46. On the opposite bank of the river is the town of Henley-on-Thames, with a large area of public open space directly opposite the appeal site known as Mill Meadow Park. This is a popular public park, with public footpaths running along the water's edge, a band stand, café with outside seating and other public recreation spaces. The river is sufficiently narrow at this location to allow clear and direct views across the water to the site.
47. The site is located in Wokingham Brough Landscape Character Area A1 – 'Thames River Valley', a high-quality landscape. The landscape strategy is conserve and enhance the peaceful, natural character of the meandering river channel, network of streams and channels, belts of bankside woodland and distinctive willow pollards and other trees. In particular, there is an opportunity to consider restoration of the hedgerow framework and restoration of the pasture along the floodplain. The landscape guidelines include;
- Conserve the scenic quality and natural character of the river corridor and tributary streams particularly from development, intensification of land
 - Use and encroachment by scrub and secondary woodland.
 - Reinstate or repair hedgerows with native species where there are opportunities to do so, particularly from highly visible locations e.g. along roadsides.
 - Conserve, enhance and manage wetland and waterside habitats, including BAP priority habitats such as woodland, from changes in land use including to arable farming.
 - Enhance sense of place through careful design (including siting, massing, scale, materials and landscape – as well as sensitive lighting to retain dark skies at night) to minimise the impacts of any potential new development on valuable attributes.
48. The WBC Trees and Landscape Officer states that the proposed central building rises high above the flanking sheds so that it has the effect of having no relationship with them. There is significant glass on south-west elevation facing the Thames and it is not clear whether the building will be used at night and what type of lighting will be used. The WBLCA is clear on minimising the impact of new development at night to retain night time dark skies, a landscape attribute of the river.
49. The plans introduce a planting scheme and landscape proposals including trees planting in the parking area and hedge planting to screen the parking from the river and bankside planting. Open views of the river towards the bank should remain open and a high hedge and gates enclosing this space would not be appropriate to maintain openness.
50. The Environment Agency have stated that the planting scheme proposed is not an ideal solution, however the increase in area when compared to the originally submitted drawings is welcomed.

51. The planting scheme is considered acceptable, excluding the high hedged along the south-west boundary, however further information by way of an updated landscaping scheme (soft and hard landscaping) including the bank enhancement/restoration and enhancements to the southern boundary hedge and further options for using coir pallets should be requested or secured by condition if the application is to be approved.
52. The revised planting proposal does not address the reasons for refusal in terms of the impact on the character and appearance of the area and the openness of the Gren Belt resulting from the urbanised form where the riverbank is essentially non-urban in character and valued for its scenic quality and opportunities for recreation on and adjacent to it.

Design

53. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.
54. The proposed building does not appear to be designed for the lawful purposes of the site B1/B8 (boat Storage and maintenance). The extensive glazing, mezzanine, galleries, balcony, timber cladding and internal layout are akin to a leisure building rather than an industrial or commercial boatyard use. It is noted that minimal glazing has been removed from the scheme since the previous refusal, but this, by no means, addresses the concerns raised by Officers.
55. The proposed building does not appear as a traditional commercial boatyard building, the large window features sit at odds with the simple character of a traditional boatyard building and introduce increased light pollution (discussed further in the Trees and Landscape Officer comments).
56. The height of the building and curved roof slope draws attention to the building and adds the impression of bulk to the building. The double height central building would appear visually dominant in this rural environment.
57. Certain design elements outlined above detract from the character and appearance of the area and the substantial glazing would draw attention to the building both during the day and night.
58. The proposed development is considered to be contrary to CP3 due to inappropriate design including the height, bulk and massing which has a determinantal impact on the character of the Countryside location and the wider area.

Flooding and Drainage:

59. The application site lies within Flood Zone 3, which is land defined by the Planning Practice Guide Flood Risk and Coastal Change as having a high probability of flooding.
60. Flood Zone 3 denotes areas at potential risk of flooding of 1% in any one year (1 in 100 year chance of flooding). This is considered to be a high risk area.

61. Flood Zone 3 is further broken down into Flood Zone 3a and 3b, with flood zone 3b classified as the functional floodplain.
62. Sites within or partly within Flood Zone 3a and/or 3b will need to demonstrate that the development proposed is appropriate within this Flood Zone. The Council requires that developers provide assurance that the development will be safe for its lifetime and does not increase flood risk elsewhere. In this zone, developers and local authorities should seek opportunities to:
- reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems;
 - relocate existing development to land with a lower probability of flooding.
63. Policy CC09 requires all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding. It states that development must be guided to areas of lowest flood risk by applying the sequential approach taking into account flooding from all sources and shall ensure flood risk is not worsened for the application site and elsewhere, and ideally that betterment of existing conditions is achieved.
64. The lawful boatyard use for the storage and maintenance of boats is considered to be a water compatible use. It is noted that the recreation use of the mezzanine is likely to change the flood vulnerability category. The Planning Practice Guidance states that water compatible uses, should be designed and constructed to:
- remain operational and safe for users in times of flood;
 - result in no net loss of floodplain storage;
 - not impede water flows and not increase flood risk elsewhere.
65. The Environment Agency raise no objections to the flood risk assessment submitted with the application (FRA by Stantec dated March 2022) and requires a condition of any approval to ensure the mitigation measures are implemented in full prior to occupation of the development.
66. Although the LLFA Drainage Officer does not object to the proposed development, more detail is required in relation to surface water drainage which could be sought via a condition.

Ecology:

67. The WBC Ecology Officer states that a Preliminary Ecological Appraisal (Windrush Ecology, ref: W4404_The Rose Toop Collection, Wargrave Road_15_09_21 rev21, February 2022) has been submitted in support of this application. I am of the view that sufficient survey effort has been undertaken to consider the potential for protected species to be present on site and recommends that any implementation should be secured by Condition. The Ecology Officer has not been formally re-

consulted on the revised details as they have advised that providing the EA comments have been addressed, there are no objections.

68. The Environment Agency have stated that revised plans have been received which show additional planting areas incorporated into the scheme and the tangible improvements to the river environment. Subject to conditions, the proposed development is considered to be acceptable on ecological grounds.

Highways

69. The Highways Officer has noted the proposed use of the mezzanine and state that there would only be no traffic implication if the mezzanine use could only be appropriate if the visitors to the site would be by invitation, limited in number of visitors and only 12 times per year. However, if the activity at the site exceeds this, there may be an impact on the highway network.

70. It is the Officer's view that a condition to this effect would not meet the tests set out in the Planning Practice Guidance as it would not be either relevant to the proposed development to be permitted (an extension to a boatyard), enforceable (impossible to monitor) or reasonable in all other respects. If these tests are not met, a condition cannot be imposed and any material change of use of the building would be dealt with through the enforcement process.

Neighbour Impact:

71. Although there are no direct concerns regarding loss of light or any overbearing impact in relation to the neighbours. The proposed uses (discussed above) poses questions regarding noise, traffic etc. and the resultant impact on neighbour amenity in particular to the residents of Thamesfield Cottage and Rivertrees. Further information is required regarding the nature of the use and the frequency of visitors to the site to fully assess the impact on the immediate neighbours. On the basis that there is a lack of information Officers cannot be confident of an acceptable impact on neighbours in terms of noise, and privacy. In the event of any approval, external lighting should be restricted by condition to reduce both the impact on the neighbours, ecology and the character and appearance of the area.

Other Matters:

F/2005/4011- Proposed erection of replacement fire damaged boat storage and repair buildings - Approved – 27 April 2005

72. This permission for the existing buildings was approved in 2005.

73. The erection of commercial buildings in the Green Belt is considered to be inappropriate development, however, in this instance, here were very special circumstances to allow the re-development of a commercial premises in the Green Belt. These circumstances were (a) the previous building was in operation for decades and was damaged by fire (b) the proposed buildings had a reduction in footprint, height and spread of development than the original fire damaged building.

74. The Appellant argues that as the total footprint of the proposal subject of this report, remains smaller than the fire damaged building, it should be considered acceptable.

75. Buildings that no longer exist on the site cannot be taken into account as a material consideration in determining this application.

76. No very special circumstances exist in the current application.

153483 - Full application for the proposed installation of 6no floating landing stages – Refused and Dismissed at Appeal 12 February 2017

77. This Planning application at the same site which was refused and dismissed at appeal on 12 February 2017. The moorings part of the proposal is similar to this scheme although would be cut into the existing land could be argued is not dissimilar to this scheme.

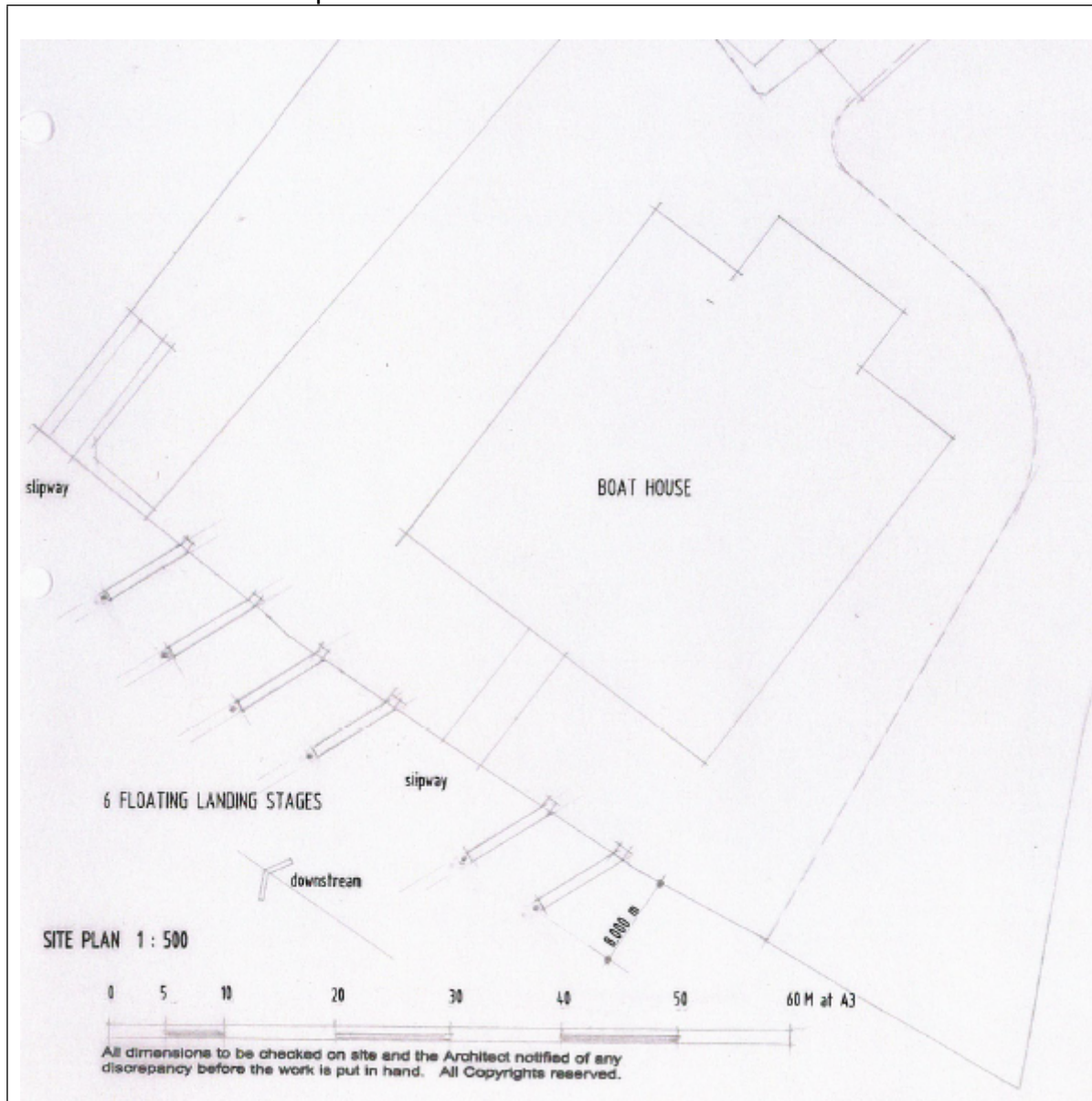
78. The inspector concluded that a boatyard/storage use does not fall with any exception set out in the NPPF and therefore would be inappropriate development in the Green Belt. He further states that whilst landing stages would only sit 1m above water they would be considerable in length and protrude perceptibly into the river and span approximately two thirds of the river frontage of the site. As such they would create additional bulk at river level and encroachment into a previously undeveloped area.

79. It is also noted that this application was for seasonal use only whereas the proposal subject of this decision is for permanent year round use.

80. In terms of impact on the character and appearance of the area, the Inspector states:

“The built form of the boatyard currently stops at the water’s edge, albeit that on-river moorings exist along the riverbank. The proposed development would effectively lead to the expansion of the built form associated with the boatyard forward into the river. Viewed from Mill Meadow Park, the proposed landing stages, together with their associated boats, would appear as large and prominent additions to the boatyard against the backdrop of the rising undeveloped land of the Green Belt beyond. The proposal would also be clearly visible to users of the river itself in this area of high activity for recreational and commercial water craft”....” there are very few examples of fixed landing stages or pontoons protruding into the water from the bank in the section of the river surrounding the site”.... I therefore conclude that the development would cause significant harm to the character and appearance of the site and surrounding area. In this respect it would conflict with Policies CP3 and CP11 of the CS and Policies CC02 and TB24 of the Wokingham Borough Managing Development Delivery Local Plan (adopted February 2014) (LP), which together require that proposals outside development limits are appropriate in scale and character to the local area and do not lead to excessive encroachment or expansion of development away from original buildings. The proposal would also be inconsistent with the Framework insofar as it requires account to be taken of the intrinsic character and beauty of the countryside.”

An extract from the site plan can be found below:



81. The moorings, pontoons and basin proposed as part of this application have a similar appearance to that set out in the above appeal and the Inspector's comments are therefore also of relevance to this application.
82. The Applicant states that the 6x x8 long finger pontoons projecting into the river channel are material different from the pontoons, subject of this report. Although the design of the pontoons may be different, the harm caused by this part of the proposal is the same.
83. It is not disputed that the mooring of boats is an intrinsic part of the riverine environment and character however, it is the nature, size and spread of development, as well as the widening of the river channel to create a basin that is of concern to the character of this area. The pontoons with 36 2m timber posts would be visible from some distance above the water level and the moorings stretch 36m along the river bank. Opposite the site is Henley's river side park as well as the Thames Path. Clear views of the pontoons across the river would be seen from this location. In addition, the uses of the pontoons, for both the boatyard and public would create a

concentration of boats in this area where it is less prevalent than in the town centre area. The proposal extends development away from the built-up area and further into the countryside.

84. The removal and re-grading of the to form a basin to prevent the pontoons spreading further into the river and reduce their impact constitutes a significant engineering operation for which there is no justification given the site is to be used for the storage and maintenance of 37 boats.

85. Although the Environment Agency do not wholly object to the principle of pontoons in this location, it is not the remit of the Environment Agency to assess the proposal against the Green Belt and Countryside policies.

Conclusion and Planning Balance

86. There is very limited public benefit provided by the development as it is for extensions and to an existing boatyard. Many of the representations suggest that the site is to be a community facility which does not form part of this application. It must also be acknowledged that a number of representations are not from local people and therefore the public benefit to the local community is again likely to be limited.

87. Any identified benefits are not considered to outweigh the substantial harm which would be cause to the openness of the Green belt, the character of the area, biodiversity, flood risk and an inappropriate design. There are no very special circumstances to outweigh this harm.

88. The proposal would be contrary to CP1, CP3, CP4, CP7, CP8, CP11, CP12 and CC02, CC09, TB01 and TB21 of the Development Plan and the National Planning Policy Framework.

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, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups 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 upon protected groups as a result of the development.