# WOKINGHAM BOROUGH COUNCIL

## TOWN AND COUNTRY PLANNING ACTS

## PLANNING PERMISSION

**Bewley Homes**
**C/O Romans Professional Services**
**4 King Street Lane**
**Winnersh**
**Berks**
**RG41 5AS**

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| **Application Number:** | **F/2002/6133** |
| **Parish:** | Shinfield |
| **Location:** | Land Adjoining 7, Grovelands Road, Spencers Wood. |
| **Proposal:** | Proposed erection of 3 detached dwellings. |

Wokingham Borough Council, in pursuance of its powers under the above Acts and Regulations, hereby **Approve Permission** for the above development to be carried out in accordance with 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**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials including ground surface materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

3. The proposed fencing shown on the approved layout shall be provided before any of the dwellings hereby approved are occupied.

4. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the first floor level or above south side elevations of the dwellings on plots 2 and 3 or north side elevations on plots 1, 2 and 3 hereby permitted except for any which may be shown on the approved drawing(s).

5. The ensuite windows in the north side elevations of the dwellings on plots 2 and 3 and the landing window in the north side elevation of plot 3 shall not at any time be glazed other than with obscure glass.

6. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

7. Works related to the construction of the development hereby granted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 8 am and 7 pm Monday to Friday and 8 am to 1.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

8. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.

9. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes.

10. Before any other part of the development hereby permitted is commenced, the proposed vehicular access shall be formed and provided with visibility splays of 2 metres x 90 metres in accordance with details to be submitted to and approved by the Local Planning Authority. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

11. The dwellings shall not be occupied until visibility splays of 2.4 metres by 2.4 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.

12. Prior to commencing work on site, provision shall be made to accommodate all site operatives, visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The provision should be maintained and used at all times.

13. Precautions shall be taken for the duration of the construction period to prevent the deposit of mud and similar debris (including blown litter) on the adjacent public highways, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

14. No other development of the site shall take place until the access has been constructed in accordance with the approved plans.

15. The dwellings shall not be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.

16. Any gates provided shall be set back a distance of at least 5 metres from the highway boundary and shall not open towards the highway.

17. No building shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 7 metres measured from the carriageway edge.

18. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

20. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

**Reasons**

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. To ensure that the external appearance of the building is satisfactory.

3. To safeguard the visual amenities of neighbouring properties and the locality.

4. To safeguard the residential amenities of the occupiers of neighbouring properties.

5. To safeguard the residential amenities of the occupiers of neighbouring properties.

6. To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

7. To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

8. In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

9. To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

10. In the interests of highway safety and convenience.

11. In the interests of highway safety and convenience.

12. To prevent queuing and parking off site, in the interests of highway safety and convenience.

13. In the interests of highway safety and convenience.

14. In the interests of highway safety and convenience.

15. In the interests of highway safety and convenience.

16. To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of road safety.

17. To avoid spillage of loose material onto the carriageway and in the interests of road safety.

18. In the interests of visual amenity.

19. In the interests of visual amenity.

20. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

**Informatives**

This permission relates to the application as amended with revised drawing numbers AO2-WP47-1A, 2A, 3A and 4A submitted to the Local Planning Authority on 30th April 2002, showing reduction in ridge height of dwellings and removal of master bedroom over garage and does not approve the proposals as originally submitted.

The applicants are advised that the landscaping scheme to be submitted under Condition No. 13 above should show the retention of the hedge along the whole length with

Grovelands Road.

You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policies H5 and EN1.
Loddon Area Local Plan Policies LTV1, LH2, LBE2 and LBE9.

Deposit Draft Wokingham District Local Plan Policies WH1, WBE1, WBE11 and LD3.

Signed



Anna Cronin
Head of Development Management
Date: 14/05/2002

**An officer report on the application and the decision will be available to view online at www.wokingham.gov.uk within a few days of the date of the decision, or otherwise can be viewed in the council offices at Shute End, Wokingham.**

**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 web-site at:
http://www.planningportal.gov.uk/uploads/appPDF/X0360Form027_england_en.pdf
Alternatively a paper version of the form can be requested by phoning Wokingham Borough Council on 0118 974 6000

**APPEALS** – There has been change in the deadlines for appeals for householder applications. If your application was valid on submission and submitted on or after 6th April 2009 then you must lodge any appeal within 12 weeks of date of this decision. Please read the notes below for full details of these changes.

**NEW DWELLINGS** – If this notice relates to approval of new dwellings please ensure that you contact the Council to arrange for an address and post code to be allocated. Details can be obtained from Viv Conlon on 0118 974 6321.

**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.

**BUILDING REGULATIONS** - If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

**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.

**WASTE MANAGEMENT REGULATIONS** - In accordance with the Site Waste Management Plans Regulations 2008, where the estimated cost of construction exceeds £300,000, the main contractor or their agent must prepare and maintain a site waste management plan. Further information can be found in the document entitled
'Non – statutory guidance for site waste management plans'
(Defra - April 2008) which can be downloaded from the Defra web site at: http://www.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf

**The Town & Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order** – This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) March 2012.

TOWN AND COUNTRY PLANNING ACT 1990

## APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission, or to grant permission subject to conditions, you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision to refuse planning permission for a **householder application**, if you want to appeal against the decision, you must do so **within 12 weeks** of the date of this decision.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is **already the subject of an enforcement notice** and if you want to appeal against the decision, you must do so within 28 days of the date of this decision.
- **If an enforcement notice is served** relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this decision, whichever period expires earlier.
- In all other cases, if you want to appeal against the decision then you must do so within 6 months of the date of this decision.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

## 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 (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice 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.