

VARIATION/REMOVAL OF CONDITION **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 15 April 2025

Application Number: 250372

Location: 45 Hyde End Lane, Spencers Wood, Wokingham, RG7 1EP

Proposal: Application to vary condition 2 of planning consent 231458 for the proposed erection of a two storey and single-storey rear extension. Extension to existing garage and first floor extension to form habitable space/bedrooms. Replacement of existing flat roof with a new pitched roof following demolition and replacement of the existing front bay window (retrospective)

Recommendation: Approve

Conditions and/or Reasons

Condition 2 is amended as follows:

2. Approved details- This permission is in respect of the submitted application plans and drawings numbered BTE/PL/01, BTE/PL/06, BTE/PL/07, BTE/PL/07 Rev B, BTE/PL/08, BTE/PL/08 Rev C, BTE/PL/09, BTE/PL/09 Rev B & BTE/PL/09 Rev D received by the local planning authority on 17/02/25, 18/02/25 & 14/04/25. 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. All other conditions of planning permission 231458 apply to this planning permission, viz:

1. Timescale - The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 231458.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. See above.

Reason: See above.

3. External materials - The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to those used in the existing building or as specified on the application form unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory.

Relevant policy: Core Strategy policies CP1 and CP3.

4. Restriction of permitted development rights - Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed at the first floor level or above in the North-Western elevation of the extension

hereby permitted except for any which may be shown on the approved drawing(s).

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.

5. Parking to be provided - No part of any extensions hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space shall be permanently maintained and remain available for the parking of vehicles at all times.

Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

6. Garage to be retained as such - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the garage accommodation on the site identified on the approved plans shall be kept available for the parking of vehicles incidental to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

Reason: To ensure that adequate parking space is available on the site, so as to reduce the likelihood of roadside parking, in the interests of highway safety and convenience. Relevant policy: Core Strategy policy CP6 and Managing Development Delivery Local Plan policy CC07.

7. Within three months of substantial completion of the development hereby approved a report documenting the full implementation of the recommendations including the ecological enhancements as set out in Section 4.3 of the submitted Emergence and Activity Bat Survey (Cherryfield Ecology, 25 May 2023) shall be submitted to the local planning authority. The development must be carried out in accordance with the approved scheme.

Reason: To ensure that protected and priority species are not adversely affected by the development. Relevant policy NPPF Section 15, and paragraph 185, and Core Strategy policies CP3 and CP7, and Managing Development Delivery Local Plan policy TB23.

8. No works to or demolition of buildings or features that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity and a report outlining the findings of that survey has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that breeding birds are not adversely affected by the development. Relevant policy Core Strategy policy CP7 and MDD policy TB23.

Informatives

1. Please note that if the works carried out depart from the scope of this planning permission and a retrospective application under Section 73A is subsequently required, there may be CIL liability implications. The scope of any retrospective planning application will cover the chargeable development for the purposes of CIL,

this will include past works that are unauthorised and any additional future works included within the planning permission. If the total floorspace of these works is over 100sqm, they will be liable to pay CIL. In such cases, no CIL exemption can be claimed, and payment will become due immediately as development for which planning permission is granted under a subsequent Section 73A or Section 177(1) application must be treated as commencing on the day any such planning permission is granted. Any demolished floorspace will not be able to be considered for offsetting if the relevant building is not on the land on the day that the permission is granted.

2. 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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

3. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and

does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

4. Bats are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.



Recommendation and conditions/reasons agreed:

Date: 17 April 2025

REMEMBER - The earliest date for a decision on this application is: **11 March 2025**