



**WOKINGHAM
BOROUGH COUNCIL**

Wokingham Borough Council
Planning Services
PO Box 157, Civic Offices, Shute End
Wokingham, Berkshire
RG40 1WR
email: development.control@wokingham.gov.uk
Phone: 0118 974 6000

Application for a Non-Material Amendment Following a Grant of Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Gardeners Green

Address Line 1

Heathlands Road

Address Line 2

Address Line 3

Town/city

Wokingham

Postcode

RG40 3AW

Description of site location must be completed if postcode is not known:

Easting (x)

482473

Northing (y)

166733

Description

Applicant Details

Name/Company

Title

Mr

First name

K

Surname

Brant

Company Name

KB & Sons Ltd

Address

Address line 1

6 Johnson Drive

Address line 2

Finchampstead

Address line 3

Town/City

Wokingham

County

Berkshire

Country

UK

Postcode

RG40 3NW

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Eligibility

Does the applicant have an interest in the part of the land to which this amendment relates?

- ☒ Yes
- ☐ No

If the applicant is not the sole owner, has notification under Article 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) been given?

- ☐ Yes
- ☐ No
- ☒ Not applicable

Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter

Full application for the erection of 4No single storey commercial units with detached Refuse area. 1no 2 storey detached dwelling, bin store and cycle store along with residential detached garage following the demolition of the existing dwelling, 4 commercial units and storage container.

Reference number

230693

Date of decision

11/07/2023

What was the original application type?

Full planning permission

For the purpose of calculating fees, which of the following best describes the original development type?

- ☐ **Householder development:** Development to an existing dwelling-house or development within its curtilage
- ☒ **Other:** Anything not covered by the above category

Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

Condition 13 states the following:

"No development of the commercial units shall commence a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating the commercial units will have compliance with a minimum standard of BREEAM 'Excellent' rating has been submitted to and approved in writing by the Local Planning Authority."

It is requested that this condition is made a "prior to occupation" condition instead of prior to development.

Please state why you wish to make this amendment

The applicant has spoken to multiple consultants how confirm that it is preferable of the shell of the building is constructed prior to undertaken a BREEAM certificate. Therefore, it is requested that this condition is made a "prior to occupation" condition instead of prior to development

This is a building regulation requirement, and conditions should not address issues which are already covered by this metric as per the government advice (<https://www.gov.uk/guidance/use-of-planning-conditions>). Conditions requiring compliance with other regulatory requirements(eg Building Regulations, Environmental Protection Act) will not meet the test of necessity and are not relevant to planning as per the Gov Guidance.

Therefore, this condition being prior to development is excessive. As such it is requested that this is made to be a prior to occupation condition.

Are you intending to substitute amended plans or drawings?

- ☐ Yes
☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Declaration

I/We hereby apply for Non-Material Amendment as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

ET Planning

Date

12/08/2024