

21 January 2025

FAO Chief Planning Officer
Planning Department
Wokingham Borough Council
Shute End
Wokingham
Berkshire
RG40 1BN

Dear Sir/Madam,

Re: Section 73 to vary Condition 2 (Approved Details), Condition 3 (Materials), Condition 21 (Hard and Soft landscaping) and Condition 22 (Tree Protection) of application reference 230874.

I am pleased to enclose an application under Section 73 of the Town and Country Planning Act (1990) to vary the above conditions of approved application 230874 at Tennis Courts, Silver Fox Crescent, Woodley, Wokingham, RG5 3JA. Application 230874 was approved on 25 August 2023 and allowed the 'Full planning application for the proposed erection of 1 no. self- build four bedroom detached dwelling with detached garage and parking.'

Condition 2 (Approved Details)

Condition 2 of permission 230874 reads as follows;

"This permission is in respect of the submitted application plans and documents: Arboricultural Method Statement to BS5837:2012, dated 16th June 2023, prepared by arbtech

Received 20th June 2023

Arbtech TPP 01 - Tree Protection Plan

Received 13th July 2023

22009 154 D - Site plan plot 2

22009 155 E - Location plan plot 2

Received 12th June 2023

22.51 - 004 - Fire Appliance Swept Path

Received 9th June 2023

22009 007 A - House Type 7

22009 161 B - Double Garage Option B

Arboricultural Survey to BS5837:2012 dated 25th November 2022, prepared by arbtech

*Preliminary Ecological Appraisal, Issue 2, dated 24/11/2022, prepared by arbtech
Received 11th April 2023*

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."

In light of amendments to the arboricultural method statement, tree protection plan and arboricultural impact assessment, the suggested conditional wording is as follows;

*"This permission is in respect of the submitted application plans and documents:
Arboricultural Method Statement to BS5837:2012, dated 17 December 2024,
prepared by arbtech, TPP 01 Rev A - Tree Protection Plan dated December 2024
By Arbtech and AIA 01 Rev A – Arboricultural Impact Assessment dated December 2024 by Arbtech,*

*Proposed landscape and planting plan, prepared by Nick Baldwin Garden Design
Dated December 2024*

22009 154 D - Site plan plot 2

22009 155 E - Location plan plot 2

Received 12th June 2023

22.51 - 004 - Fire Appliance Swept Path

Received 9th June 2023

22009 007 A - House Type 7

22009 161 B - Double Garage Option B

Arboricultural Survey to BS5837:2012 dated 25th November 2022, prepared by arbtech

*Preliminary Ecological Appraisal, Issue 2, dated 24/11/2022, prepared by arbtech
Received 11th April 2023*

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."

Condition 3 (Materials)

Condition 3 of permission 230874 reads as follows;

"No development shall commence above foundation level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC3 of the Core Strategy."

This Section 73 application seeks to discharge condition 3 (materials) by means of variation by submitting the proposed external materials to be used in the development in the form of a materials schedule. As such, the condition will be altered to ensure that the development shall be implemented in accordance with document '20250117 External Materials SSP', prepared by ET Planning dated 17th January 2025.

Suggested condition wording:

"The development shall be implemented in accordance with 20250117 External Materials SSP, prepared by ET Planning dated 17th January 2025. The external materials shall be implemented in accordance with such details as maybe approved before occupation of the development hereby permitted. Reason: To ensure that the external appearance of the dwelling is satisfactory and in the interests of visual amenity and ensuring the new development responds positively to the local context and character.

Relevant policy: Core Strategy policies CP1 and CP3."

Condition 21 (Hard and Soft Landscaping)

Condition 21 of permission 230874 reads as follows;

"No development shall commence above foundation level until a scheme of hard and soft landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s). Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority. Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21."

This Section 73 submission seeks to discharge Condition 21 by variation whereby development is to be implemented in accordance with a planning and landscaping plan, prepared by Nick Baldwin Garden Design, dated December 2024 submitted as part of this Section 73. This planting and landscaping plan details specifies the species, planting sizes, number of plants, number of trees, number of shrubs and their spacing due to the fact the plan is a scaled drawing at 1:100 @ A1. Accompanying this landscaping plan is a planting note, to be complied with to fully utilise the landscaping plan.

Suggested condition wording:

"The development shall be implemented in accordance with the submitted landscape and planting plan and associated planting notes, prepared by Nick Baldwin Garden Design, dated December 2024. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of

retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority. Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21."

Condition 22 (Tree Protection)

Condition 22 of permission 230874 reads as follows;

"a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement and associated Tree Protection Plan by Arbtech and dated 16th June 2023 (hereinafter referred to as the Approved Scheme).

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the approved scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21."

This Section 73 application seeks to vary this application due to the removal of trees taking place at the site. As a result, the arboricultural method statement, arboricultural impact assessment and tree protection plan have been amended.

Suggested condition wording:

"a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement and associated Tree Protection Plan by Arbtech and dated 17 December 2024 (hereinafter referred to as the Approved Scheme).

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the approved scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21."

I trust this information is sufficient to vary the relevant conditions. If you have any queries, please do let me know.

Yours sincerely,



Sam Pryor BSc (Hons) MSc

Planner | ET Planning

Head Office: 200 Dukes Ride Crowthorne RG45 6DS

sam.pryor@etplanning.co.uk 01344 508048