



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

**TOWN AND COUNTRY
PLANNING (ENGLAND) 1990**

Mr Richard Trew
Rivington Street Studio
28 Navigation Road
London
E3 3TG

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 260425
Applicant Name: Mrs Sarah Lee
Site Address: St Paul's C Of E Junior School, Oxford Road,
Wokingham, RG41 2YJ
Proposal: Full Application for the proposed single storey SEND
resource base and associated landscaping.
Date of Decision: 18 June 2026

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **grants permission** for the above development to be carried out as stated in 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 and Reasons

1. Timescale

The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

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. Approved details

This permission is in respect of the submitted application plans and drawings numbered/titled:

Proposed Elevations NW WKS-RSS-02-00-DR-A-1414 Rev PL2 received 22 May 2026

Proposed Elevations SE WKS-RSS-02-00-DR-A-1413 Rev PL2 received 22 May 2026

Proposed Elevations SW and NE WKS-RSS-02-00-DR-A-1412 Rev PL1 received 18 February 2026

Proposed Ground Floor Plan WKS-RSS-01-00-DR-A-1210A Rev PL1 received 18 February 2026

Roof Plan WKS-RSS-02-00-DR-A-1215 Rev PL1 received 18 February 2026

Site Plan Proposed WKR-RSS-02-00-DR-A-1211 Rev PL2 received 5 March 2026

Existing Site Location Plan WKS-RSS-01-00-DR-A-1010 Rev PL2 received 5 March 2026

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.

3. Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified in section 3.8 of Design and Access Statement Rev PL1 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. Hours of Construction

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

5. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors,
- (ii) loading and unloading of plant and materials,
- (iii) storage of plant and materials used in constructing the development,

- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- (v) wheel washing facilities,
- (vi) measures to control the emission of dust and dirt during construction,
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety & convenience and neighbour amenities.

Relevant policy: Core Strategy policies CP3 & CP6.

6. Drainage Strategy

The development hereby approved shall be carried out in accordance with the Proposed Drainage Plan P6975J3322 Rev – unless otherwise agreed in writing by the Local Planning Authority. The approved drainage scheme shall be implemented in full prior to first use of the development and thereafter retained and maintained in accordance with Drainage and SUDS Strategy P6975J3322 Rev V1.0 for the lifetime of development.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF (2024) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

7. Habitat Management and Monitoring Plan

No development shall commence until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

- (i) Ecological trends and constraints on site that might influence management;
- (ii) Aims and objectives of management;
- (iii) Appropriate management options for achieving aims and objectives;
- (iv) Prescriptions for management actions;
- (v) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- (vi) Details of the body or organization responsible for implementation of the plan;
- and
- (vii) Ongoing monitoring and remedial measures.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: To secure the delivery and long term management of biodiversity net gain in accordance with the Environment Act 2021, NPPF Chapter 15, Core Strategy Policy CP7 and MDDL Policy TB23.

8. Lighting Design Strategy

No part of development shall be brought into operation until a Lighting Design Strategy for Biodiversity for buildings, features or areas to be lit has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (i) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- (ii) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the approved strategy.

Reason: To policy compliance with national legalisation Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2017, Wokingham Core Strategy, Policy CP7 and MDD LP Policy TB23.

9. Badgers

As close as practicable to and no earlier than three months prior to commencement of development, an additional badger survey report shall be submitted to and approved in writing by the Local Planning Authority. Should the report indicate that the position, in so far as it relates to badgers, has changed from that originally reported when the application was submitted, the new survey report should incorporate a revised badger mitigation plan to be approved in writing by the Local Planning Authority. The approved mitigation plan shall be adhered to throughout the construction of development.

Reason: To ensure the protection of badgers in compliance with the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended), Wokingham Core Strategy, Policy CP7 and MDD LP Policy TB23.

10. Species Compensation and Enhancement

No development shall commence until a scheme for ecological permeability and biodiversity compensation and enhancement, such as the incorporation of one permanent bat roosting feature, one bird box and one pollinator bee brick, shall be submitted to and agreed in writing with the Local Planning Authority. The ecological and biodiversity compensation and enhancement measures shall be implemented in accordance with the approved details and maintained thereafter for their designed purpose in accordance with the approved scheme and for the lifetime of development. The scheme shall include, but not limited to:

- (i) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- (ii) Materials and construction to ensure long lifespan of the feature/measure;

- (iii) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken; and
- (iv) When the features or measures will be installed within the construction, occupation, or phase of the development.

Reason: To ensure the development is policy compliant with regards to Policy TB23: Biodiversity and Development of the Wokingham Borough Development Plan.

11. Protection of Trees

(i) No development or other operations shall take place except in complete accordance with the details within the Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Constraints Plan, & Tree Protection Plan by JOMAS Associates Ltd dated 16 January 2026 including notes indicated within the Tree Protection Plan (Ref: JOMAS Associates Ltd, P6975J3322z, 16 January 2026 and Figure 3, 12 January 2026) (hereinafter, to as the Approved Scheme).

(ii) 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.

(iii) 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.

(iv) 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: 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 MDD LP policies CC03 and TB21.

12. Landscaping

Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant

and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and MDD LP policies CC03 and TB21.

13. School Travel Plan

Before the development is first brought into use, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include a programme of implementation, details of drop-offs and pick-up arrangements for pupils of the SEND unit hereby approved, staggered start and finish times, proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The School Travel Plan shall be fully implemented, maintained and reviewed as so-approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policy CP6.

14. Cycle Parking

Before the development hereby permitted is first brought into use, details of secure and covered bicycle storage/ parking facilities for the staff of and pupils of St Paul's Church of England Primary School shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage/ parking shall be implemented in accordance with the approved details before the development hereby permitted is first brought into use, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

15. Parking Management Plan

No part of development hereby approved shall be brought into use until a Parking Management Strategy for the management of parking arrangements has first been submitted to and approved in writing by the Local Planning Authority. The Parking Management Strategy shall include details of management of all parking spaces and monitoring and delivery of additional spaces where required.

Reason: To ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6, CP13 and CP21 and MDDL policies CC07 and TB20.

16. Car Parking

No part of the building hereby approved shall be brought into use until vehicle parking and turning space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning space so-approved shall be retained in accordance with the approved details and the parking space remain available for the parking of vehicles at all times and the turning space shall not be used for any purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

17. Delivery and Servicing Management Plan

No part of the development hereby approved shall be brought into use until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall thereafter be implemented and maintained for the lifetime of the development. The Delivery and Servicing Management Plan shall include, but not be limited to, the following matters:

- i) details of the types, sizes and frequency of delivery and servicing vehicles associated with the St Paul's Church of England school and the SEND unit;
- ii) designated delivery and servicing areas within the site, including swept path arrangements to ensure that delivery vehicles can enter and exit the site safely in forward gear;
- iii) measures to prevent parking or stopping by staff, visitors or parents within the delivery and servicing area at times when deliveries or servicing are scheduled to take place;
- iv) arrangements for the timing of deliveries and servicing to avoid peak arrival and departure times for pupils and staff;
- v) on site management and enforcement arrangements, including responsibility for implementation and monitoring of the Plan.

Reason: In the interests of highway safety and the free and safe movement of vehicles within the site and on the adjoining highway network, having regard to the observed on site parking behaviour and the need to ensure that delivery and servicing vehicles can operate safely. Relevant policies: National Planning Policy Framework (Section 9 – Promoting Sustainable Transport) and Core Strategy policies CP1 and CP6.

18. Sustainable Construction

The development hereby permitted shall be carried out in accordance with the energy and sustainability measures set out in the Sustainability Statement Issue 01 (February 2026) prepared by Ingleton Wood and shall achieve a minimum 40% reduction in carbon dioxide emissions compared to the Part L 2021 target emission rate. The approved measures shall be installed prior to the development being first brought into use and shall be retained and maintained for the lifetime of the development.

Reason: To ensure developments contribute to sustainable development. Relevant Policies: Chapter 14 of the NPPF (Meeting the challenge of climate change, flooding and coastal change), Wokingham Borough Core Strategy Policy CP1, Managing Development Delivery Local Plan Policies CC04, the Sustainable Design and Construction Supplementary Planning Document (2010), and the Climate Change Interim Policy Position Statement.

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. Reason for Approval

Whilst the development does not fully accord with the policies contained within the development plan, material considerations / the particular circumstances as they relate to this case, warrant a different decision being taken. The reasons for this are set out in the officer report.

3. Pre-commencement Conditions

The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.

4. Changes to the Approved Plans

The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

5. Travel Plan

The requisite Travel plan would need to comply with the latest national and local guidance:

- (a) NPPF Section 9 (Sustainable Transport)
- (b) The Essential Guide to Travel Planning (DfT, March 2008)
- (c) Delivering Travel Plans Through the Planning Process (DfT, April 2009)
- (d) A Guide on Travel Plans for Developers (DfT)
- (e) Making Residential Travel Plans Work (DfT, June 2007) All accessible at:
<http://www.dft.gov.uk/pgr/sustainable/travelplans/> and
<https://www.gov.uk/government/policies/improving-local-transport>, also:

WBC Transport Plan 3 and Active Travel Plan 2011 – 2026

WBC Workplace Travel Plan Guidance and Residential Travel Plan Guidance

Documents, covering workplace travel plans and residential travel plans provide local guidance and are available on the Borough's website.

6. Biodiversity Net Gain

As of 2nd April 2024, a 10% Biodiversity net gain (BNG) for minor developments is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, this planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (the biodiversity gain condition).

The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

7. Protected Species

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

8. Proactive Discussion

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. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- addressing concerns relating to the loss of playing fields,
- providing additional information relating to vehicle trips and parking arising as a result of the development

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

Signed

A handwritten signature in black ink, appearing to be 'JT', is displayed on a light green rectangular background.

Justin Turvey

Head of Development Management - Place & Growth

Date: 18 June 2026

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



WOKINGHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (ENGLAND) 1990

Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

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 which 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.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

12 weeks from the decision date above in the case of a refusal of a 'householder' application:
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

12 weeks from the decision date above in the case of a refusal of a 'minor commercial' application:
Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5

where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

6 months from the decision date above in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

6 months from the decision date above in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

In the event of a grant of planning permission, please note the following:

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing 'Form 2', the assumption of liability notice, is a statutory requirement for the liable party(ies) to be completed for all CIL liable applications. Advice on how the Regulations may impact you and how you can properly discharge the relevant legal requirements including paying any relevant CIL charge that may be due is available on our [Community Infrastructure Levy advice \(wokingham.gov.uk\)](http://wokingham.gov.uk) website pages.

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](#).

Street Naming and Numbering for new dwellings: If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk. Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

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.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](http://Home-LinesearchbeforeUdig.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk. If necessary, contact National Gas Transmission for high pressure gas pipelines on box.assetprotection@nationalgas.com or 0800 970 7000.

Building Regulations: The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

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.

Biodiversity Net Gain: The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wokingham Borough Council.

Biodiversity Net Gain Exemptions and Transitional Arrangements: There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) the [Biodiversity](#)

[Gain Requirements \(Exemptions\) Regulations 2024](#), and [The Environment Act 2021 \(Commencement No. 8 and Transitional Provisions\) Regulations 2024](#).

Biodiversity Net Gain Irreplaceable Habitat: If the onsite habitat includes irreplaceable habitat (within the meaning of [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) there are additional requirements. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Biodiversity Net Gain Section 73(2D): If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Biodiversity Net Gain Phase Development: If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#) apply. In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).