

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



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 11 March 2025

Application Number: 250039

Location: Rear of 74-76 Barkham Road, Wokingham, RG41 2RD

Proposal: Application to vary conditions 3, 4, 5, 6 and 7 of planning consent 221890 for the proposed erection of 2 no. dwellings and garage, following demolition of existing garages. Condition 3 refers to the external materials, 4 to ground and building levels, 5 to a construction method statement, 6 to archaeological works and 7 to landscaping, and the variation is to amend the wording of these conditions to delay compliance to correspond with the construction of the 2 no. dwellings.

Recommendation: Approve

Conditions and/or Reasons

Condition 3 now reads:

3. External materials - Before the development of the two dwellings hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

Reason: To ensure that the external appearance of the building is satisfactory.
Relevant policy: Core Strategy policies CP1 and CP3.

Condition 4 now reads:

4. Ground and building levels - No development shall take place of the two dwellings hereby permitted until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished roof levels shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be fully implemented prior to the occupation of the building(s).

Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.

Condition 5 now reads:

5. Construction method statement - No development of the two dwellings hereby permitted 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 noise, dust and dirt during demolition and construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) access to the site of construction vehicles loading, off- loading plant and materials and used in constructing the development.

Reason: In the interests of highway safety & convenience and neighbour amenities.
Relevant policy: Core Strategy policies CP3 & CP6 and MDD Local Plan policy CC06.

Condition 6 now reads:

6. Archaeological Works - No development of the two dwellings hereby permitted, including any associated ground works or landscaping, shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of works) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: The site lies in an area of archaeological potential. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets in accordance with national and local planning policy. Relevant policy: National Planning Policy Framework Section 16 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB25.

Condition 7 now reads:

7. Landscaping - Prior to the commencement of development of the two dwellings hereby permitted, 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. refuse or other storage units, 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 Managing Development Delivery Local Plan policies CC03, TB21 and TB06.

All other conditions of planning permission 221890 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 221890.

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 3044-401 A; 3044-402 A & 3044-408 received by the local planning authority on 19/06/2022; 3044-405 B received by the local planning authority on 27/09/2022; and 3044-404 G received on 21/12/2022. 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. As above.

Reason: As above.

4. As above.

Reason: As above.

5. As above.

Reason: As above.

6. As above.

Reason: As above.

7. As above.

Reason: As above.

8. Biodiversity Enhancements - Prior to the occupation of the development, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new building and native and wildlife friendly landscaping (including gaps at the bases of fences to allow hedgehogs to traverse through the gardens), shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 179 and 180 of the NPPF.

9. Parking to be provided - No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking spaces have been provided in accordance

with the approved plans. The vehicle parking spaces 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.

10. Visibility splay provision - The dwellings hereby permitted shall not be occupied until visibility splays of 2.0 metres by 2.0 metres, have been provided at the intersection of the driveway and the adjacent footway as shown on the approved drawing number 3044-404 G. The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres at all times.

Reason: In the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

11. Cycle parking to be provided - No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing (s)/details. The cycle parking/ storage shall be permanently so- retained 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.

12. Electric Vehicle Charging - No part of the development hereby permitted shall be occupied until the Electric Vehicle Charging (EVC) points have been installed in accordance with the approved details as shown in drawing number 3044-404 G. The EVC shall be permanently retained and made available for the purpose of charging a vehicle, unless otherwise agreed in writing by the local planning authority.

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

13. 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 in the first floor level or above in the side elevations of the buildings 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.

14. Obscure glazing - The first floor windows in the side elevations of the buildings hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

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

15. Hours of work - 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.

Informatives

1. 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.

2. 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.

3. The applicant is reminded that a Demolition Notice may be required to be served on the Council in accordance with current Building Regulations and it is recommended that the Building Control Section be contacted for further advice.

4. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development, failure to do this will result in penalty surcharges being added. For more information see the Council's website - Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to developer.contributions@wokingham.gov.uk.

Recommendation and conditions/reasons agreed:



Date: 10/03/25

REMEMBER - The earliest date for a decision on this application is: **4 February 2025**