

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



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 21 April 2025

Application Number: 250386

Location: 38c Silver Fox Crescent, Woodley, Wokingham, RG5 3JA

Proposal: Application to vary condition 2 of planning consent 230861 for the proposed erection of 1 no. self-build four bedroom detached dwelling with detached garage and parking. Condition 2 refers to the approved details, and the variation is to enable the relocation of the porch and to connect the side and rear dormers, plus addition of a rooflight and changes to fenestration.

Recommendation: Approve

Conditions and/or Reasons

Condition 2 now reads:

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 152 D - Location plan plot 1
Received 12th June 2023

22.51 - 003 - Fire Appliance Swept Path
Received 9th June 2023

22009 160 B - Double Garage Option A
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 6th April 2023

22009 163 - Site Plan Plot 1 Phasing
Received 28th September 2023

Drainage Statement dated September 2023 prepared by Onn Point Civil Engineering
A1/001 - Proposed Drainage Layout
Soakaway 1 - 1 in 100 year + 40% CC

Soakaway 2 - 1 in 100 year + 40% CC
Soakaway Assessment
Received 27th September 2023

A1/002 Rev A - Drainage Construction Details - Private
Construction Method Statement
Construction Method Statement Plan
Received 21st November 2023

Written Scheme of Investigation. Site Code: WLSFC 23 dated September 2023
prepared by John Moore Heritage Services
Received 19 October 2023

FG.24008.P08 – Block Plan
FG.24009.P04 OPT.PROPOSED Rev-A
FG.24009.P03 OPT.PROPOSED Rev-B
Received 18th and 24th February 2025

All other conditions of planning permission 230861 (as also amended by planning permission 232400) apply to this planning permission, viz:

1. The development hereby permitted shall begin before 25 August 2026.
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. 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.
4. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other 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.

5. 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.

6. Prior to first occupation of the development hereby approved, the ecological enhancements, as outlined in 'Preliminary Ecological Appraisal', Issue 2, dated 24/11/2022, prepared by arbtech, shall be fully implemented and thereafter maintained for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity on site, in accordance with policy TB23 of the MDD and CP7 of the Core Strategy.

7. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement, improvement or other alteration) or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy CP3 of the Core Strategy.

8. Prior to first occupation of the development hereby approved, the refuse and recycling storage facility shall be implemented fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the dwelling/building at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CP3 of the Core Strategy and CC04 of the MDD.

9. No building shall be occupied until the access has been constructed in accordance with the approved plans.

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

10. 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 external lighting shall be installed on the site or affixed to any buildings on the site without prior written approval of the Local Planning Authority through a planning application made for that purpose.

Reason: In the interests of neighbouring amenity in accordance with Policy CP3 of the Core Strategy.

11. The development shall be carried out in accordance with Construction Method Statement and Construction Method Statement Plan, both received 21st November 2023.

Reason: In the interests of protecting the amenity of local land users or neighbouring residents, and highway safety in accordance with Policies CP3 and CP6 of the Core Strategy.

12. The development shall be carried out in accordance with Written Scheme of Investigation. Site Code: WLSFC 23 dated September 2023 prepared by John Moore Heritage Services, received 19 October 2023. The development shall take place in accordance with the approved WSI.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work in accordance with policy TB25 of the MDD.

13. No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.

14. The development shall be carried out in accordance with Drainage Statement dated September 2023 prepared by Onn Point Civil Engineering, A1/001 - Proposed Drainage Layout, Soakaway 1 - 1 in 100 year + 40% CC, Soakaway 2 - 1 in 100 year + 40% CC Soakaway Assessment and A1/002 Rev A - Drainage Construction Details - as received 27th September 2023 and 21st November 2023.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

Reason: This is to prevent increased flood risk from surface water run-off. Relevant policy: NPPF 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.

15. 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 ancillary 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.

16. Prior to the occupation of the development the proposed vehicular access shall have been formed and provided with visibility splays shown on the approved drawings. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

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

17. No development shall commence above foundation level until details for an Electric Vehicle Charging Strategy serving the development shall be submitted for approval in writing by the Local Planning Authority. This strategy should include details relating to on-site infrastructure, installation of charging points and future proofing of the site 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 Core Strategy policies CP1, CP3 and CP6.

18. If land contamination is found at any time during site clearance, groundwork, and construction the discovery shall be reported as soon as possible to the local planning authority. A full contamination risk assessment shall be carried out and if found to be necessary, a 'remediation method statement' shall be submitted to the local planning authority for written approval.

Reason: To ensure that any contamination of the site is identified to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment) and Core Strategy policies CP1 & CP3.

19. 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. This includes loading and unloading.

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.

20. No work shall commence above foundation level until details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

21. 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.

22. 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.

23. The dwelling shall meet the interim Future Homes Standard in accordance with the requirements of the Building Regulations. No dwelling shall be occupied until compliance has been confirmed by an accredited assessor certifying that a 31% reduction in carbon dioxide emissions has been achieved per the Standard.

Reason: To ensure developments contribute to sustainable development in accordance with the requirements of Part L of the Building Regulations. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policy CC04.

24. The development shall be carried out in accordance with the approved phasing schedule contained within plan 22009 163 - Site Plan Plot 1.

Reason: To secure the programming and phasing of development in an orderly pattern.

Informatives

1. The development accords with the policies contained within the adopted / development plan and there are no material considerations that warrant a different decision being taken.

2. 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.

3. 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.

4. 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.

Recommendation and conditions/reasons agreed:



Date: 08/04/25

REMEMBER - The earliest date for a decision on this application is: **17 March 2025**