

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



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 28 October 2024

Application Number: 242096

Location: 268 Nine Mile Ride, Finchampstead, Wokingham, RG40 3NT

Proposal: Application to vary condition 4 of planning consent 233113 for the proposed single storey rear extension, single storey side extension following the demolition of the conservatory and a single storey rear extension to the existing garage. Condition 4 refers to protection of trees and the variation is to amend the details relating to this.

Recommendation: Approve

Conditions and/or Reasons

Condition 4 is amended as follows:

4. The development shall be in accordance with tree protection plan (ref: MWA TPP 02) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (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.

All other conditions of planning permission 233113 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 233113

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 137-23-01, 137-23-02, 137-23 -03, 137-23-04, 137-23-05 REV A, 137-23-06 REV B & MWA TPP 02 received by the local planning authority on 15/12/23 & 15/08/24. 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. External materials - Except where stated otherwise on the approved drawings, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of similar appearance to those used in the existing building, 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. See above.

Reason: See above.

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 17 (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. 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.

3. 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: *MC*

Date: 24.10.2024

REMEMBER - The earliest date for a decision on this application is: **24 September 2024**