

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



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 17 January 2025

Application Number: 242664

Location: Foxhaven, Remenham Church Lane, Remenham, Wokingham, RG9 3EX

Proposal: Application to vary condition 2 of planning consent 221887 for the proposed erection of 1 no. 5 bedroom dwelling with associated access and parking, following demolition of existing 3 no. dwellings. Condition 2 refers to the approved details and the variation is to replace the proposed drawings with those approved under subsequent planning consent 233130 (as amended by application 242283).

Recommendation: Approve

Conditions and/or Reasons

Condition 2 now reads:

2. Approved details - This permission is in respect of the submitted application plans, drawings and documents numbered and titled:

- Spire Ecology Final Bat Survey Report dated June 2022 received on 7 September 2022
- Surface Water Drainage Strategy issue 3 dated 23 September 2022 received on 26 September 2022
- 907.24.3_P001 received on 22 October 2024
- 907.24.3_P002 received on 22 October 2024
- 907.24.3_P003 received on 22 October 2024
- 907.21.3_P005 Rev.A received on 22 October 2024
- 907.21.3_P006 Rev.A received on 22 October 2024
- 907.21.3_P/B01 Rev.Q received on 7 November 2024
- 907.21.3_P/L01 Rev.Q received on 7 November 2024
- 907.21.3_P/S01 Rev.Q received on 7 November 2024

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 now reads:

3. External materials - The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the approved drawings and application form 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.

Condition 4 now reads:

4. Bat licence - This information was submitted and approved under application ref 223780. All works associated with the development shall be carried out in accordance with these approved details: WML- CL47 Bat Earned Recognition Class Licence issued by Natural England on 01/08/2023.

Reason: To ensure that individuals and the population of protected species Soprano Pipistrelle bat, a material consideration, are not adversely affected by the development.

Condition 5 now reads:

5. Construction Environmental Management Plan - This information was submitted and approved under application ref 223780. All works associated with the development shall be carried out in accordance with these approved details: report titled 'Construction Environmental Management Plan' (Ecology by Design Ltd, March 2023).

Reason: In the protection of ancient woodland located adjacent to the site. Relevant policies: Core Strategy Policy CP7.

Condition 6 now reads:

6. Drainage details - This information was submitted and approved under application ref 232099. All works associated with the development shall be carried out in accordance with these approved details before the development is first brought into use/occupied: report titled 'Surface Water Drainage Strategy' (Simpson TWS, issue no.3) and the accompanying Surface Water Drainage Strategy Plan (no. SK101 Rev.P3).

Reason: To ensure satisfactory drainage of the site and avoid flooding. Relevant policies: Managing Development Delivery Local Plan policies CC09 and CC10.

Condition 8 now reads:

8. Retention of trees and shrubs - No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

Condition 9 now reads:

9. Protection of trees - a) No further development shall take place until an amended Arboricultural Method Statement and Scheme of Works 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. The amended AMS shall show the final layout as approved and any further adjustments as may be required, and include bespoke details of the programme of works for planting and restocking, and an overlay of the landscape design with the tree planting proposals. 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.

Condition 10 now reads:

10. Hard and Soft Landscape Proposals: Landscaping - to gardens outside of Ancient Woodland Buffer Zone - Prior to the first use or occupation 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 hard landscape materials and soft landscape proposals including planting schedule and planting specification in liaison with an Arboricultural Consultant.

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 and TB21 (and TB06 for garden development).

Condition 11 now reads:

11. Woodland and Landscape Management Plan - Prior to the first use or occupation of the development an amended woodland and landscape management plan including long term design objectives, management responsibilities, timescales and maintenance schedules for Ancient Woodland and the Ancient Woodland Buffer Zone as well as landscaped areas of the transition zone into the domestic house garden, shall be submitted to and approved in writing by the local planning authority. The management plan will thereafter be implemented as approved.

Reason: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

All other conditions of planning permission 221887 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 221887.

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. As above.

Reason: As above.

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. Drainage maintenance - No development shall be put in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development (5 years) which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

8. As above.

Reason: As above.

9. As above.

Reason: As above.

10. As above.

Reason: As above.

11. As above.

Reason: As above.

12. Electric Vehicle Charging - Prior to the occupation of the development hereby approved, 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, the location and 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: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07 and Appendix 2 and the Council's Parking Standards Study Report (2011).

13. Cycle parking details required - Prior to the occupation of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, 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.

14. Parking and turning space to be provided - 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.

15. Access to be provided - 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.

16. Access surfacing - 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.

17. Access to be stopped up - The existing vehicular accesses to the site shall be stopped up and abandoned, and the footway and/or verge crossings shall be re-instated within one month of the completion of the new access(es) in accordance with details to be submitted to and approved in writing by the local planning authority.

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

18. Gates - 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 gates or barriers shall be erected unless set back a distance of at least 5 metres from the highway boundary and so

as to open away from the highway.

Reason: To ensure that vehicles do not obstruct the highway whilst waiting for gates or barriers to be opened or closed, in the interests of road safety. Relevant policy: Core Strategy policies CP3 & CP6.

19. Ecological Enhancement - Compensation bat roost provision shall be provided as per submitted plan 27 907.2-P018 Level 3 – Roof Plan BAT BOXES and a report demonstrating the installation and provision shall be submitted to the local planning authority within six months of occupation of the replacement dwelling.

Reason: To maintain the favourable conservation status of a European Protected Species.

20. Restriction of permitted development rights - Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of the Second Schedule 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 buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

Reason: To safeguard the character of the area including Green Belt and neighbouring ancient woodland. Relevant policy: NPPF Section 13 (Protecting Green Belt Land), Core Strategy policies CP1, CP3, CP11, and CP12, and Managing Development Delivery Local Plan policy

CC03, TB01 and TB21.

Informatives

1. 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.

2. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 9746000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways).

This planning permission does NOT authorise the construction of such an access or works.

3. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 9746000.

4. The developer's attention is drawn to the fact that this permission does not authorise the physical construction of the proposed off-site highway works and site access connections to the public highway. A separate legal agreement made with the Council under s.278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until the agreement has been completed and the Council, as local highway authority, has approved all construction and installation details together with a programme of works.

5. Any works/ events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA)), shall be co-ordinated and licensed as required under NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.

6. Bats are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

Recommendation and conditions/reasons agreed:



Date: 15/01/25

REMEMBER - The earliest date for a decision on this application is: **2 December 2024**