

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



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 23 May 2025

Application Number: 242440

Location: Penny Wood, Hollybush Ride, Finchampstead, Wokingham, RG40 3QP

Proposal: Application to vary condition 2 of planning consent 183064 for the proposed erection of a replacement two storey dwelling, to include a detached garage, associated ancillary works and new gates and retention and reuse of existing vehicular access onto Hollybush Ride following demolition of existing dwelling. Condition 2 refers to the approved details and the variation is for changes to gates, fencing, driveway and landscaping, addition of pergolas and a patio, plus changes to the fenestration and external appearance of the dwelling and garage including an additional dormer and external staircase to the garage. (Retrospective)

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:

- 1277/P3/2 received by the local planning authority on 25 September 2024
- 1277/P3/3 received by the local planning authority on 25 September 2024
- 1277/P3/4 received by the local planning authority on 25 September 2024
- Existing Surface Water Assessment and Improved Drainage Strategy (D J Barton Associates, Rev: 23-04-2025) received by the local planning authority on 23 April 2025
- 1277/P2/1 Rev.C received by the local planning authority on 2 May 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 4 now reads:

4. Protection of trees - This information was submitted and approved under application ref 191015. All works associated with the development shall be carried out in accordance with these approved details: report titled 'Arboricultural Method Statement' (ref:

GHA/MS/135760:19, dated 03/04/19), 'Tree Protection Plan Rev C' dated April 2019 and drawing no. 1277/PP2.

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.

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 5 now reads:

5. Remedial works scheme - Within 5 months of the date of this decision, remedial surface water drainage works shall be carried out in accordance with the Existing Surface Water Assessment and Improved Drainage Strategy (D J Barton Associates, Rev: 23-04-2025), and the vehicular access shall be surfaced with a permeable and bonded material in accordance with the approved site layout plan (drawing no. 1277/P3/1 Rev.C). Within 1 month of completion of the aforementioned works, a written completion statement prepared by a suitably qualified professional shall be submitted to the local planning authority for approval in writing. The drainage scheme and vehicular access shall be maintained in the approved form for as long as the development remains on the site.

New condition inserted:

10. Schedule of works - If the remedial surface water drainage works and resurfacing in accordance with condition 5 is not carried out within 5 months, the occupation of the development hereby permitted shall cease until such time as the approved scheme is implemented, and this is confirmed in writing to the local planning authority.

Reason: The existing drainage on site is inadequate and failure to remedy the situation by carrying out the remedial works as approved would result in unacceptable levels of surface water flooding. Relevant policies: Managing Development Delivery Local Plan policies CC09 and CC10.

All other conditions of planning permission 183064 apply to this planning permission, viz:

1. Deleted.

Reason: This condition is no longer relevant as the development has already commenced on the site.

2. See above.

Reason: See above.

3. Retention of trees and shrubs - No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

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

4. See above.

Reason: See above.

5. See above.

Reason: See above.

6. Parking to be provided - No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space 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.

7. Restriction of permitted development rights - Notwithstanding the provisions of Classes A and C 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 and appearance of the area and neighbouring amenities. Relevant policy: Core Strategy policies CP1, CP3 and CP11 and Managing Development Delivery Local Plan policy TB21

8. If 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. Works shall be carried out in accordance with the approved 'Remediation Method Statement' and a final Validation Report shall be submitted to the Local Planning Authority before the site is occupied, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land. Relevant policy: NPPF Section 11 (Conserving and Enhancing the Natural Environment) and Core Strategy policies CP1 & CP3.

9. Garage to be retained as such - 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 and uses 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 the building does not become a separate unit of accommodation contrary to the character and appearance of the area. Relevant policy: Core Strategy policies CP1 & CP3.

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

- addressing concerns relating to flood risk & drainage and trees.

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.

2. This permission does not convey or imply any approval or consent required under the Wildlife and Countryside Act 1981 for protected species. The applicant is advised to contact Natural England with regard to any protected species that may be found on the site.

3. 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.

HMM

Recommendation and conditions/reasons agreed:

Date: 21 May 2025

REMEMBER - The earliest date for a decision on this application is: **17 October 2024**