

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250957
Site Address:	Treetops, Fleet Hill, Finchampstead, Wokingham, RG40 4LE
Expiry Date:	18 June 2025
Site Visit Date:	Recent site visit on 08/04/2025 as part of Enforcement Investigation.
Proposal: Application to vary conditions 3, 4, 5, 6, 7, 8 and 10 of planning consent 220792 for the proposed erection of a detached 4 no. bedroom dwelling following demolition of workshop and recently demolished dwelling at Fleet Rise. (Part Retrospective). Condition 3 refers to bat licence; 4 to external materials; 5 to landscaping; 6 to landscape management; 7 to drainage; 8 to boundary treatment; 10 to cycle parking details. The variation is to allow removal of condition 3 and details to comply with condition 4, change of wording and details to comply with conditions 5, 6, 7, 8, 10.	

PLANNING CONSTRAINTS/STATUS

Badger Sett Consultation Zones
Ancient Woodlands
Water Utility Consultation Zones
Local Authorities
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Borough Parishes
Scale and Location of Development Proposals
Farnborough Aerodrome Consultation Zone
Great Crested Newt Consultation Zone
Local Wildlife Site
Nuclear Consultation Zone
Borough Wards
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
Ancient Woodland Consultation Zone
Local Wildlife Sites Consultation Zone
Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP6 – Managing Travel Demand CP7 – Biodiversity

	CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB08 – Open Space, Sport and Recreational Facilities Standards TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM5 - Protection of the Countryside DM15 - Site History
Other	Borough Design Guide Supplementary Planning Document CIL Guidance Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY		
Application No.	Description	Decision & Date
223194	Full application for the proposed erection of garage/log store and kennels/storage building.	Approved 09.01.23
222089	Application to remove condition 3 and vary conditions 4 and 10 of planning consent 220792 for the proposed erection of a detached 4 no. bedroom dwelling following demolition of workshop and recently demolished dwelling at Fleet Rise. (Part Retrospective). Condition 3 refers to a Bat Licence and it is intended to remove this requirement. Condition 4 refers to external materials and condition 10 to cycle parking details and the variation is to re-word these conditions to refer to submitted details.	Approved 31.8.22
220792	Full application for the proposed erection of a detached 4 no. bedroom dwelling following demolition of workshop and recently demolished dwelling at Fleet Rise. (Part Retrospective)	Approved 26.4.22

122396	Application for a certificate of existing use for use of former garage as a single dwelling house	Approval 17.4.12
172890	Application for a certificate of lawfulness for the use of outbuildings and the stationing of storage containers for ancillary residential purposes	Approval 27.11.17
170316	Proposed erection of 1no detached dwelling	Refused 16.1.17
181295	Full planning application for the proposed erection of a replacement dwelling following the demolition of the existing outbuildings	Refused 24.08.2018 Appeal Allowed 16.04.2019
213435	Full application for the proposed erection of a detached 4 no. bedroom dwelling and outbuilding, following demolition of workshop and recently demolished dwelling at Fleet Rise. (Part Retrospective)	Refused 17.1.2022
122396	Application for a certificate of existing use for use of former garage as a single dwelling house	Approval 17.4.12
172890	Application for a certificate of lawfulness for the use of outbuildings and the stationing of storage containers for ancillary residential purposes	Approval 27.11.17

CONSULTATION RESPONSES

Internal

WBC Drainage – Requested additional information (see Drainage section below)
WBC Enforcement – No comments
WBC Highways – Requested additional information (see Highways section below)
WBC Landscape and Trees – No objections

External

None consulted

REPRESENTATIONS

Parish/Town Council	Finchampstead Parish Council raise objection on the grounds that the applicants have disregarded the conditions set out in the original planning consent, proceeded with the development regardless, and are now seeking to amend the conditions to retrospectively align with what has already been constructed. <i>(Officer's comments: Section 73A of the Town and Country Planning Act 1990 (as amended) allows modifications to a planning permission for development already carried out without complying with some conditions subject to which planning permission was granted. Further details of the merits of the modifications and whether these are deemed acceptable are provided below in the appraisal section of</i>
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	<i>this report.)</i>
Ward Member(s)	No comments received
Neighbours	One letter of objection from the occupant of Long Acres on the following grounds: - This application does not address all remaining issues with the property. - The site and location plans are inaccurate and fail to show the kennels/store that was positioned next to the ancient woodland. - Kennels/store that was positioned next to the ancient woodland. Retrospective permission for this structure with its concrete base was refused as part of application 213435. Application 223194 granted permission for this structure but in a different location further away from the ancient woodland, the structure has not been relocated nor has the concrete base been removed. <i>(Officer's comments: the location of the kennels/store is not relevant to this s73 application which is to vary/remove conditions of the previous planning consent ref. 220792 for the erection of a replacement dwelling. Notwithstanding, the submitted plans under this current application show the kennels in the location as approved under application ref. 223194 which related to the erection of the kennels/storage building.)</i>

APPRAISAL

Site Description:

The application site is located in designated countryside at the edge of an existing settlement and is adjacent to the Landscape Character Area A3 'Blackwater River Valley'.

The southern part of Fleet Hill is characterised by large, detached dwellings with approximately 10 – 20m separation distances between themselves and about 20 – 50m from the highway.

The site slopes away from Fleet Hill towards an Ancient & Semi-Natural Woodland at the rear of the site.

As set out in the planning history, "The annex" became lawful as a dwellinghouse under application 122396 and an outbuilding and shipping containers were lawful for ancillary residential purposes associated with "The Annex" under Certificate application 172890. "The Annex" was demolished in approximately October 2020. This application relates to a retrospective replacement dwelling, approved under planning application 220792.

A static caravan, touring caravan and hardstanding were sited on the land and are

understood to be stationed here on a temporary basis under Part General Permitted Development Order Schedule 2 Part 4 Class A during the construction of a dwellinghouse on the Land, and will be removed from the Land when construction is completed. A recent site visit as part of an enforcement investigation in April 2025 indicates that the dwelling has been completed and the caravan was still on site.

Proposal:

This application seeks the following:

- Removal of condition 3 (bat licence).
- Submission of details to discharge conditions 4 (external materials); 5 (landscaping); 6 (landscaping management); 7 (surface water drainage); 8 (boundary treatment); and 10 (cycle parking).
- Amend the wording of conditions 4; 5-8 and 10 to reflect compliance with the approved details.

In the case of conditions 5-7, the cover letter states that the development has progressed beyond the point at which these conditions could be complied with as originally written (i.e. prior to construction above damp proof course level).

Condition 3 states:

No works hereby permitted (including demolition works) that could affect the bat roosts shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and / or the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.

Reason: The building hosts a bat roost which will be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely impacted upon by the proposed development, and that the Council demonstrates that the council has fulfilled its duties under the Conservation (Natural Habitats &c.) Regulations 1994 (as amended).

Condition 4 states:

External materials -The development hereby permitted shall not be constructed above damp proof course level until 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 approved details.

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

Condition 5 states:

Landscaping -The development hereby permitted shall not be constructed above

damp proof course level until, 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, driveway, paths, patios, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, 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 and will include native hedgerow screening on northern boundary (front) of site and eastern boundary of site. Woodland planting to the buffer zone to include protection to individual young trees and informal fenced protection to rear garden. 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 6 states:

Landscape management - The development hereby permitted shall not be constructed above damp proof course level until a landscape and ancient woodland management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out 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.

Condition 7 states:

Drainage - The development hereby permitted shall not be constructed above damp proof course level until surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The details shall include how the site currently drains and will be drained after proposed development with consideration to SuDS methods and approvals for drainage system connection if necessary. 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.

Condition 8 states:

The dwelling hereby permitted shall not be occupied until a buffer zone between the dwelling's curtilage and the adjacent ancient woodland of at least 15m with measures for their physical separation by way of native hedge planting and post and rail fencing no more than 1.2m in height has been submitted to and approved in writing by the Local Planning Authority. This will include a plan detailing the extent of the dwelling's residential curtilage and the buffer zone. The plan must include the buffer zone being planted with local and appropriate native species; in line with the landscape management plan. The approved boundary treatments and buffer zone shall be maintained thereafter and shall not be used as residential garden space.

Reason: To prevent loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

Condition 10 states:

Cycle parking details required - Prior to the commencement 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.

Principle of Development:

The assessment remains the same as set out in application 220792.

Character of the Area:

The assessment remains the same as set out in application 220792.

There have not been any modifications to the external appearance of the replacement dwelling from that previously approved, and the external materials remain as approved under the s73 application 222089, which are as follows:

- Brick walls – Travis Perkins, Hampton Rural Blend
- Tiled roof – Sandcroft, Humber Clay Plain Tile
- Windows/doors – White PVCu (no specification provided).

Condition 4 (External Materials) was amended under the earlier s73 application 222089 to ensure compliance with the submitted materials. This approach remains acceptable.

Neighbouring Amenity:

The assessment remains the same as set out in application 220792.

Amenity Space:

The assessment remains the same as set out in application 220792.

Landscape and Trees:

The application seeks to vary the wording of conditions 5 (landscaping) and 6 (landscape management) as originally imposed under planning permission 220792, as the development has progressed beyond the point at which the conditions could be complied with (above damp proof course level). In accordance with the requirements of the conditions, the applicant has submitted details of proposed hard and soft landscape proposals, as well as a planting and maintenance schedule, which have been revised following initial comments from the WBC Trees and Landscape Officer, to include two additional species (dog rose and Honeysuckle). The Officer is now satisfied that the information provided is acceptable.

The application also seeks to vary the wording of condition 8 (boundary treatment) to a compliance condition. The WBC Trees and Landscape Officer has reviewed the submitted plans and raises no objections. The planting plan PL 01 B indicates an adequate buffer zone to the rear adjacent to the ancient woodland, with planting in this buffer/protection zone to be enhanced with a woodland mix of oak, birch, beech, sorbus, holly, Hawthorne, with dog rose and honeysuckle climbers, as recommended by the WBC Trees and Landscape Officer. This is considered acceptable.

Highway Access and Parking Provision:

The application seeks to vary the details and wording of condition 10 as originally imposed under planning permission 220792. It is relevant to note that condition 10 has been already varied under the previous s73 application 222089, and cycle parking is required to be provided prior to occupation instead of prior to commencement. The wording has also been amended to ensure compliance with the submitted plan.

The WBC Highways Officer has no objection in principle to the proposed bike store, however, has indicated that the position of the store has not been reflected on the proposed plan. It is noted that new plans have been submitted showing details of the bike store (drawing no. PL06) and its location (drawing no. PL04 A). The WBC Highways Officer considers the details to be acceptable. The condition wording will be amended to refer to the new plans.

Flooding and Drainage:

The applicant seeks to vary the wording of condition 7 (drainage details) as originally imposed under planning permission 220792, as the development has progressed beyond the point at which the condition could be complied with (above damp proof

course level). In accordance with the requirements of the condition, the applicant has submitted details of the existing and proposed surface water drainage system including calculation sheet. The WBC Drainage Officer indicates that the wording of the condition should remain as originally written; however, as indicated above this is not possible as construction of the replacement dwelling is well advanced beyond the trigger point for the condition. The submitted details are considered acceptable, and the wording of condition 7 will be amended to ensure compliance with the approved details.

Ecology:

Condition 3 (bat licence) of planning permission 220792 has been already removed under the s73 application 222089; however a new condition was imposed to ensure that mitigation is implemented for both bats and nesting birds is provided in perpetuity. The condition wording is as follows:

Condition 3 (Ecological Enhancements) - Prior to occupation of any part of the building a strategy for biodiversity enhancements to the site shall be provided to the local authority for its approval. This strategy shall be prepared by a suitably qualified ecologist and in provide enhancements for bats and birds. The Development shall not be carried out other than in accordance with the so-approved details.

Reason: To ensure that the proposal is in accordance with Section 41 NERC Act re. UK Biodiversity Action Plan Priority Species (Species of Principal Importance), and complies with Planning Policies for Wildlife including CP7 of the Wokingham Borough Core Strategy (2010), and the National Planning Policy Framework which requires consideration of the potential biodiversity gains that can be secured within developments.

It is still considered reasonably and necessary to include this condition as part of this application (f approved).

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Conditions agreed:	Not required
Recommendation:	Approval
Date:	29 July 2025
Earliest date for decision:	15 May 2025

Recommendation agreed by: (Authorised Officer)	
Date:	29 July 2025