



**WOKINGHAM  
BOROUGH COUNCIL**

## **TOWN AND COUNTRY PLANNING ACTS**

**TOWN AND COUNTRY  
PLANNING (ENGLAND) 1990**

Mr Michael Phare  
OPUS Architecture and  
Design  
15A Crabtree Close  
Plymouth  
PL36EL

### **NOTIFICATION OF APPROVAL OF PLANNING PERMISSION**

**Application Number:** 251223

**Applicant Name:** Mr LEWIS GALLAGHER

**Site Address:** 121 Nash Grove Lane, Finchampstead, Wokingham,  
RG40 4HG

**Proposal:** Full application for the proposed erection of 1no.  
dwelling, following demolition of existing dwelling  
and outbuildings.

**Date of Decision:** 26 August 2025

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **grants permission** for the above development to be carried out as stated in the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

#### **Conditions and Reasons**

##### **1. Timescale**

The development hereby permitted shall be begun before the

expiration of three years from the date of this permission.

*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:

431.P.05.A - Site Layout

Received 20th August 2025

431.P.07 - First Floor Plan

431.P.08 - Roof Plan

431.P.09 - Front/ East Elevation

431.P.10 - Side/ North Elevation

431.P.11 - Rear/ West Elevation

431.P.11.A - Side/ South Elevation

Received 27th May 2025

431.P.06A - Ground Floor Plan

Received 10th July 2025

Materials schedule reference 431.MP.01.07.25 v1.0, prepared by Opus Architecture and Design

Received 1st July 2025

Arboricultural Report including a Tree Protection Plan by Mark Welby Consulting Arborists, Ref. MW.2412.NLF.AIA, dated 29th July 2025

Received 11th August 2025

The development shall be carried out in accordance with the approved details.

*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. Materials

The development hereby permitted shall be carried out in accordance with the materials specified on the approved plans and in the materials schedule reference 431.MP.01.07.25 v1.0, prepared by Opus Architecture and Design.

*Reason: To ensure the development is of a high visual quality in accordance with policy CP3 of the Core Strategy and the Borough Design Guide SPD (2012).*

### 4. Self-Build

#### Self-build scheme

The dwelling hereby permitted shall be built as a self-build or custom-build home as defined in the Self-build and Custom Housebuilding Act 2015 (as amended). Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority demonstrating how the dwelling will meet the definition of self-build or custom-build housing. The scheme shall include: a)

Details confirming that the initial occupier will have primary input into the design and layout of the dwelling; b) A timetable for construction and occupation; c) Evidence of legal or financial interest in the plot by the intended self-builder or custom builder.

The development shall be carried out in accordance with the approved scheme, and the dwelling shall not be occupied other than by the person(s) identified in the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that the dwelling is delivered as a self-build or custom-build home in accordance with national policy and the Self-build and Custom Housebuilding Act 2015 (as amended), and to ensure eligibility for exemption from the biodiversity net gain requirements under Schedule 7A of the Town and Country Planning Act 1990.*

### 5. Biodiversity Enhancements

No development shall commence above foundation level until details and locations of biodiversity enhancements to include:

- Nest boxes
- Bat boxes
- Insect boxes/ bee bricks
- Pollinator nest sites

- Planting of wildflower

The biodiversity enhancements as approved shall be implemented prior to first occupation of the development and maintained for the lifetime of the development.  
*Reason: To protect biodiversity in and around developments and maintain wildlife including protected species. Relevant policy: Core Strategy policy CP7 and Managing Development Delivery Local Plan policies TB23 and CC03.*

## 6. Future Homes Standard

The dwelling(s) 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.*

## 7. Water Standards

Prior to the commencement of development, details of how the dwelling shall meet internal potable water consumption targets of 110 litres or less per person per day. Thereafter, all dwellings shall be built in accordance with the measures to achieve this water consumption target and the measures maintained for the lifetime of the development.

*Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), WBC Climate Emergency Action Plan, Core Strategy policy CP1, Managing Development Delivery Local Plan policy CC05 & the Sustainable Design and Construction Supplementary Planning Document.*

## 8. Landscaping

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of 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. Hard landscape details such as paving, other hard surfacing and fencing will also need to be submitted.

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.*

## 9. 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.*

#### 10. Protection of trees

- a) No development or other operations shall take place except in complete accordance with the Arboricultural Report including a Tree Protection Plan by Mark Welby Consulting Arborists, Ref. MW.2412.NLF.AIA, dated 29th July 2025 (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.*

#### 11. Foundation design

No development or other operations shall take place until a no-dig foundation design for the garage as referenced in the Arboricultural Report hereby permitted has been submitted to and approved in writing by the local planning authority for approval. The garage is to be constructed in accordance with the approved details.

*Reason: To prevent damage to the adjacent off-site trees in the interests of the amenity and landscape character of the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.*

#### 12. Drainage

No development shall take place until full details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include:

- 1) BRE 365 test results demonstrating that infiltration is achievable.
- 2) Full calculations demonstrating the performance of soakaways.
- 3) Groundwater monitoring confirming seasonal high groundwater levels in the area.
- 4) A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
- 5) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

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 (2023) 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.*

#### 13. Demolition required

No development shall take place on the site until the existing structures shown to be demolished on the approved plan have been so demolished.

*Reason: In the interests of the amenity of the countryside. Relevant policy: Core Strategy policies CP1, CP3 and CP11.*

#### 14. Removal of demolished materials

All materials arising from the demolition of buildings on the site shall be permanently removed from the site.

*Reason: In the interests of the amenity of the countryside. Relevant policy: Core Strategy policies CP1, CP3 and CP11.*

#### 15. Obscure glazing

Those windows shown on the approved drawings as having obscured glazing in part or full shall be so-fitted and shall be permanently so-retained, and shall remain fixed closed at all times.

*Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.*

#### 16. Restriction of permitted development rights

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 additional windows or similar openings shall be constructed in the first floor level or above in the northern side elevation of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).

*Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.*

### **Informatics**

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 177(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 applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.
4. 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.
5. The applicant is reminded that a Demolition Notice may be required to be served on the Council in accordance with current Building Regulations and it is recommended that the Building Control Section be contacted for further advice.
6. The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.
7. 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.

8. 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.

9. 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.

Signed



Justin Turvey  
Head of Development Management - Place & Growth  
Date: 26 August 2025

**PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW**



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BOROUGH COUNCIL**

## **TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (ENGLAND) 1990**

**Other statutory legislation:** This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

**The Town & Country Planning (Development Management Procedure) Order:** This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

**Officer Report:** An officer report explaining the decision will be available to view online.

**Purchase notices:** If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

**Appeals to the Secretary of State:** If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

**12 weeks from the decision date above** in the case of a refusal of a 'householder' application:  
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,  
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

**12 weeks from the decision date above** in the case of a refusal of a 'minor commercial' application:  
Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5

where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

**6 months from the decision date above** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

**6 months from the decision date above** in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

**In the event of a grant of planning permission, please note the following:**

**Community Infrastructure Levy (CIL):** When planning permission is granted for a development that is CIL the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing 'Form 2', the assumption of liability notice, is a statutory requirement for the liable party(ies) to be completed for all CIL liable applications. Advice on how the Regulations may impact you and how you can properly discharge the relevant legal requirements including paying any relevant CIL charge that may be due is available on our [Community Infrastructure Levy advice \(wokingham.gov.uk\)](#) website pages.

**Discharge of Conditions:** This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](#).

**Street Naming and Numbering for new dwellings:** If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from [streetnamingandnumbering@wokingham.gov.uk](mailto:streetnamingandnumbering@wokingham.gov.uk). Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

**Access to privately owned land:** The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

**Gas Mains and Services:** Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](#) and contact the Plant Protection Team at SGN on 0800 912 1722 or [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk).

**Building Regulations:** The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

**Fire Regulations:** In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following:

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

**Biodiversity Net Gain:** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wokingham Borough Council.

**Biodiversity Net Gain Exemptions and Transitional Arrangements:** There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). and [The Environment Act 2021 \(Commencement No. 8 and Transitional Provisions\) Regulations 2024](#).

**Biodiversity Net Gain Irreplaceable Habitat:** If the onsite habitat includes irreplaceable habitat (within the meaning of [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) there are additional requirements. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

**Biodiversity Net Gain Section 73(2D):** If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

**Biodiversity Net Gain Phase Development:** If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#) apply. In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).