



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

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

Mrs LAURA ASHTON
LAUK Planning Ltd
Chiltern House
45 Station Road
Henley On Thames
RG9 1AT

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 250506

Applicant Name: Mr J Parton

Site Address: Autumn House, Milley Lane, Hare Hatch,
Wokingham, RG10 9TH

Proposal: Application to vary conditions 2, 5, 7 and 15 of planning consent 212446 (allowed at appeal ref: APP/X0360/W/21/3289621 RD and varied by 240108) for the proposed erection of 1 no. x 4 bedroom detached dwelling with link-attached garage and workshop, plus associated parking and landscaping, following demolition of existing animal enclosures, aviaries and office/staff welfare building. Condition 2 relates to the approved plans, 5 to landscaping, 7 to drainage details and 15 to boundary treatments, and the variation is to include an array of PV panels plus amended drainage details and details of boundary treatments.

Date of Decision: 1 May 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

Condition 2 now reads:

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 3751/202 Rev.A received 15/01/2024

- 3751/203 Rev.B received 15/01/2024
- 3751/204 Rev.B received 15/01/2024
- 3751/205 Rev.E received 22/02/2024
- 3751/206 Rev.E received 22/02/2024
- 3751/207 Rev.C received 15/01/2024
- 2048/SP1 received 03/03/2025
- 893/01 Rev.D received 03/03/2025
- 2701/25/01 received 03/03/2025
- 2701/25/03 received 10/03/2025
- H1267-402 Issue E received 03/03/2025
- Material Schedule received 12/03/2024

Condition 5 now reads:

The development hereby permitted shall be carried out in complete accordance with the hereby approved Landscape Management Plan (Draffin Associates, 893/BDGDN/AH/LDS/22.3.24, February 2024) and associated landscaping plan (drawing number 893/01 Rev.D) received by the Local Planning Authority on 25/03/2024 and 03/03/2025.

Condition 7 now reads:

The development hereby permitted shall be carried out in complete accordance with the Drainage Strategy (H1267-402 Issue E) unless otherwise agreed to in writing by the Local Planning Authority. 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.

Condition 15 has been DELETED.

All other conditions of planning permission 212446 (as varied by 240108) apply to this planning permission, viz:

1. The development hereby permitted shall begin not later than 3 years from the date of the original decision.
3. The development hereby permitted shall be carried out in complete accordance with the project specification for archaeological evaluation (Thames Valley Archaeological services, 19th February 2024, ref: 23ee194ev) received by the Local Planning Authority on 04/03/2024.
4. External materials - The materials to be used in the construction of the dwelling and garage are to be as specified on the approved drawings and plans.
6. The development hereby permitted shall be carried out in complete accordance with the hereby approved Biodiversity Protection and Enhancement Plan (Crossman Associates, 14 February 2024, ref: A1145.001_BPEP) received by the Local Planning Authority on 22/02/2024.
8. 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 measures required by the approved Tree Protection Plan dated July 2021 and Section 10 of the Arboricultural and Planning Integration Report (GHA Trees, Ref: GHA/DS/155660:21, dated 13 July 2021 are in place on site.

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.

9. The development hereby permitted is to be carried out in full accordance with the mitigation strategy outlined in paragraphs 4.23 to 4.35 inclusive of the submitted ecological survey report (Crossman Associates, ref: A1145.001 Issue Three, October 2021) unless otherwise agreed in writing by the local planning authority.

10. No part of any building(s) hereby permitted shall be occupied or used until the vehicle and cycle parking has been provided in accordance with the approved plans. The parking shall be permanently maintained and remain available for the parking of vehicles and cycles at all times.

11. 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 5m from the highway boundary and so as to open away from the highway.

12. 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 shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business use nor as habitable space.

13. Notwithstanding the provisions 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.

14. No part of any building(s) hereby permitted shall be occupied or used for any residential purposes until the animal enclosures, aviaries and office/staff welfare building present on site have been demolished and removed in their entirety, and the land left in an appropriate state as approved under Condition 5 (landscaping) of this decision.

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 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 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

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 1 May 2025

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



WOKINGHAM 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 \(wokingham.gov.uk\)](http://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. 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 \(lsbud.co.uk\)](http://Home-LinesearchbeforeUdig.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or 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).