



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

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

Mr James Taylor
JETArch Design Limited
100 Berkshire Place
Winnersh Triangle
Wokingham
RG41 5RD

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 253050
Applicant Name: Mr & Mrs Zilberman Kessel
Site Address: Marino Way, Finchampstead, RG40 4RF
Proposal: Full application for the proposed change of use of Unit 10 to a bakery and café (Use Class E) including the installation of 2 no. extract systems with external flues and change of an existing rooflight to an Automatic Opening Vent (AOV).
Date of Decision: 23 April 2026

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 (A4/466/OS1 RevC), (A4/466/11 RevB), (A1/466/03), (A1/466/04), received by the local planning authority on 15/12/2025 & 26/03/2026. 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.

3. Hours of Operation - The development hereby permitted shall be used only as a bakery with an ancillary café/takeaway and ancillary educational classes and shall not operate outside the hours set out below:

a) Bakery (production and associated activities) shall operate only between 00:00 and 17:00 on any day.

b) Ancillary café (including sit-in consumption) and takeaway sales shall operate only between:

- 08:00 and 18:00 hours Mondays to Saturdays, and

- 08:00 and 17:00 hours on Sundays and Bank or National Holidays.

c) Ancillary evening classes shall operate only between 18:00 and 21:00 hours Mondays to Fridays and shall not operate at any time on Saturdays, Sundays, or Bank or National Holidays.

No activity associated with the respected uses, including public access, customer presence, or the preparation for or winding-down of those uses, shall take place outside the hours specified above.

Reason: To safeguard the amenities of neighbouring occupiers and to ensure that the premises remains ancillary in nature and does not give rise to undue noise, disturbance or activity outside appropriate hours in accordance with Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

4. Installation of Ventilation and Extraction Equipment - Prior to the commencement of the development, the mechanical ventilation, extraction and filtration equipment detailed in the submitted Ventilation Statement for 10 Marino Way (25.0063, Peakin-Fear Consulting Engineers LLP, 23/02/2026) shall be fully installed, including:

- Self-condensing hood serving deck and convection ovens;

- Vertical discharge flue terminating >/ 1m above the roof ridge; - Multi-stage filtration incorporating pre-filter, fine filter and carbon filter;

- Dedicated extract for induction hob;

- Air-handling unit providing tempered make-up air;

- Acoustic attenuation as specified within the VS.

The installed system shall thereafter be retained and maintained in full working order for the lifetime of the development.

Reason: To ensure adequate ventilation, prevent loss of amenity from odour and noise, and protect the character of the surrounding commercial area in accordance with the NPPF and local plan policies.

5. Odour-Control Maintenance Regime - Prior to the first use of the bakery/café hereby approved, all odour control equipment shall be installed and made fully operational in accordance with the manufacturer's specifications. The equipment shall thereafter be retained and maintained in effective working order at all times, including regular cleaning, inspection, servicing and filter replacement, in accordance with the manufacturer's recommendations. Maintenance records shall be retained and made available to the Local Planning Authority upon request.

Reason: To ensure effective control of odours and to safeguard the amenity of the surrounding area.

6. AOV (Automatic Opening Vent) Installation - The AOV shall be installed in accordance with the manufacturer's specification prior to first occupation and shall be retained thereafter.

Reason: For fire safety and to ensure the building performs as assessed.

7. Plant Noise Emissions - All plant, ventilation and extraction equipment shall be installed and operated so that the cumulative noise rating level (measured in accordance with BS4142:2014+A1:2019) does not exceed background levels at the nearest noise-sensitive receptor.

Reason: To protect the amenity of nearby occupiers.

8. Parking Management Strategy - Prior to the first occupation of the development, a Parking Management Strategy for the management of the parking arrangement shall be submitted to and approved in writing by the Local Planning Authority. The submitted Parking Management Strategy shall include details of the management of all parking spaces, monitoring of all parking and submission of parking agreement(s) for utilisation of off-site allocated spaces of other owners. The PMS shall thereafter only be implemented as approved and remain in place for the lifetime of the development.

Reason: To ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6 and CP21.

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

- Ensuring adequate levels of parking to serve the proposed use.

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.

3. 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.

Signed

A handwritten signature in black ink, appearing to be 'JT', is placed over a light green rectangular background.

Justin Turvey

Head of Development Management - Place & Growth

Date: 23 April 2026

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://lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk. If necessary, contact National Gas Transmission for high pressure gas pipelines on box.assetprotection@nationalgas.com or 0800 970 7000.

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).