

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	262198
Site Address:	58 Finchampstead Road, Wokingham, RG40 2NS
Expiry Date:	16 October 2026
Proposal: Application for non-material amendment to planning permission 260387 to amend the description to make the development phased	

PLANNING HISTORY

Application No.	Description	Decision & Date
260387	Application to vary condition 2 of planning consent 241828 for the proposed erection of 4no detached dwelling houses following demolition of the existing dwelling and associated outbuildings. Condition 2 refers to the approved details and the variation is to allow for alterations to fenestration, garage roof form and first floor dormers, plus replacement of a brick plinth feature	Approved 16/09/26
260662	Application for submission of details to comply with the following condition of planning consent 241828 dated 24.10.2025. Condition 4 relates to round and building levels, 5 to details of boundary walls and fences, 6 to landscaping, 8 to protection of trees, 10 to construction method statement, 12 to remediation, 20 to future homes standard, 21 to water standards, 22 to CEMP, 23 to external lighting, 24 to LEMP, 25 to biodiversity enhancements, 26 to reptile mitigation method statement	Approved 10/09/26
241828	Full application for proposed erection of 4no detached dwellinghouses following demolition of the existing dwelling and associated outbuildings	Approved 24/10/25

APPRAISAL

Is the proposed change non-material?

Yes	☒
No	☐

The applicant is seeking a non-material amendment to amend the approved description of planning permission 260387 to clarify it will be a phased development. The original/ current description of development reads as follows:

Full application for a phased development of proposed erection of 4no detached dwellinghouses following demolition of the existing dwelling and associated outbuildings.

No specific wording for the new description has been suggested by the applicant, however the LPA are able to make this modification independently.

The proposed amendment to the description of development is to allow the phasing of the development. The development would be phased into 5 phases, with phase 1 being for demolition and construction of road infrastructure, with phases 2 -5 being a phase for each of the proposed dwellings. This application and the need for a phased development has arisen following the applicant's discussion with the WBC CIL team regarding the proposed development and CIL liability.

It is widely understood that under S73 of the Town and Country Planning Act (1990) cannot allow for changes to the description of a development, as dictated by *Finney v Welsh Ministers & Ors* [2019] EWCA Civ 1868 case law. However, a description amendment via S96a (NMA) is an appropriate and accepted route to make changes to the description.

Allowing the development to be phased in the above way would not result in any material impact or re-assessment of the application and therefore is non-material in nature. The description of development will therefore be amended to the following (with red newly inserted, and struck-out text removed):

*Full application for **a phased development** ~~proposed erection of 4no detached dwellinghouses following demolition of the existing dwelling and associated outbuildings.~~*

Under S96a, the LPA has the power to impose new conditions if necessary as a result of the NMA. In this case, the addition of a phasing condition will be necessary given the proposal is now a phased scheme. This has also been expressly applied for by the applicant. No existing conditions have been applied to be amended as a result of the proposed phasing.

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

Recommendation:

Approve – the change is non-material. Amend description and insert phasing condition

Date:	5 October 2026
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Recommendation agreed by: (Authorised Officer)	
Date:	06/10/26