

VARIATION/REMOVAL OF CONDITION **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 16 January 2025

Application Number: 242906

Location: Tennis Courts, Silver Fox Crescent, Woodley, Wokingham, RG5 3JA

Proposal: Application to vary conditions 2, 3 and 4 of planning permission 241301 for the proposed erection of 1 no. self-build detached dwelling. Condition 2 refers to the approved details, 3 to external materials, 4 to boundary treatments and the variation is for alteration of the elevations and inclusion of a first floor to the dwelling, plus changes to the wording of conditions 3 and 4 to reflect submitted details.

Recommendation: Approve

Conditions and/or Reasons

Condition 2 now reads:

This permission is in respect of the submitted application plans and documents numbered:

Preliminary Ecological Appraisal Nov 2022, Soakaway Test 1, Soakaway Test 2, Drainage - Percolation Test Report, Transport Statement, Archaeological Evaluation,, Construction Method Statement, Drainage Construction Details Drawing, Drainage Strategy Layout Plan received on 22/05/2024

Planning Design and Access Statement received on 06/06/2024, WTC Plot 4 Arboricultural Survey Tree Protection Plan and WTC Plot 4 Report Arboricultural Survey received on 13/08/2024. 22009 167 H Location Plan received on 06/09/2024. 22009 PL166D – Site Plan, 22009 PL170C – House Type 10 received 19/12/2024.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by 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.

Condition 3 now reads:

The development shall be implemented in accordance with 'Proposed External Material Details', prepared by ET Planning dated 19 December 2024. The development shall be constructed in accordance with the approved details.

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

Condition 4 now reads:

The boundary treatment shall comprise a natural-coloured close board feather edge timber fencing. This boundary treatment shall be implemented prior to the first

occupation of the development. The boundary treatment shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

All other conditions of planning permission 241301 apply to this planning permission, viz:

1. Time Limit

The development hereby permitted shall begin before 12th September 2027.

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

See above.

Reason: See above.

3. Materials

See above.

Reason: See above.

4. Boundary Treatment

See above.

Reason: See above.

5. Landscaping Scheme

No development shall commence above foundation level until 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 including any hard landscaping materials has been submitted and approved in writing by the local planning authority. 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.

6. Parking and turning space to be provided

No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road

safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

7. Cycle parking to be provided

No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing (s)/details. The cycle parking/ storage shall be permanently so- retained 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.

8. Visibility splay provision

Prior to the occupation of the development the proposed vehicular access shall have been formed and provided with visibility splays shown on the approved drawings. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

Reason: In the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

9. Access surfacing

No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.

10. Access to be provided

No building shall be occupied until the access has been constructed in accordance with the approved plans.

Reason: Reason: In the interests of highway safety and convenience.

11. Construction Method Statement

No development shall take place, including any works of demolition, until the approved measures of the Construction Method Statement received on 22/05/2024 have been implemented. The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of highway safety & convenience and neighbour amenities. Relevant policy: Core Strategy policies CP3 & CP6.

12. Protection of Trees

a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement and associated Tree Protection Plan by Arbtech and dated 9th August 2024 (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.

13. Ecology

Prior to first occupation of the development hereby approved, the ecological enhancements, as outlined in 'Preliminary Ecological Appraisal', Issue 2, dated 24/11/2022, prepared by Arbtech, shall be fully implemented and thereafter maintained for the lifetime of the development.

Reason: In the interests of maintaining and enhancing biodiversity on site, in accordance with policy CP7 of the Core Strategy and TB23 of the Managing Development Delivery Local Plan.

14. Unexpected Land Contamination

If land contamination is found at any time during site clearance, groundwork, and construction the discovery shall be reported as soon as possible to the local planning authority. A full contamination risk assessment shall be carried out and if found to be necessary, a remediation method statement shall be submitted to the local planning authority for written approval.

Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment) and Core Strategy policies CP1 & CP3.

15. External Lighting

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 external lighting shall be installed on the site or affixed to any buildings on the site without prior written approval of the Local Planning Authority through a planning application made for that purpose.

Reason: In the interests of neighbouring amenity in accordance with Policy CP3 of the Core Strategy.

16. Refuse storage area

Prior to first occupation of the development hereby approved, details of the refuse storage area/ facilities shall be submitted to and approved in writing by the local

planning authority. The refuse storage area and facilities shall be permanently so retained and used for no purpose other than the temporary storage of refuse and recyclable materials.

Reason: In the interests of visual and neighbouring amenities and functional development. Relevant policy: Core Strategy CP3 and Managing Development Delivery Local Plan policy CC04.

17. Sustainability

The dwelling 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.

18. Removal of Permitted Development Rights

Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Classes A, B, C, and E shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy CP3 of the Core Strategy.

19. Hours of work

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Informatives

1. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

2. 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.

3. 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.

4. 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.

5. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development, failure to do this will result in penalty surcharges being added. For more information see the Council's website - Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to developer.contributions@wokingham.gov.uk.

Recommendation and conditions/reasons agreed:



Date: 09/01/25

REMEMBER - The earliest date for a decision on this application is: **6 January 2025**