

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250114
Site Address:	38 Woodwaye, Woodley, Wokingham, RG5 3HB
Expiry Date:	21 March 2025
Site Visit Date:	13 March 2025
Proposal: Full application for a change of use from dwelling house (C3) to Children's Home (C2).	

PLANNING CONSTRAINTS/STATUS

Major Development Location – Woodley
Great Crested Newt Consultation Zone
Tree Preservation Order No.1438/2021-T3 (on the highway fronting the site)
Landscape Character Assessment Area – Woodley-Earley Settled and Farmed Clay
SSSI Impact Risk Zones
JCEB Mineral Safeguarding Areas

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC06 – Noise CC07 – Parking TB05 – Housing Mix TB09 – Residential Accommodation for Vulnerable Groups TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	The JMWP is not relevant to the type of development proposed (change of use only).
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING HISTORY

Application No.	Description	Decision & Date
242842	Application for a certificate of lawfulness for the proposed use of the existing dwelling as a children's home.	Refused – 12/12/2024

CONSULTATION RESPONSES**Internal**

WBC Highways: No objection subject to condition
WBC Landscape and Trees: No objection
WBC CIL: Not CIL Liable
WBC Children's Services: No objection

External

None consulted

REPRESENTATIONS

Parish/Town Council	Woodley Town Council object on the following grounds: - Significant increase in traffic to and from the property with insufficient on-site/off street parking would result in a cumulative impact on already busy on-street parking. - The change of use would be out of keeping with neighbouring domestic residential properties. - Noise pollution, mainly attributed to increased traffic movements, will be unneighbourly to residential properties in the area.
Ward Member(s)	No comments received
Neighbours	11 comments (including duplicates) received objecting on the following grounds: - Noise impact, particular from use of the rear garden and the associated vehicle movements, would be detrimental to the amenity of neighbouring residential properties. - Increase in vehicle movements would result in an increase in on-street parking on a busy, unsuitable street. - The proposed on-site parking provision and existing access are insufficient. - The proposed change of use would be detrimental to the street scene/character of the area. - The proposed change of use to a commercial property is unacceptable within a residential area. - The layout and size of the existing property is not suitable for accommodating children who require care. The street and surrounding area may not

	provide a suitable environment for this type of care. - Query regarding whether WBC Children's Services and Emergency Services (police, ambulance) were consulted on the application/support the scheme. <i>Officer's Note: Children's Services were consulted, and their response is included within the assessment. Emergency services including Thames Valley Police are not a statutory consultee for this type of planning application.</i> <i>(Officer's Note: The above issues have been considered when assessing this application, and further details are provided below in the relevant sections of this report.)</i> - The proposed change of use would set a precedent for similar types of applications or other commercial uses within the area. - The applicant is not local to the area, staff and occupants would not be connected with the area or have an interest in it. - Lack of information provided about the children the proposed change of use would accommodate and how they would be cared for. <i>Officer's Note: It would be the responsibility of staff or the relevant authorities to control/respond to any behavioural issues.</i> - Queries concerning how the scheme would be funded. - The houses were intended for occupation by the elderly only when originally built. <i>(Officer's Note: These concerns are not regulated by the Town & Country Planning Act (1990) and are therefore not a material consideration which can be given weight in this assessment.)</i>
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APPRAISAL

Site Description:

The application site comprises a detached 3-bedroom 1930s bungalow situated within a residential area, with a parking area at the front and private amenity space to the rear. While several neighbouring properties have been altered over time, the street scene predominantly comprises detached bungalows which sit on a fixed building line.

Proposal:

This application is for the proposed change of use of the site from a residential dwellinghouse (Use Class C3) to a children's care home (Use Class C2). The care home would accommodate up to 2 looked-after children aged between 9-18, with a

minimum of two staff members on site at all times, increasing to a maximum of four staff members as and when required.

The submitted Planning Statement states that the proposal would provide holistic care, psychological support and personal growth opportunities within a family home environment where children who have faced trauma can feel safe. The accommodation would provide opportunities for group activities, one-to-one time with keyworkers and also allow them space to reflect.

No external alterations to the property are proposed. The existing front drive would provide off-street parking for up to four vehicles. This application follows on from a refused certificate of lawfulness application for this change of use (application ref 242842). The application was refused for the following reason:

The proposed use of the existing dwelling as a residential care home for up to 2 children constitutes development requiring planning permission as it would result in a material change of use from Use Class C3 to C2. The description provided in the Planning Statement falls squarely within a C2 Use Class. The use as described would not form a single householder and therefore would be a C2 Use Class. This conclusion is supported by case law. The proposed use would result in a material change to the character of the use of the site. C2 and C3 uses draw upon different planning policies; strategic assessments and can attract different material weight: they are materially different uses with different material planning consequences. The certificate is therefore recommended for refusal.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

Principle of C2 Use

Paragraph 96 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, are safe and accessible, and enable and support healthy lifestyles. Paragraph 63 of the NPPF states that LPAs should establish the housing need for different groups in the community; one group is looked after children.

Core Strategy policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. The site is located within a major development location, as defined by policy CP9, and the proposed C2 use would host up to two children with no increase in habitable rooms on site, which is commensurate with a large family dwelling. As such, the proposal

would respond to the existing level of facilities as set out in policy CP9 and is acceptable in this respect.

Core Strategy policy CP2 states that to ensure new development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs, planning permission will be granted for proposals that address the requirements of: *b) Children, young people and families, including the co-ordination of services to meet their needs;*

Policy TB09 of the MDD Local Plan supports the need for proposals which provide accommodation for people's needs over a lifetime, including vulnerable adults, children and young adults leaving care. This is a significant material consideration. In this case, the proposal would provide accommodation for children who require short-term (or long-term as required) supported accommodation with a specialist provision of care for vulnerable children who have needs arising from emotional trauma. Therefore, this need would be met by the proposed facility.

Upon consultation with WBC Children's Services, it was acknowledged that there is currently a shortfall of supported accommodation for children, and a struggle to find spaces within existing children's homes within the borough to meet need. Whilst the Council is expected to open two of their own homes in Wokingham which will reduce pressure, the most recent work/surveys carried out in 2023 identified a need for additional local residential provision.

Based on the above, there is an identified need for this type of accommodation within the borough. As such, the proposal complies with the aforementioned policies.

Loss of family housing

The proposed change of use to Class C2 would result in the loss of a single residential dwelling, thus conflicting with part i) of Core Strategy policy CP3 which states that planning permission will be granted for proposals that '*do not lead to a net loss of dwellings and other residential accommodation or land*'. Given the borough's current Five Year Housing Land Supply (5YHLS) position at 1.7 years, the loss of the site as a single residential dwelling constitutes a notable policy conflict.

However, the use of the site would remain as a form of residential accommodation (in a 'C' use class), and the original dwelling would not be physically altered in a way which would prevent its conversion back into a single dwelling at some point in the future.

Summary on principle of development

There is national and local level policy which supports the type of residential accommodation proposed. However, the loss of a single residential dwelling constitutes a policy conflict. On balance, given the identified need for care home accommodation within the borough, and that the site could be converted back into a single residential dwelling in the future, the proposed change of use is acceptable in principle.

Character of the Area:

Policy CP3 of the Core Strategy states that planning permission should be granted if development is 'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area along with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life', and maintains or 'enhances the ability of the site to support fauna and flora including protected species'. R1 of the Borough Design Guide SPD requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area.

The proposed change of use would not involve any external alterations to the appearance of the building, therefore there would be very little if any visual changes to the site. The existing property would remain unchanged and part of the street scene.

Concerns have been raised regarding the change in the character of the use of the property. While it is acknowledged that there would be a slight change in the way that the property is used, the site would continue to be used for residential purposes and both internal and external areas would be used in the same way as a family dwelling.

While there are no examples of small care homes within the surrounding area, this is not an uncommon use within a residential suburban area such as this. As discussed, the intensity of the proposed use, with care provided for a maximum of two children, is not significantly different than the existing property being occupied by a family. Therefore, the proposal would have an acceptable impact on the character of the area in accordance with the NPPF, policies CP1 and CP3 of the Core Strategy and the principles contained within the Borough Design Guide SPD.

Neighbouring Amenity:

Core Strategy policy CP3 aims to protect the amenity of existing neighbouring properties. The proposed change of use would not involve any changes to the external appearance nor to the internal layout of the existing property, which already has first floor windows serving a habitable room (bedroom). Any views from these windows would not be different to the existing situation and existing bedrooms would continue to function as such. Therefore, it is not considered there would be any detrimental impact upon neighbouring residential amenities by way of loss of light, overlooking or overbearing.

Noise and Disturbance

Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. Paragraph 187 of the NPPF states that LPAs should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.

Concerns have been raised that the proposed use, age and specific needs of future

occupiers could result in greater levels of noise and disturbance to neighbouring residents. Concern has also been raised that the proposal could result in greater levels of anti-social behaviour on site and introduce safety concerns for the community. However, no evidence has been provided to support this concern.

The occupants would require on-site staff which would cover 24 hours, 7 days a week. The applicant has stated that there would be a minimum of two members of staff on site at all times, with a maximum of four staff members as and when required. The staff members would be responsible for managing any potential noise and/or disturbance to neighbouring properties. The relevant Environmental Health legislation would also come into force if necessary.

Prior to the use commencing, the care facility would also need to be registered with the relevant authorities, however this is not a material consideration which can be given any weight in this assessment. Nonetheless, the level of occupation would remain similar to and be no greater than its current C3 use as a three bedroom dwelling, and the external amenity areas would be used in the same way. In addition, noise nuisance from vehicles on and accessing the site would be minimal, and vehicle parking would be undertaken in the same way it is now at the front of the property. This is discussed in further detail below.

Overall, due to its scale the proposal would not introduce an adverse impact on the amenity of neighbouring residential properties in terms of noise or disturbance in accordance with the aforementioned policies.

Living conditions for future occupiers

The size of the dwelling is suitable in terms of space standards given it is of a sufficient size for its intended use as family housing. From a planning perspective, there is no evidence to suggest that the dwelling would not be a suitable size for the amount of occupiers proposed/ level of care required. The existing rear garden space is also a sufficient size for future occupiers, from a planning perspective.

While not directly a material planning consideration, it is noted that prior to the registration of the home, OFSTED would be responsible for ensuring that the proposed facility meets the space standards and requirements of the Care Quality Commission.

Highway Access and Parking Provision:

Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts and highway safety concerns. Policy CC07 and Appendix 2 of the MDD Local Plan set out the minimum parking requirements for development proposals. Policy CP9 states that the scale of development must reflect the existing and proposed levels of facilities, services and accessibility at or in the location.

The site benefits from an existing vehicular access from Woodwaye and a hardstanding area at the front for vehicle parking. The applicant has stated within the submitted Planning Design and Access Statement that the existing hardstanding can

accommodate parking for 4no. vehicles, there are no proposed changes to this existing arrangement.

According to WBC Parking Standards, the proposal will require 1no. car parking space per full time equivalent staff member and 1no. visitor space per 3no. residents. While all staff members would work in a shift pattern, the applicant has clarified that there would be 2no. full time equivalent staff members (i.e., 2 members of staff on site at all times), while 2no. part time equivalent staff members would attend as and when required.

External visits from relevant professionals (i.e. social workers) would be on an occasional basis, limited in nature and not a matter of day-to-day routine. This would not be dissimilar to elderly and social care visits which may occur to occupants of dwellings within C3 use. In addition, given the nature of the proposed use, it is considered very unlikely that future occupiers would have car ownership, therefore the available parking on site would be used either by staff members or visitors to the site. As such, in this instance the level of on-site parking is in accordance with the Council's parking standards and acceptable.

Concerns received regarding the on-site parking provision, and potential additional parking on the street are duly noted. However, the Council's Highways Officers have reviewed the proposal and raised no objection, subject to the number of occupants being restricted to a maximum of two. The recommended restriction on the number of children residing at the property will provide greater assurance that the number of vehicle movements would not result in potential for overspill parking onto the highway. Furthermore, in neighbouring amenity terms the restriction on number of children would also be beneficial in terms of mitigating noise and disturbance.

It is also noted that the site is located within a major development area within relatively close proximity of a variety of retail facilities and services (circa. 5min walking distance from Woodley Town Centre). The site is also a circa. 3min walk from the closest bus stops on Beechwood Avenue which serve Reading at 15 to 30 minute intervals throughout the day, as well as a fairly frequent service to Wokingham, and within a 30min walk to Earley Railway Station. The existing integral garage on the site could also provide sufficient cycle parking for staff and occupants.

Overall, no adverse highway safety impacts resulting from the proposed change of use have been identified. The existing parking provision is sufficient for the proposed use while the site is highly accessible in terms of sustainable transport modes.

Other Matters:

As the proposal relates to the change of use of the site only, with no external alterations or additions proposed, there would be no impact on any existing soft landscape or other ecological features. The proposal is also exempt from mandatory Biodiversity Net Gain.

A condition is recommended to limit the use of the care home as being for a children's care home only, and for no other purpose within the C2 use class. This is to accord with the development that has been applied for and another purpose for the

care home may warrant a different assessment against the material considerations discussed in this report.

Planning Balance and Conclusion:

The proposed change of use from a residential dwelling (Class C3) to a residential children's home (C2) is considered, on balance, acceptable in principle. No adverse impact in relation to other material considerations including local character, neighbour amenity and highway safety has been identified. Overall, the proposal would have a minimal impact on the surrounding area due to no external alterations being proposed and the scale of the care home being comparable to that of a large family that could reside in the home.

While the proposal would result in the loss of a residential dwelling, a shortcoming in light of the Council's 5YHLS position, the proposal would make a positive contribution to providing essential community facilities for vulnerable children within the borough. In light of the identified need for this type of supported accommodation within the borough, and the policy support for care homes at national and local level, the benefits of the scheme outweigh the loss of a single residential dwelling in policy terms.

Therefore, on balance, the application is acceptable and is recommended for **approval**, subject to conditions.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

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	
Conditions agreed:	Not required
Recommendation:	Approve
Date:	18 March 2025
Earliest date for decision:	19 February 2025

Recommendation agreed by: (Authorised Officer)	
Date:	19 March 2025



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

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

Mrs Kirstie Edwards
Hooper Enterprise
Associates Limited
11 St Marys Place
Shrewsbury
SY1 1DZ

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 250114
Applicant Name: Victoria Saitoria Mcharo
Site Address: 38 Woodwaye, Woodley, Wokingham, RG5 3HB
Proposal: Full application for a change of use from dwelling house (C3) to Children's Home (C2).
Date of Decision: 20 March 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 SC203_P2 and SC203_P3 received by the local planning authority on 21 January 2025. 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. Restriction of use - The C2 use hereby permitted shall be carried on only for a Residential Children's Home and for no other purpose in Class C2 of the Schedule of the Town and Country Planning [Use Classes] Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order [with or without modification].

Reason: In granting this permission the local planning authority has had regard to the special circumstances of this case, being the proposed use is acceptable in this location, and wishes to have the opportunity of exercising control over any subsequent alternative use in the interests of the amenities of the area. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

4. Number of children - The planned number of children occupying the home shall not exceed 2, unless otherwise agreed in writing by the local planning authority via a planning application made specifically for that purpose.

Reason: In the interests of highway safety and neighbouring amenity. Relevant policy: Core Strategy Policy CP3 and CP6.

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 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 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: 20 March 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).