

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	261645
Site Address:	Barkham Farms, Barkham, Wokingham, Berkshire, RG40 4EX
Expiry Date:	11 August 2026
Proposal: Application for non-material amendment to planning consent 211081 (as amended by planning consent 241264) to allow amendments to Condition 10 (Rights of Way Details), including amendment to the trigger for submission of details required by Condition 10(e) and updating the wording of Condition 10 to reflect details previously approved under discharge of condition applications 241901 and 242228.	

PLANNING HISTORY

Application No.	Description	Decision & Date
261644	Application for submission of details to comply with the following conditions of planning consent 211081 dated 21/02/2022. Condition 5(a) relates to landscaping details (proposed levels) and condition 10(h) to rights of way details (post and rail fencing).	Approved: July 2026
242228	Application for submission of details to comply with the following condition of planning consent 211081 dated 21/01/22. Condition 4, 22, 23 and partial (completion) discharge of conditions 5 and 10.	Approved: December 2024
241901	Application for submission of details to comply with the following conditions of planning consent 211081 dated 21.01.22 and NMA 241264 dated 08.07.24: Condition 5 (partial discharge) relates to landscaping details; 6 to landscape management; 7 to tree protection; 9 to archaeological investigation, 10 (partial discharge) to rights of way details; 15 to landscape and ecological management plan; 16 to ecological permeability	Approved: December 2024
241264	Application for non-material amendment to planning consent 211081 to amend the layout of the approved solar farm in relation to the location of the Distribution Network Operator's (DNO) substation, the PV layout and internal access road	Approved: July 2024
211081	Full application for EIA development for the proposed installation of a new 52ha solar farm for a temporary period of 25 years including	Approved: January 2022

	underground grid connection between site and Electricity Distribution Centre, laying of internal access road, the erection of substation building security fencing and associated landscaping with approximately 3.4ha of tree planting for carbon sequestration.	
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APPRAISAL

Is the proposed change non-material?

Yes	☒
No	☐

In 2009, the Government introduced a formal procedure to allow amendments to existing planning permissions, providing flexibility for small changes to approved schemes without requiring a new planning application. Although there is no statutory definition of a non material amendment, the Planning Practice Guidance describes it as a “less than substantial change”, with the assessment dependent on the specific context of the development.

The proposed amendment in this case relates solely to Condition 10 of planning permission 211081, as amended. The change is twofold. Firstly, it seeks to amend the trigger for submission of details required under part (e) of the condition, moving this from a requirement prior to commencement of development to a requirement prior to the relevant works. Secondly, it updates the wording of the condition to reflect that the majority of the required details have already been approved under discharge of condition applications 241901,242228 and 261644, leaving only part (e), relating to the construction timetable and any temporary Public Rights of Way closure arrangements, outstanding.

In considering whether the amendment is non-material, it is important to recognise that the proposal does not alter the description, form, layout or extent of the approved solar farm development. The alignment, design, surfacing and associated infrastructure of the Greenway and Public Rights of Way network remain unchanged, as do the approved mitigation measures, landscaping and access arrangements. The amendment does not introduce any new development, nor does it remove or vary any approved parameter that would influence the environmental effects of the scheme. Instead, it reflects the fact that substantial elements of condition 10 have already been discharged and embeds those approvals within the wording of the condition itself. As such, the change is administrative in nature and does not affect the substance of the planning permission

The supporting information explains that initial works undertaken at the site following commencement did not involve the Greenway or Public Rights of Way works to which part (e) relates. Furthermore, subsequent programme changes, including those associated with grid connection processes, have affected the anticipated timing of later construction phases. In this context, it is reasonable and proportionate to require submission of the remaining details at a point closer to their implementation. Requiring the information at the original trigger point could result in the submission of details that are no longer accurate or reflective of the final construction sequence, thereby reducing

their effectiveness. The amendment improves the practical operation of the condition without altering its purpose or outcome.

The recommended draft new Condition 10 reads as follows:

10) Rights of Way Details (Amended)

The development hereby permitted shall be carried out in accordance with the details approved under Discharge of Conditions application nos. 241901, 242228 and 261644 in respect of the following:

- a) Existing and proposed levels*
- b) Widths and alignment (including the Greenway being set back from the hedgerow at the northern end of the site to allow growth without continued maintenance)*
- c) Directional signage*
- d) Surfacing, including of spurs and connecting paths (including the laying of an aggregate path (type 1 granite and dust) for a 15m length of Footpaths 8 and 10A from the Greenway)*
- f) Measures to safeguard the implementation of a bridleway link between Bridleway 11 and the approved Greenway, including soil and ground cover*
- g) Measures in accordance with the findings of the solar glint and glare assessment required by Condition 22*
- h) Temporary and permanent post and rail fencing*

Notwithstanding the above, no development which would require the temporary closure of existing footpaths or the provision of alternative access to existing or proposed footpaths shall commence until a construction timetable and details of such temporary closures and alternative access arrangements have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance with the approved plans and particulars.

Reason: To ensure the satisfactory implementation and continued safe use of the Greenway and public rights of way during construction, in the interests of users of the network. Relevant policy: NPPF Paragraph 100 and Core Strategy Policies CP1, CP3, CP6 and CP11.

Conclusion: Overall, the proposed amendment is limited in scope, procedural in nature, and does not result in any change to the approved development or its impacts. It maintains the integrity of the planning permission and preserves the Local Planning Authority's ability to control the outstanding details. The change simply aligns the timing of a submission requirement with the stage at which the relevant works will occur and updates the condition to accurately reflect approvals already granted. Having regard to these factors, it is considered that the amendment constitutes a non-material change within the meaning of Section 96A of the Town and Country Planning Act 1990.

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.

Date: 15 July 2026

**Recommendation
agreed by:
(Authorised Officer)**



Date: 15/07/26