



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

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

Mr Patrick Graham
OSP Architecture Ltd
Broadmede House
Farnham Business
Weydon Lane, Farnham
GU9 8QT

NOTIFICATION OF APPROVAL OF PLANNING PERMISSION

Application Number: 242092
Applicant Name: Mr. William Hosking
Site Address: Heathlands Farm, The New Farm House, Honey Hill, Crowthorne, Wokingham, RG40 3BG
Proposal: Application to vary condition 9 of planning consent 231524 for the full application for the proposed installation of no. 1,762 Solar Photovoltaic Panels, each panel mounted on no. 4 concrete footings. Condition 9 refers to foundation design and the variation is to vary the foundation design.
Date of Decision: 17 December 2024

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

Condition 2 now reads:

2. Approved details - This permission is in respect of the submitted application plans and drawings numbered P101 and P110 received by the local planning authority on 21 July 2023 and the document titled 'Heathlands Farm PV, Honey Hill, Wokingham - Foundation detail' received on 14 August 2024. 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.

Condition 4 now reads:

4. Boundary fence - This information was submitted and approved under application ref 2420240. Prior to the first operation of the development, a boundary fence shall be erected in accordance with these approved details: plan titled 'detailed planting plan', numbered 1034-LA-P-01. The boundary fence shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of neighbour amenity. Relevant policy: Core Strategy policies CP1 & CP3.

Condition 5 now reads:

5. Landscaping - This information was submitted and approved under application ref 2420240. In the first planting and seeding seasons following the installation of the solar panels, planting shall be carried out in accordance with these approved details: plan titled 'detailed planting plan', numbered 1034-LA-P-01.

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 operation of the development 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 and biodiversity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03, TB21 and TB23.

Condition 6 now reads:

6. Construction Traffic Management Plan - This information was submitted and approved under application ref 2420240. All works associated with the development shall be carried out in accordance with these approved details: plan titled 'CTMP', numbered CTMP01_B.

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

Condition 7 now reads:

7. Construction Method Statement - This information was submitted and approved under application ref 2420240. All works associated with the development shall be carried out in accordance with these approved details: plan titled 'CMS', numbered CMS01_B.

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

Condition 8 now reads:

8. Drainage strategy - This information was submitted and approved under application ref 2420240. Prior to the first operation of the development, the drainage strategy shall be implemented in accordance with these approved details: report titled 'Surface Water Drainage Strategy', ref: GDB/6139/SWDS.2, 31st July 2024, Bellamy Roberts. The strategy shall be maintained in the approved form for as long as the development remains on the site.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: Section 14 of the NPPF (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

Condition 9 now reads:

9. Archaeological mitigation -

(A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by the local planning authority. The WSI shall include an assessment of significance and research questions, and:

1) The programme and methodology of site investigation and recording 2) The programme for post investigation assessment

3) Provision to be made for analysis of the site investigation and recording

4) Provision to be made for publication and dissemination of the analysis and records of the site investigation

5) Provision to be made for archive deposition of the analysis and records of the site investigation

6) Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

(B) The Development shall take place in accordance with the WSI approved under condition 9(A).

Prior to the first use of the development, the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the approved WSI, and the provision made for analysis, publication and dissemination of results and archive deposition shall be secured in accordance with the approved WSI.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work.

All other conditions of planning permission 231524 apply to this planning permission, viz:

1. Timescale - The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 231524.

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. As above.

Reason: As above.

3. Post-operation - If the use of the development for the generation of electricity ceases, the solar panels and all ancillary infrastructure shall be removed from the site in their entirety.

Reason: To safeguard the landscape and its visual amenity. Relevant policy: Core Strategy policies CP3, CP11 and MDD Local Plan policy TB21.

4. As above.

Reason: As above.

5. As above.
Reason: As above.

6. As above.
Reason: As above.

7. As above.
Reason: As above.

8. As above.
Reason: As above.

9. As above.
Reason: As above.

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 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.

3. Great Crested Newts are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). This site is wholly within a red risk zone according to modelling undertaken to inform a Borough wide licence issued by Natural England. Red zones contain suitable habitat and most important areas for Great Crested Newts. The permission granted does not provide authorisation for development to proceed under the Wokingham Borough Council District Licence for Great Crested Newts. Should any Great Crested Newts or evidence of Great Crested Newts be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works

can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

4. 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.

5. 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:

- addressing concerns relating to archaeological mitigation.

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.

Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 17 December 2024

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).