

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242843
Site Address:	2 Priors Wood, Crowthorne, Wokingham, RG45 6BZ
Received Date:	6 December 2024
Expiry Date:	31 January 2025
Proposal: Application for a certificate of lawfulness for the proposed installation of 26no. solar panels on the roof of the dwelling.	

PLANNING POLICY/LEGISLATION

The Town and Country Planning (General Permitted Development) (England) Order 2015

Article 3	In conjunction with Schedule 2, Part 14, Class A grants planning permission for the "installation or alteration etc of solar equipment on domestic premises".
Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3

Town and Country Planning Act 1990 (as amended)

Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
Section 57	Planning permission is needed for all development of land.
Section 187a	Enforcement for breach of conditions
s.192	Applications for Certificates of Lawfulness of proposed use or development.
s.191	Defines operations as 'lawful' if: (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

PLANNING HISTORY

Application No.	Description	Decision & Date
O/87/68	Outline application – layout for six detached properties	C/A 13/06/1968
58/68	Detached house and garage	C/A 13/06/1968
615/71	Alterations and resitting of garage	C/A 17/06/1971
182505	Householder application for the proposed single storey extension of detached garage to link to existing dwelling, plus Front, side and rear	C/A 30/01/2019

	single storey extensions, plus part two storey extension to front and rear to create habitable accommodation	
192587	Householder Application for the proposed single storey side extension to include proposed raising of roof (clerestory glazing), new front entrance with bolted glass canopy and patio to side, single storey rear extension following part demolition of existing single storey side/rear, single storey front extension to include double garage and storage space with link following the removal of existing front/side entrance and demolition of existing single storey detached garage, single storey rear extension, internal alterations and changes to fenestration to existing dwelling	NPW 26/02/2020
200865	Householder application for the proposed erection of single storey front, side and rear extensions to create habitable accommodation and integrated double garage, conversion of existing garage, interior alterations and changes to fenestration	C/A 05/05/2020
200814	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension and a detached outbuilding to form a double garage.	SDE 05/05/2020

SITE AND PROPOSAL DETAILS

Site description: Detached dwelling.

Land/Property Designations: There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development Order) 2015). The site is also subject to any wildlife or habitat designations including potential bat roosting. The property is within the Modest Development Location of Pinewood (Crowthorne).

Relevant details of the proposal: The installation of 26no. solar panels on the roof of the dwelling.

ASSESSMENT AGAINST LEGISLATION				
			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the dwellinghouse lawful?	✓	

ASSESSMENT AGAINST LEGISLATION				
			Yes	No
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓

On buildings

Sch.2 Pt. 14 A	6	Would the development comprise the installation, alteration or replacement of solar PV or solar thermal equipment on: A dwellinghouse, or A building situated within the curtilage of a dwellinghouse?	✓ ✓	
A.1(a)	7	In the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney).		✓
A.1(b)	8	Would it result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney)?		✓
A.1(c)	9	If in a conservation area or world heritage site , would the solar PV or solar thermal equipment be installed on a wall which fronts the highway?		✓
A.1 (d) (e)	10	Would the solar PV or solar thermal equipment be installed on a building within the curtilage of the dwellinghouse which is a listed building , or on a site designated as a scheduled monument ?		✓

Stand alone

Sch.2 Pt. 14 B	11	Would it consist of the installation, alteration or replacement of stand alone solar within the curtilage of a dwellinghouse?	✓	
B.1(a)	12	Would it result in the presence within the curtilage of more than one stand alone solar?		✓
B.1(b)	13	Would any part of the stand alone solar:		
		(i) Exceed four metres in height above ground level?		✓
		(ii) In the case of land within a conservation area be situated within any part of the curtilage of the dwellinghouse and would be visible from the highway?		✓
		(iii) Be situated within five metres of the boundary of the curtilage?		✓
		(iv) Be situated within the curtilage of a listed building?		✓
B.1(c)	14	Would the surface area of the solar panels forming part of the standalone solar exceed nine square metres or any dimension of its array (including any housing) would exceed three metres?		✓
	15	Would it affect a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval may be needed for any cutting back of the tree or its roots.</i>		✓

Conclusion

The proposed installation of 26no. solar panels on the roof of the dwelling constitutes development and thus requires planning permission. Permission is available under

Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal being in accordance with Schedule 2 (Part 14) (Class A) of the Order.

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:	19 December 2024

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	20.12.2024