

Barkham Solar Farm**Planning Permission: 211081, as amended by 241264****Site: Barkham Farms (High Barn Farm and Part of Brook Farm and Rooks Nest Farm), Barkham, Wokingham, Berkshire RG40 4EX**

Dear Sir/Madam,

APPLICATION FOR A NON-MATERIAL AMENDMENT TO CONDITION 10 OF PLANNING PERMISSION 211081

This application is made pursuant to Section 96A of the Town and Country Planning Act 1990 and seeks a non-material amendment to Condition 10 (Rights of Way Details) of planning permission 211081, as amended by Non-Material Amendment application 241264.

The proposed amendment has two purposes:

1. To amend the trigger for the submission of the details required by Condition 10(e), changing the requirement from prior to commencement of development to prior to the relevant works; and
2. To update the wording of the condition to record those elements of Condition 10 that have already been approved by the Local Planning Authority through discharge of condition applications 241901 and 242228.

Background

Condition 10 required the submission and approval of details relating to existing and proposed Public Rights of Way, including the Greenway through the site. The condition comprised eight separate elements, namely:

- a) Existing and proposed levels;
- b) Widths and alignment;
- c) Directional signage;
- d) Surfacing;
- e) Construction timetable and details of temporary closures of existing footpaths and alternate access where necessary;
- f) Measures to safeguard implementation of the Bridleway 11 link;
- g) Measures in accordance with the findings of the solar glint and glare assessment; and
- h) Temporary and permanent post and rail fencing.

Since the grant of planning permission, the majority of these requirements have been submitted to and approved by the Local Planning Authority through applications 241901 and 242228.

Application 241901 approved details relating to:

- Condition 10(b) – Widths and alignment;
- Condition 10(c) – Directional signage; and
- Condition 10(d) – Surfacing.

Application 242228 subsequently approved details relating to:

- Condition 10(a) – Existing and proposed levels;
- Condition 10(f) – Measures to safeguard implementation of the Bridleway 11 link; and
- Condition 10(g) – Measures in accordance with the findings of the solar glint and glare assessment.

An accompanying application has also been submitted seeking the formal discharge of Condition 10(h), recognising that the fencing details were previously submitted, assessed and approved as part of the wider landscaping package but were not expressly referenced within the discharge notice.

Accordingly, the only element of Condition 10 that remains substantively outstanding is part (e), which relates to a construction timetable and any temporary Public Rights of Way closure arrangements associated with the future implementation of the Greenway works.

Justification for the Amendment

Commencement works undertaken in January 2025 were limited to the approved bellmouth access works and did not involve construction of the Greenway, temporary closure of Public Rights of Way, or implementation of any of the works to which Condition 10(e) relates.

The information required by Condition 10(e) is inherently linked to the timing and sequencing of future Greenway and Public Rights of Way works. As such, the details are most appropriately prepared and agreed immediately prior to those works being undertaken.

Furthermore, since commencement of development, the project has experienced significant programme changes arising from delays associated with the SSEN/NESO grid connection reform process. As a consequence, any construction timetable and temporary closure arrangements prepared prior to commencement would now require substantial revision before implementation of the relevant works.

The proposed amendment therefore ensures that the required information is submitted at the stage when it is most accurate and relevant, whilst retaining full control for the Local Planning Authority over the approval of those details before any affected works are undertaken.

Proposed Amendment

It is proposed that Condition 10 is amended as follows:

Works to the existing and proposed rights of ways, including the greenway through the site, shall be implemented in accordance with the details submitted and approved under applications 241901 and 242228:

- a) Existing and proposed levels;
- b) Widths and alignment (including the Greenway being setback 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 in Condition 22; and
- h) Temporary and permanent post and rail fencing.

Prior to the relevant works, details of:

- e) Construction timetable and details of temporary closures of existing footpaths and alternate access where necessary

shall be 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 satisfactory implementation of the Greenway and associated infrastructure for the benefit of local users.

Non-Material Nature of the Amendment

The proposed amendment does not alter the approved development, Greenway route, Public Rights of Way alignments, surfacing, landscaping, fencing, access arrangements or mitigation measures.

The amendment does not remove the requirement to provide the details required by Condition 10(e), nor does it reduce the ability of the Local Planning Authority to review and approve those details before the relevant works are undertaken.

The amendment simply updates the trigger for the submission of the remaining outstanding information and records within the condition itself the elements that have already been approved by the Local Planning Authority.

It is therefore submitted that the proposed amendment constitutes a non-material amendment under Section 96A of the Town and Country Planning Act 1990.

Yours sincerely,

David Smith
Planning and Development Manager
Wokingham Borough Council