

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	241952
Site Address:	Lower Culham Farm, White Hill, Remenham Hill, Wokingham, RG9 3DP
Expiry Date:	8 October 2024
Site Visit Date:	3 September 2024
Proposal: Prior approval submission for the installation of PV panels on existing farm buildings, including grain drying barn and grain stirrers/augers.	

PLANNING CONSTRAINTS/STATUS

Scale and Location of Development Proposals – Countryside
Green Belt
Great Crested Newt Consultation Zone Minor – Orange Risk Zone
Bat Roost Habitat Suitability
Ground Water Zones
Radon Affected Area
Landscape Character Assessment Area – Remenham Wooded Chalk Slopes
SSSI Impact Risk Zones
JCEB Areas of Search for Sand and Gravel
JCEB Mineral Safeguarding Areas

PLANNING POLICY/LEGISLATION

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

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

Section 7	Prior approval applications: time periods for decision
Article 3	In conjunction with Schedule 2, Part 14 Class J grants planning permission for installation or alteration etc of solar equipment on non-domestic premises
Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3

PLANNING HISTORY

Application No.	Description	Decision & Date
F/2012/2150	Erection of 2 agricultural buildings to be used for storage of farm machinery and equipment,	Conditionally Approved –

	following demolition and removal of 3 existing agricultural buildings.	07/03/2013
F/2012/0329	Proposed demolition of existing grain store and erection of replacement flat store.	Conditionally Approved – 06/06/2012
F/2005/6221	Proposed recladding of existing barns (Buildings A & B) (Amendments to consents F/2003/0088 and F/2004/3130.	Conditionally Approved – 21/12/2005
R/27/63	Grain dryer & storage	Approved – 29/05/1963
R/157/62	Agricultural building	Approved – 14/08/1962
PD/626/61	Piggery	Approved – 28/12/1961
946/56	Dutch barn	Approved – 04/12/1956

CONSULTATION RESPONSES

Internal

WBC Environmental Health: No comments received

External

None consulted

REPRESENTATIONS

Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	No comments received

PART J.1.2.3 APPRAISAL

Town and Country Planning Act 1990 (as amended)			Yes	No
1	s.55	Does it constitute development?	✓	
2	s.191	Would it be contrary to an enforcement notice?		✓
3	s.187a Art.3 (4)	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)			Yes	No
4	Art.3 (5)	Are the building operations involved in the construction of the original building lawful?	✓	
5	Art.4	Is there an 'Article 4 Direction' in effect for the site?		✓
6	Sch.2 Pt. 14	Does it consist of the installation, alteration or replacement of— (a) microgeneration solar thermal equipment on a building;	✓	

PART J.1.2.3 APPRAISAL

		(b) microgeneration solar PV equipment on a building; or (c) other solar PV equipment on the roof of a building		
7	J.1(a)	Would the solar PV equipment or solar thermal equipment be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope?		✓
8	J.1(b)	Would the solar PV equipment or solar thermal equipment be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney)?		✓
9	J.1(c)	Would the solar PV equipment or solar thermal equipment be installed within 1 metre of the external edge of that roof?		✓
10	J.1(d)	In the case of a building on article 2(3) land, would the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway?		N/A
11	J.1(e)	Would the solar PV equipment or solar thermal equipment be installed on a site designated as a scheduled monument?		✓
12	J.1(f)	Would the solar PV equipment or solar thermal equipment be installed on a listed building or on a building within the curtilage of a listed building?		✓
13	J.2(a)	Would the solar PV equipment or solar thermal equipment be installed on a wall and protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall?		✓
14	J.2(b)	Would the solar PV equipment or solar thermal equipment be installed on a wall and be within 1 metre of a junction of that wall with another wall or with the roof of the building?		✓
15	J.2(c)	In the case of a building on article 2(3) land, would the solar PV equipment or solar thermal equipment be installed on a wall which fronts a highway?		N/A

PART J.4 APPRAISAL

Development under Class J is permitted subject to the developer applying to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

The design or external appearance of the development

The proposal is for the installation of solar photovoltaic panels on two separate buildings, granted under consent ref F/2012/2150, within Lower Culham Farm. The buildings are positioned within a cluster of development associated with the agricultural use of the land. The panels would be installed on the east facing roof planes.

Given the positioning and scale of the solar panels, and that the site can only be accessed via a restricted access road with no public vantage points within the immediate surroundings, any views of the solar panels would be restricted to within the agricultural holding. In line with the conditions of Class J, the submitted visual

demonstrates that the proposal would not have a cramped appearance while the minimal protrusion and colour of the panels would not detract from the appearance of the recently constructed buildings. Therefore, the proposal would result in harm to the character of appearance of the host buildings.

The impact of glare on occupiers of neighbouring land

Regarding the impact of glare on neighbouring occupiers, the neighbouring properties to the west of the site (Lower Culham Barn and The Bungalow) would not be impacted by the east facing panels. Given the relatively isolated nature of the farm buildings and the large size of the agricultural holding there are no neighbouring properties in close proximity to the east. Therefore, the proposed solar panels would not result in an adverse glare impact upon neighbouring occupiers.

And the provisions of paragraph J.4 (prior approval process)

The application must be accompanied by-

- (a) a written description of the proposed development;*
- (b) a plan indicating the site and showing the proposed development;*
- (c) the developers contact address; and,*
- (d) the developer's email address if the developer is content to receive communications electronically;*

Together with and fee required to be paid.

A written description as contained in the application form and supporting statement along with the relevant plans, fee and contact details has been received.

The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or*
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to the development in question.*

There is no reason to conclude that the proposal would not comply with the relevant conditions, limitations and restrictions under Part 14 (Class J).

The local planning authority must give notice of the proposed development by site display in at least one place on or near the land to which the application relates for not less than 21 days of a notice which describes the proposed development; provides the address of the proposed development; specifies the date by which representations are to be received by the local planning authority; or by serving a notice in that form on any adjoining owner or occupier.

Letters were sent to neighbouring properties on 16 August 2024. No written representations being received.

The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include assessments of impacts or risks, statements setting out how impacts or risks are to be mitigated; or details of proposed building or other operations.

No further information is required.

The local planning authority must, when determining an application, take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8); b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and in relation to the contamination risks on the site, determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990, and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012⁵⁶, and if they determine that the site will be contaminated land, refuse to give prior approval.

Not applicable.

Conclusion:

The proposal is in accordance with Class J of Part 14 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 and thus is considered to be permitted development. The prior approval of the local planning authority is not required.

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:	Prior Approval Not Required
Date:	4 October 2024
Earliest date for decision:	7 September 2024

Recommendation agreed by: (Authorised Officer)	
Date:	04/10/24

