

18 December 2025

Head of Development Management –
Place & Growth
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

Our Ref: J005408

Dear [REDACTED]

Application for the Discharge of Conditions 5, 6, 7, 8, and the BNG Condition of Planning Permission granted under LPA ref: 243193 regarding Dun Elms, Nelsons Lane, Hurst, Wokingham, RG10 0RR

I refer to the above. WS Planning & Architecture have been instructed by Mr. A. Loveridge to prepare and submit a planning application for the Discharge of Conditions 5, 6, 7, 8, and the BNG Condition of Planning Permission granted under LPA ref: 243193 regarding Dun Elms, Nelsons Lane, Hurst, Wokingham, RG10 0RR.

This covering letter should be read in conjunction with the submitted documents which form part of the scheme.

Preliminary Matters

Whilst the details submitted are considered to be favourable to the LPA, it is important to remind the LPA that the necessary tests to be applied on such matters (conditions details) was re-emphasised by the courts on 12 August 2022 in **R. (on the application of Cathie) v Cheshire West and Chester BC**, Bird J held at [65] that the relevant test was,

“... I am satisfied that the test for discharge in the present case is whether the OMP proposed a “satisfactory” solution to the impact of the farming operations on residential amenity at the House. It is plain that a satisfactory solution does not need to be an ideal solution...”

Therefore, whilst it is recognised that comments in response to the details supplied may be forthcoming, and amendments may be requested, the test to be applied is whether or not the details are satisfactory, i.e. a workable solution and meeting the requirements of the conditions as they are worded. As such, whilst amendments could be sought, the details are considered to entirely meet the requirements of the conditions imposed, and present to the LPA workable solutions, that are satisfactory solutions.

Condition 5 – Drainage Details

Condition 5 of 243193 requires the submission of details in line with criteria 1 through
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8. These have been covered entirely within the submitted document STM Environmental – SuDS Strategy – Dun Elms – FINAL V1.0. If there are any queries or clarifications regarding the proposed strategy, I would be more than happy to relay these directly to our drainage engineer.

Condition 6 – Landscaping

Condition 6 of 243193 requires the submission of details regarding hard and soft landscaping proposals.

The proposed site plan, J005408-TD-01 PP Site Development Scheme, in addition to the other accompanying documents, demonstrate the location of key landscaping features, including the hardstanding, fencing and gates, and tree, hedge, and wildflower planting. It is notable that much of the scheme is existing, with the proposal notably being an extension to that previously approved on the land. The existing dense hedge and tree row that bounds the application site provides ample screening that is entirely retained within the scheme.

All new planting details are included within the relevant BNG documents including that of the HMMP which confirms maintenance and management timetables.

The hardstanding details are notably included within the SuDS Strategy.

In combination, the submitted documents entirely cover the necessary landscaping scheme to ensure a well-designed site that integrates into the surroundings, prioritising an extensive array of existing and proposed planting measures.

Condition 7 – Biodiversity Enhancements

Condition 7 of 243193 requires the submission of details regarding biodiversity enhancements asides from those that form the BNG scheme.

In this regard, the proposed site plan, J005408-TD-01 PP Site Development Scheme, demonstrates the provision of swallow nest cups, a bug hotel, and hedgehog box, all which will further enhance wildlife opportunities on the site.

Condition 8 – Horse Manure Storage

Condition 8 of 243193 requires the submission of details regarding horse manure storage.

In this regard, the proposed site plan, J005408-TD-01 PP Site Development Scheme, demonstrates an allocated parcel for enclosed waste manure which is proposed to be sited on a hardcore base as to prevent effluent infiltration or runoff.

BNG Condition

A full set of documents accompany the submission which entirely cover the requirements of the deemed Biodiversity Net Gain Condition. Any queries or comments regarding such can be relayed to our consultant.

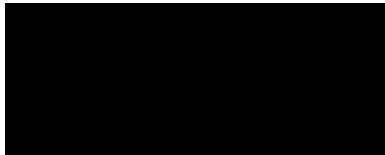
Conclusion

In summary, it is considered that the details submitted are acceptable. It is hereby requested that the appointed planning officer look favourably upon the submitted detail and permit the conditions to be discharged.

It should also be noted that the applicant remains content to discuss any amendments and alterations as may be required, but considers the details provided sufficient to discharge the condition. As such, whilst it requested that the details are looked upon favourably, should the LPA take a different view, the first port of call should be requests of amendment, as opposed to refusal of the details.

If you have any queries regarding the above, or require clarification on any matters please do not hesitate to contact me.

Yours sincerely,



Felix Smithson
Planner