

From: [Conlon, Brian](#)
To: [Marie Jasper](#)
Cc: [Eatough, Richard](#); [Markwell, Jonathan](#)
Subject: RE: 200328 - Vastern Court, Caversham Road, Reading
Date: 29 November 2021 14:26:00
Attachments: [image003.jpg](#)
[image004.jpg](#)
[image007.jpg](#)
[image008.jpg](#)

Dear Marie,

With regard to the Financial Viability Appraisal submitted, one point of order is that the Council require clarification as to whether you agree to the information submitted being made publicly available.

The information submitted confirms that a copy of FVA report may be shared with the Council and its appointed viability advisor for review, although the contents of the report make clear the information is deemed **commercially confidential** and is not to be made publicly available.

This is queried in light of the clear advice contained within the [Planning Practice Guidance](#) relating to how viability submissions should be publicly available. The relevant extract has been included below for ease. No reasoning of exceptional circumstances, nor any explicit executive summary (to be made publicly available) appears to have been provided. This would run contrary with the guidance contained within the PPG. Accordingly, I would like to offer you the opportunity to provide commentary and responses in respect of paragraph 021 of the PPG, to enable this matter to be further considered by the Local Planning Authority prior to the information being published on the public register.

Should a viability assessment be publicly available?

Any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available. Information used in viability assessment is not usually specific to that developer and thereby need not contain commercially sensitive data. In circumstances where it is deemed that specific details of an assessment are commercially sensitive, the information should be aggregated in published viability assessments and executive summaries, and included as part of total costs figures. Where an exemption from publication is sought, the planning authority must be satisfied that the information to be excluded is commercially sensitive. This might include information relating to negotiations, such as ongoing negotiations over land purchase, and information relating to compensation that may be due to individuals, such as right to light compensation. The aggregated information should be clearly set out to the satisfaction of the decision maker. Any sensitive personal information should not be made public.

An executive summary prepared in accordance with the government's data format published by government ([draft available online](#)) will present the data and findings of a viability assessment more clearly so that the process and findings are accessible to affected communities. As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer. Where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the

viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.

See related policy: National Planning Policy Framework [paragraph 57](#)

Paragraph: 021 Reference ID: 10-021-20190509

Revision date: 09 05 2019 See [previous version](#)

In other matters, whilst I am conscious this was discussed this at our earlier phone call on the 1st November 2021, I would be grateful for written confirmation of your in-principle agreement to fund the FVA (which you will undoubtedly be contacted separately about) and the daylight/microclimate reviews that we required to instruct upon.

This also links to the general discussion over LPA AH position at our meeting last week. In light of this meeting, it would be useful to have written confirmation as to your clients specific concerns over the LPA's response to the anticipated 0% offer (subject to independent verification). Once independent verification is received (hopefully by early new year) and an officer position established, it is then likely we will then be able to provide a greater degree of certainty as to the LPA route to determination and a greater degree of comfort to your client over such matters.

I look forward to hearing from you on these points and would be happy to discuss any of the above if required.

Kind regards,

Brian

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