

**VASTERN COURT - NOT AGREED DRAFT CONDITIONS - with comments from RBC**  
**APPEAL REF: APP/E0345/W/21/3289748**

NB. This document is to be read in conjunction with the agreed conditions document (6/5/22) and the condition numbers labelled in red in that document are those conditions as below. For quick reference as at 6/5/22 the following conditions are not yet agreed: 5, 8, 9, 10, 11, 27, 28, 29.

**Parameter Schedule ~~and Design Code~~**

5. Details of Reserved Matters shall accord with the approved Parameter Plans, and the Amended Development Parameter Schedule (received 18<sup>th</sup> March 2022) ~~and the mandatory requirements set out in the Design Code (May 2022). Each Reserved Matters application for each phase shall be accompanied by a completed Design Code Mandatory Checklist for that phase to demonstrate how the development of the relevant phase complies with the mandatory requirements set out in the Design Code (May 2022).~~

REASON: To ensure that the development is carried out in accordance with the details which have been submitted with the planning application for approval at the outline stage.

RBC Comments	RBC Suggested Condition Wording
As there are still discrepancies between the Design Code and the Parameter Plans we cannot agree to references to the Design Code as the Code currently stands. Therefore, this condition is NOT AGREED unless the reference to the Design Code were to be removed.	Details of Reserved Matters shall accord with the approved Parameter Plans, and the Amended Development Parameter Schedule (received 18 <sup>th</sup> March 2022).  REASON: To ensure that the development is carried out in accordance with the details which have been submitted with the planning application for approval at the outline stage.

**Active Frontages**

8. ~~Notwithstanding Section 3.5 of the Design Code (May 2022)~~ A minimum of 80% of the length of each of the following key ground floor frontages (Plots as shown on Building Plots Drawing Ref: PP-102\_P2) shall be provided for active public uses to include ~~both~~ A1-A5 and D1 ~~- and~~ D2 use classes:

- Southern frontages of Plots A and B;
- Southern and eastern frontages of Plot C; and
- Western and southern frontages of Plot D

REASON: to ensure that the development is carried out in general accordance with the details which have been submitted with the planning application for approval at the outline stage and accord with the requirements for a mixed-use scheme as set out in Policy CR11, and provide active frontages in accordance with Policy CR7 of the Reading Borough Local Plan 2019, and the Reading Station Area Framework (2010).

RBC Comments	RBC Suggested Condition Wording
<p>Section 3.5 of the Design Code does not address the requirements for active frontages which this condition is seeking and also includes offices, which are not to be part of active frontages. A few additional words have been added to the condition - “to include both” - to reflect what the overall CR11e allocation refers to in terms of mix of uses. In addition, because of the discrepancies between the Design Code and Parameter Plans, reference to the Design Code cannot be agreed to. In any case the percentage required is as set out in this draft condition. The condition, therefore, is NOT AGREED.</p>	<p>A minimum of 80% of the length of each of the following key ground floor frontages (Plots as shown on Building Plots Drawing Ref: PP-102_P2) shall be provided for active public uses to include both A1-A5 and D1 - D2 use classes:</p> <ul style="list-style-type: none"> <li>- Southern frontages of Plots A and B;</li> <li>- Southern and eastern frontages of Plot C; and</li> <li>- Western and southern frontages of Plot D</li> </ul> <p>REASON: to ensure that the development is carried out in general accordance with the details which have been submitted with the planning application for approval at the outline stage and accord with the requirements for a mixed-use scheme as set out in Policy CR11, and provide active frontages in accordance with Policy CR7 of the Reading Borough Local Plan 2019, and the Reading Station Area Framework (2010).</p>

## Phasing

9.—Prior to the commencement of the development, a Phasing Strategy setting out the sequence in which the following phases of the development are to be commenced and/or confirming if one or more of them are to be commenced simultaneously shall be submitted to and approved by the Local Planning Authority:

- o Phase 0 Drawing Ref: PP-110\_P1
- o Phase 1 Drawing Ref: PP-111\_P1
- o Phase 2 Drawing Ref: PP-112\_P1
- o Phase 3 Drawing Ref: PP-113\_P1
- o Phase 4 Drawing Ref: PP-114\_P1

provided that such Phasing Strategy shall identify Phase 0 as being the first phase to commence unless otherwise agreed in writing with the Local Planning Authority.

The Phasing Strategy will define:

- i) Target timescales relating to the commencement of a phase, length of construction and completion of the phase.
- ii) Details of the co-ordination of access and junction infrastructure into and through the site
- iii) Footpath and cycle links within the site and connecting to the external movement network
- iv) Co-ordinated means of treatment of hard surfaces areas between the site and adjacent public realm/hard landscaping areas
- v) Public realm

The phasing of the development shall be carried out in accordance with the approved Phasing Strategy or any subsequent variation to it as submitted to and approved by the Local Planning Authority from time to time.

REASON: These details are required due to insufficient information being contained within this submission and in order to secure the programming and phasing of development in an orderly pattern to ensure comprehensive planning of the site within the Reading Borough Local Plan CR11e Strategic Development Location, to ensure the timely delivery of facilities and services and to protect the amenity of the area in accordance with Policies CC7, CC8, CC9, TR3, TR4, TR5, CR2, CR3 and CR11 of the Reading Borough Local Plan 2019, and the Reading Station Area Framework (2010).

### Phasing Strategy

10. Before submission of all reserved matters pursuant to Condition 3., a phasing strategy for the development based on the approved parameter plans shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy will define:
- i) The development to be delivered within each CR11e sub area, and each sub-phase of the approved development (Blocks A-D);
  - ii) Details of how each phase and/or sub-phase will ensure a comprehensive approach to the delivery of the CR11 allocation sub-area which the application constitutes;
  - iii) Timescales;
  - iv) Details of the coordination of access and junction infrastructure into and through the site delivery including triggers for delivery and the arrangements to prevent interruption of delivery across sub-phase and phase boundaries within the CR11e, CR11f and CR11g allocations; and
  - (v) Details of the coordination and facilitation of a direct route between Reading Station and the River Thames and the arrangements to prevent obstruction during multi-phase implementation of the CR11e allocation.

The information to be provided as part of this phasing strategy shall include the following onsite infrastructure:

- a. The coordinated delivery of primary and secondary roads within the CR11e allocation;
- b. Improvements to existing highways including new/improved access junctions, crossings, station underpass and upgraded pedestrian and cycling infrastructure to connect with the wider CR11e and CR11f allocation;
- c. Footpath and cycle links within the site and connecting to the external movement network;
- d. Coordinated means of treatment of hard surfaces areas between the site and adjacent public realm/hard landscaping areas for crossover between north-south spine road and east west vehicular route and the north station square; and
- e. Public Realm.

The development to be delivered under i) shall be carried out in accordance with the approved Phasing Strategy.

REASON: These details are required due to insufficient information being contained within this submission and in order to secure the programming and phasing of development in an orderly pattern to ensure comprehensive planning of the site within the Reading Borough Local Plan CR11e Strategic Development Location, to ensure the timely delivery of facilities and services and to protect the amenity of the area in accordance with Policies CC7, CC8, CC9, TR3, TR4, TR5, CR2, CR3 and CR11 of the Reading Borough Local Plan 2019, and the Reading Station Area Framework (2010).

RBC Comments	RBC Suggested Condition Wording (merging of appellant's condition 9 and RBC proposed condition 10)
<p>Would you not expect to develop things in the ascending number order of phases? In any case a Phasing Strategy should include detail of what will be developed in each, i.e. the suggested Phasing Strategy condition (10) below. Would be happy for an overall Phasing condition, which merges approval of the already submitted Phasing plans, but with the comprehensive detail as proposed within our original condition 10 below. The suggested drafting is not acceptable.</p>	<p>Prior to commencement of the development, a Phasing Strategy setting out the sequence in which the following phases of the development are to be commenced and/or confirming if one or more of them are to be commenced simultaneously shall be submitted to and approved by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>o Phase 0 Drawing Ref: PP-110_P1</li> <li>o Phase 1 Drawing Ref: PP-111_P1</li> <li>o Phase 2 Drawing Ref: PP-112_P1</li> <li>o Phase 3 Drawing Ref: PP-113_P1</li> <li>o Phase 4 Drawing Ref: PP-114_P1</li> </ul> <p>The Phasing Strategy will define:</p> <ul style="list-style-type: none"> <li>i) The development to be delivered within each CR11e sub area, and each sub-phase of the approved development (Blocks A-D);</li> <li>ii) Details of how each phase and/or sub-phase will ensure a comprehensive approach to the delivery of the CR11 allocation sub-area which the application constitutes;</li> <li>iii) Target timescales relating to the commencement of a phase, length of construction and completion of the phase;</li> <li>iv) Details of the coordination of access and junction infrastructure into and through the site delivery including triggers for delivery and the arrangements to prevent interruption of delivery across sub-phase and phase boundaries within the CR11e, CR11f and CR11g allocations; and</li> <li>(v) Details of the coordination and facilitation of a direct route between Reading Station and the River Thames and the arrangements to prevent obstruction during multi-phase implementation of the CR11e allocation.</li> </ul> <p>The information to be provided as part of this phasing strategy shall include the following onsite infrastructure:</p> <ul style="list-style-type: none"> <li>a. The coordinated delivery of primary and secondary roads within the CR11e allocation;</li> <li>b. Improvements to existing highways including new/improved access junctions, crossings, station underpass and upgraded pedestrian and cycling infrastructure to connect with the wider CR11e and CR11f allocation;</li> <li>c. Footpath and cycle links within the site and connecting to the external movement network;</li> <li>d. Coordinated means of treatment of hard surfaces areas between the site and adjacent public realm/hard landscaping areas for crossover between north-south spine road and east west vehicular route and the north station square; and</li> <li>e. Public Realm.</li> </ul>

The development to be delivered under i) shall be carried out in accordance with the approved Phasing Strategy.

REASON: These details are required due to insufficient information being contained within this submission and in order to secure the programming and phasing of development in an orderly pattern to ensure comprehensive planning of the site within the Reading Borough Local Plan CR11e Strategic Development Location, to ensure the timely delivery of facilities and services and to protect the amenity of the area in accordance with Policies CC7, CC8, CC9, TR3, TR4, TR5, CR2, CR3 and CR11 of the Reading Borough Local Plan 2019, and the Reading Station Area Framework (2010).

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### Detailed Design Codes

11. Prior to the submission of Reserved Matters applications for any phase of the development, pursuant to Condition 3. above, a Detailed Design Code shall be submitted to and approved in writing by the Local Planning Authority. The detailed Design Code shall accord with the approved Parameter Plans and Amended Development Parameters Schedule (under Conditions 4. above) and include the following:
- a. Principles for determining quality, colour and texture of external materials and facing finishes for roofing and walls of buildings and structures including opportunities for using locally sourced and recycled construction materials;
  - b. Built-form strategies to include density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings including relationship to plot and landmarks and vistas;
  - c. Principles for hard and soft landscaping including the retention and inclusion of important trees and structural landscaping;
  - d. Principles for boundary treatments;
  - e. Structures (including street lighting, defensible space, boundary treatments for commercial premises, street furniture and play equipment);
  - f. Design of the public realm, including layout and design of squares, areas of public open space and areas for play;
  - g. Sustainable urban drainage requirements;
  - h. A strategy for a hierarchy of streets and spaces;
  - i. Alignment, width, and surface materials (quality, colour and texture) proposed for all footways, cycleways, roads and vehicular accesses to and within the site;
  - j. On-street and off-street residential and/or commercial vehicular parking and/or loading areas;
  - k. Cycle parking and storage;
  - l. Means to discourage casual parking and to encourage parking only in designated spaces;
  - m. Measures to demonstrate how the development would achieve Secured by Design principles;
  - n. Integration of strategic utility requirements, landscaping and highway design; and
  - o. Measures to ensure sustainable design and construction in accordance with the Sustainable Design and Construction SPD (2019) or successor document.

The details submitted under a) - o) shall include details of how they ensure a comprehensive approach to the delivery of the CR11 site allocation. All applications for Reserved Matters applications shall be accompanied by a Design Statement which shall explain how the proposals conform to the requirements of the approved Parameter Plans.

REASON: To secure the comprehensive planning and design of the development and to ensure that quality of design is maintained through the whole scheme in accordance with policy CC7 of the Reading Borough Local Plan 2019.

RBC Comments	RBC Suggested Condition Wording
<p>Some of the mandatory items in the Design Code conflict with detail in the parameter plans. Notwithstanding this view and assuming the Design Code were an approved document, it is still considered that there would be a need for detailed design codes. However, our view remains that as set out under condition 5 above, as there are still discrepancies between the Design Code and Parameter Plans we do not agree to references to the Design Code as that Code currently stands.</p>	<p>As above. The Appellant does not agree this condition is necessary.</p>

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**Landscape Strategy**

27. ~~Concurrently with the submission of the first Reserved Matters application~~ Prior to the submission of a Reserved Matters application for any phase of the development, an overarching landscape strategy, including a Landscape Masterplan, for the whole site shall be submitted to and approved in writing by the Local Planning Authority. The landscape strategy shall be in accordance with adopted Local Plan Policies and other relevant adopted documents current at the time of submission, and shall demonstrate consistency with adjacent developments, ~~and on the Vastern Road frontage shall provide a set back from the kerb of a minimum of 10m and provide a coordinated approach with planned or existing planting on the adjacent Highway land.~~ Details shall ~~be consistent with the Design Code (May 2022)~~ include landscape principles, including provision of large canopy trees, links with retained landscape features, tree rooting volume provision, landscape-led SUDS, management responsibility division and an expectation for the inclusion of green or brown roofs and green walls; indicative service routes; location of hard landscaping, street furniture, lighting locations and how soft & hard landscaping features will support the finding of the approved daylight, sunlight and microclimate assessments.

Development shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: to ensure that Landscape Principles accord with Paragraph 131 of NPPF, the National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3 of the Reading Borough Local Plan 2019, RBC Sustainable Design and Construction SPD (2019), the Reading Station Area Framework (2010) and the RBC Adopted Tree Strategy (2021)

RBC Comments	RBC Suggested Condition Wording
<p>The need for a 10m buffer was discussed during the Natural Environment round table session and the Council’s Natural Environment Expert confirmed that a min 10m set back from kerb edge would be required to accommodate large canopy trees. The need for which is supported by policy. This is also consistent with 80 Caversham Road recently ratified for approval. Notwithstanding this point such wording referencing the 10m set back has been deleted, but subject to the</p>	<p>Prior to the submission of a Reserved Matters application for any phase of the development, an overarching landscape strategy, including a Landscape Masterplan, for the whole site shall be submitted to and approved in writing by the Local Planning Authority. The landscape strategy shall be in accordance with adopted Local Plan Policies and other relevant adopted documents current at the time of submission, and shall demonstrate consistency with adjacent developments. Details shall include landscape principles, including provision of large canopy trees, links with retained landscape features, tree rooting volume provision, landscape-led SUDS, management responsibility division and an expectation for the inclusion of green or brown roofs and green walls; indicative service routes; location of hard landscaping, street furniture, lighting locations and how soft &amp; hard landscaping features will support the finding of the approved daylight, sunlight and microclimate assessments.</p> <p>Development shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.</p>

other changes as presented, because of the reason regarding the discrepancies between the Design Code and Parameter Plans.

REASON: to ensure that Landscape Principles accord with Paragraph 131 of NPPF, the National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, of the Reading Borough Local Plan 2019, RBC Sustainable Design and Construction SPD (2019), the Reading Station Area Framework (2010) and the RBC Adopted Tree Strategy (2021).

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**Hard and Soft Landscaping**

28. No development shall commence on each phase until a comprehensive scheme of hard and soft landscaping for that phase has been submitted to and approved in writing by the Local Planning Authority. Details shall be in accordance with the approved Landscape Strategy (as approved under Condition 27.) and shall include:
- a. Proposed finished ground and floor levels or contours, means of enclosure (boundary treatments, including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;
  - b. Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);
  - c. Soft landscaping details shall include planting plan (specifying native and wildlife friendly species), specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;
  - d. Routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points;
  - e. Details of the public realm; and
  - g. Full details of green roofs.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the beneficial occupation of any part of the relevant phase or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with the NPPF, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3 and CC7 of the Reading Borough Local Plan 2019, RBC Sustainable Design and Construction SPD (2019), the Reading Station Area Framework (2010), RBC Adopted Tree Strategy (2021) and adopted Biodiversity Action Plan (2021).

<b>RBC Comments</b>	<b>RBC Suggested Condition Wording</b>
The details will need to be in accordance with the approved Landscape Strategy, not the Design Code, because of the discrepancies between the Design Code and the Parameter Plans. This can be agreed if the wording to condition 27 is amended as suggested.	As above. Appellant agrees the wording subject to their suggested amendment to condition 27

**Landscape Management Plans**

29. Prior to the beneficial occupation of each phase/plot a long-term landscape management plan, in accordance with the approved overarching Landscape Strategy and approved detailed landscaping for that phase and including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall thereafter be carried out in accordance with the approved details and for the period specified.

REASON: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved in accordance with Policies EN12, EN14, EN15, EN18, CR3 and CC7 of the Reading Borough Local Plan 2019, SPD Sustainable Design and Construction, Reading Station Area Framework (2010), RBC adopted Tree Strategy (2021) and RBC adopted Biodiversity Action Plan (2021).

RBC Comments	RBC Suggested Condition Wording
This can be agreed if condition 27 is amended as suggested.	As above. Appellant agrees the wording subject to their suggested amendment to condition 27.