

VASTERN COURT - AGREED DRAFT CONDITIONS
APPEAL REF: APP/E0345/W/21/3289748

NB. This is the complete list of the mutually agreed conditions. The condition references in red represent the conditions which are not yet agreed, and this document should be read in conjunction with the not agreed conditions document (6/5/22).

Time Limits

1. Application for approval of the first Reserved Matters shall be made to the Local Planning Authority no later than three years from the date of this outline permission and all reserved matters applications shall be made to the Local Planning Authority no later than five years from the date of this outline permission.

REASON: To comply with the provision of Section 92 Of The Town And Country Planning Act 1990, and to allow for the progressive process of approvals to enable the development in accordance with relevant planning policies to commence as soon as reasonably practicable and within a realistic timetable for the timescale of the development.

2. The first phase of the development hereby permitted shall be commenced no later than either:-
 - a) the expiration of three years from the date of this permission; or
 - b) the expiration of two years from the date of approval of the last Reserved Matters to be approved under the terms of this permission, whichever is the later.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

Reserved Matters Details

3. No development of any phase as shown on the Phasing plans under Condition 7 shall commence on site including demolition and preparatory works until details of the following matters (in respect of which approval is expressly reserved) for that phase have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site; and
 - (e) The means of access to the site.The development shall thereafter be carried out fully in accordance with the approved reserved matter details.

REASON: To ensure a satisfactory form of development and in accordance with the provisions of in pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Parameter Plans

4. The development hereby approved shall be implemented in accordance with the following Parameter Plans (received 8th October 2021 unless otherwise stated):
- Development Footprint Drawing Ref: PP-100_P1
 - Site Access & Egress Drawing Ref: PP-101_P1
 - Building Plots Drawing Ref: PP-102_P2
 - Plot Heights Drawing Ref: PP-103_P3, received 18th March 2022
 - Basement Footprint Drawing Ref: PP-104_P2

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.

Parameter Schedule and Design Code

5. Condition not agreed - see separate Not Agreed Conditions document

Use Classes and Floor Space

6. The maximum gross external floorspace (excluding plant) of each use across the whole development shall not exceed the following:
- Residential (Use Class C3) - 80,000 sq m
 - Office (Use Class B1a) - 24,500 sq m
 - Retail (Use Classes A1, A2, A3, A4 & A5), Community Facilities (Use Class D1) and Leisure (Use Class D2) - 7,000sq m

The total overall development shall not provide more than 90,850 sq m gross external areas (excluding plant).

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.

7. The minimum office floorspace across the whole scheme shall be no less than 4,500sqm GEA (5% of the total GEA).

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 used scheme as set out in Policy CR11e of the Reading Borough Local Plan 2019.

Active Frontages

8. Condition not agreed - see separate Not Agreed Conditions document

Phasing

9. Condition not agreed - see separate Not Agreed Conditions document

Phasing Strategy

10. Condition not agreed - see separate Not Agreed Conditions document

Detailed Design Code

11. Condition not agreed - see separate Not Agreed Conditions document

Materials

12. No development of any phase or part of a phase above foundations shall commence until a schedule of all the materials to be used in the construction of the external surfaces of that phase of the development, including all external fixtures, fittings, window frames, and doors, have been submitted to and approved in writing by the Local Planning Authority. Details shall include the manufacturers' specification details and samples of materials (to be provided on-site **of a minimum 1m2 each**, and the approved details to be retained on site throughout the duration of the construction of the development) The development shall be carried out using only the approved materials and thereafter maintained in accordance with the approved details.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies CC7, CR2 and CR10 of the Reading Borough Local Plan 2019.

Building Maintenance and Cleaning Systems

13. Prior to the beneficial occupation of any phase, plans and details of **external** building maintenance and cleaning systems in respect of each building within that phase shall be submitted to the Local Planning Authority for approval. The plans and details shall include all related plant, screens, rails, cradles, building maintenance units, etc. and how these aspects, where applicable, will be integrated within the relevant building(s). The development of the relevant building shall thereafter ~~not~~ be undertaken ~~except~~ in accordance with the approved building maintenance and cleaning system details.

Commented [HS1]: Is it necessary to specify the size of sample to be provided? See 55 VR appeal condition 3

Commented [AA2R1]:
Yes, agreed and added.

3. No development [excluding demolition] shall commence beyond foundation level of the relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café) until a schedule of the materials to be used in the construction of the external surfaces of the relevant building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site of a minimum 1m2 each - approved details to then be retained on site and available for inspection throughout the duration of the construction of the development) specifying the brickwork, mortar, joint profile and bond. The development shall be carried out and thereafter maintained in accordance with the details approved.

Commented [HS3]: Does this relate to external maintenance and cleaning and if so should it be specific in order to ensure that the condition is precise? Why is this condition necessary?

Commented [AA4R3]: Yes it should be external and text added.

It is considered necessary for the following reasons: To make sure the appearance of any external cleaning equipment – building maintenance units (cranes on roof, or harness rails etc) are designed to fit with the architecture and don't disrupt the silhouette of the wider skyline in medium to long range views. To ensure that suitable methods of cleaning are provided for to increase the likelihood of the building being properly cleaned and maintained in the long term for visual amenity.

REASON: In the interests of the appearance and townscape impacts of the development, in accordance with Policies CC7, CR2 and CR10 of the Reading Borough Local Plan 2019.

Dwelling Mix, Numbers, Type and Tenure

14. Concurrently with the submission of Reserved Matters for each phase or part of a phase which includes residential dwellings, details of the residential numbers, mix, size of units and tenure, in respect of the relevant phase, shall be submitted to and approved in writing by the Local Planning Authority, and the development of the relevant phase shall thereafter be carried out in accordance with the approved details.

REASON: In order to ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policies H2, H3 and CR6 of the Reading Borough Local Plan 2019.

Flood Water Storage Compensation Scheme

15. Prior to the commencement of development of any phase or part of a phase a flood water storage compensation scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The flood water storage compensation scheme shall:
- (i) Be developed in accordance with the principles noted within the submitted Flood Risk Assessment and Flood Risk Assessment Technical Note prepared by Simpson/TWS, reference P19-418 (dated 24/7/20, received 18th October 2020);
 - (ii) Provide compensation on a level-for-level basis and where this is not possible, on a volumetric basis with justification for this approach;
 - (iii) Provide appropriate compensation for all fluvial flood events up to and including the 1% annual probability with a minimum 31% allowance for climate change flood extent and level;
 - (iv) Demonstrate that the fluvial compensation areas are hydraulically linked to the fluvial flood plain and how they will drain following a flood event;
 - (v) Include a maintenance details/schedule confirming how the flood water storage compensation areas shall be retained and maintained for the lifetime of the development.

Thereafter, the development shall be carried out and maintained for the lifetime of the development in accordance with the approved scheme. ~~Any subsequent amendments shall be agreed in writing with the Local Planning Authority.~~

REASON: To reduce the risk of flooding to the proposed development and ensuring that compensatory storage of flood water is provided and retained for the lifetime of the development in accordance with Paragraph 167 of

Commented [HS5]: Would this be in accordance with relevant caselaw on the use of 'tailpiece' conditions? Would the potential for change to an agreed scheme be significant?

Commented [AA6R5]: Words deleted

the National Planning Policy Framework, and Policy EN18 of the Reading Borough Local Plan 2019.

Flood Mitigation Measures

16. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Flood Risk Assessment Technical Note prepared by Simpson/TWS, reference P19-418 (dated 24/7/20, received 18th October 2020), including the mitigation measure that finished floor levels shall be set no lower than 38.59m above Ordnance Datum (AOD).

REASON: To reduce the risk of flooding to the proposed development and ensuring that appropriate flood resistant and resilient measures are implemented to achieve a development that is safe in accordance with Paragraph 167 of the National Planning Policy Framework, and Policy EN18 of the Reading Borough Local Plan 2019.

Contamination

Assessment

17. Prior to the commencement of development of any phase or part of a phase, an assessment of the nature and extent of contamination for that phase shall be submitted to and be approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:

- human health;
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments; and
- water supply pipes.

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas and does not pose a risk to the water environment, in accordance with Paragraph 1704e of the National Planning Policy Framework and Policy EN16 of the Reading Borough Local Plan 2019.

Commented [HS7]: Is this covered by 'groundwaters and surface waters' above?

Commented [AA8R7]: No this relates to water supply pipes. Words added

Remediation

18. No development of a phase or part of a phase shall commence on site [excluding including demolition and any preparatory works] until a detailed remediation scheme to bring the land within the phase to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment if required has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas and does not pose a risk to the water environment, in accordance with Paragraph 174e0 of the National Planning Policy Framework and Policy EN16 of the Reading Borough Local Plan 2019.

Remediation Scheme - Implementation and Verification

19. The approved remediation scheme under Condition xx. shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) that includes results of sampling and monitoring carried out shall be submitted to and approved by the Local Planning Authority before construction above foundation level.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas and does not pose a risk to the water environment, in accordance with Paragraph 174e0 of the National Planning Policy Framework and Policy EN16 of the Reading Borough Local Plan 2019.

Unidentified Contamination

20. In the event that contamination not previously identified is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

Commented [HS9]: 'excluding demolition and any preparatory works necessary to complete characterisation of site contamination' – as per condition 6 of 55 VR appeal?

Commented [AA10R9]: Agreed

6. No development shall commence on site [excluding demolition and any preparatory works necessary to complete characterisation of site contamination] until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Commented [HS11]: Historic?

Commented [AA12R11]: Yes - amended

Commented [HS13]: Is this timescale reasonable? See condition 7 of 55 VR appeal

Commented [AA14R13]: Yes. The trigger needs to be as early as possible in case there are problems with remediation not being implemented as agreed. If it is left to first occupation then the building works would be largely completed and too late to deal with any issues arising

7. The approved remediation scheme under Condition 6 shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority prior to the first occupation of relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café).

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas and does not pose a risk to the water environment, in accordance with Paragraph 17~~04~~^{4e} of the National Planning Policy Framework and Policy EN16 of the Reading Borough Local Plan 2019.

Piling

21. ~~Prior to any piling using penetrative methods shall not be~~ ^{ing} carried out within any phase or part of phase, ~~details shall be submitted to and approved in writing by the Local Planning Authority, other than with the written consent of the local planning authority.~~ The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from, or adversely affected by unacceptable levels of, water pollution, in accordance with Paragraph 17~~4e0~~^{4e0} of the National Planning Policy Framework and Policy EN16 of the Reading Borough Local Plan 2019.

Drainage

22. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution, in accordance with Paragraph 17~~4e0~~^{4e0} of the National Planning Policy Framework and Policy EN18 of the Reading Borough Local Plan 2019.

Construction Method Statement

23. No development of any phase or part of a phase shall commence on site, including any works of demolition, until a site-specific Construction Method Statement covering that phase of development has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for WHERE REQUIRED:

Commented [HS15]: Is it necessary to phrase this in the negative?

If there is a reason to suspect that penetrative piling methods could cause harm such that this wording is necessary, is it appropriate to add the clause 'other than the written consent...?'

Should the wording require a scheme for any penetrative piling methods to be submitted and approved etc?

Commented [AA16R15]: Suggested alternative wording

Commented [HS17]: Is this now para 174 e?

Commented [AA18R17]: Yes agreed. Amended and also amended in conditions 17-20 & 22

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works;
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction; and
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period ~~unless otherwise agreed in writing by the Local Planning Authority.~~

Commented [HS19]: As above re tailpiece

Commented [AA20R19]: Agreed. Deleted

REASON: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

Hours of Construction

24. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays ~~without prior written approval from the Local Planning Authority.~~

Commented [HS21]: As above

Commented [AA22R21]: As for 23.

REASON: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

No Bonfires

25. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

REASON: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Fire Statement / Strategy

26. No development (barring demolition) shall commence on any phase until a fire statement for that phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Health and Safety Executive. The statement shall include:

- the principles, concepts and approach relating to fire safety that have been applied to each building in the development;
- the site layout;
- emergency vehicle access and water supplies for firefighting purposes;
- what, if any, consultation has been undertaken on issues relating to the fire safety of the development; and what account has been taken of this;
- compliance statement in relation to policies relating to fire safety in relevant local development documents having been taken into account; and

~~• a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.~~

The fire strategy for the relevant building shall be completed in accordance with the approved details prior to the first beneficial occupation of the relevant building in the development. The fire strategy shall be managed and maintained thereafter in accordance with the agreed strategy.

REASON: These details are required due to insufficient information being contained within this submission and in order to ensure the consideration of fire safety matters as they relate to land use planning are incorporated at the planning stage for schemes involving a relevant high-rise residential building and approved measures are completed and maintained in the future, in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Landscape Strategy

27. Condition not agreed - see separate Not Agreed Conditions document

Hard and Soft Landscaping

28. Condition not agreed - see separate Not Agreed Conditions document

Commented [HS23]: Is this a matter covered by building regs?

Commented [AA24R23]: There is a requirement for schemes of this scale to "ensure the consideration of fire safety matters as they relate to land use planning are incorporated at the planning stage for schemes involving a relevant high-rise residential building."
<https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>

Commented [HS25]: Which documents are these?

Commented [AA26R25]: The wording is taken from Para 006 Reference ID: 71-006-20210624 within the following document <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>

Commented [HS27]: This appears to relate to a separate matter and should therefore be a separate condition if necessary?

Commented [AA28R27]: Agreed - deleted

Landscaping Management Plan

29. Condition not agreed - see separate Not Agreed Conditions document

Tree Survey and Arboricultural Impact Assessment

30. ~~Concurrently with the submission of Reserved Matters for each phase or part of a phase~~ ~~Prior to the submission of a Reserved Matters application for any phase~~ of development an up-to-date Tree Survey and Arboricultural Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority in accordance with British Standard: BS 5837.

Commented [AA29]: Aligned the submission timing with reserved matters submission.

REASON: to enable the Local Planning Authority to properly assess the impact of the proposed development on the vegetation present on the site and to inform the need for Arboricultural Method Statements for each phase, in accordance with Policy EN14 of the Reading Borough Local Plan.

Arboricultural Method Statement and Tree Protection Plan

31. No development of the relevant phase or part of a phase, including demolition (Phase 0 as shown on Plan ref: PP-110_P1) shall take place until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the ~~approved drawings~~ **approved pursuant to Condition 3 and 30**, both within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Commented [HS30]: Should these trees be specified due to the additional information submitted during the inquiry?

Commented [AA31R30]: The only potential change discussed during the Inquiry was the retention of T9 (feasibility not established – ref ID44 and ID 45 in response to ID33).

As it is not yet known what trees would be retained, as the final scheme layout /footprint has not been approved, the Council do not consider it possible to identify specific trees to be retained at this point.

Please note that Condition 30 and this condition have been amended appropriately.

REASON: to ensure that appropriate protection is given to trees of amenity value within and adjacent to the site in accordance with Policy EN14 of the Reading Borough Local Plan 2019 and the RBC Tree Strategy (2021).

Ecology

32. Prior to commencement of any phase or part of a phase, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority, which includes bird, bat and invertebrate boxes integrated into the buildings. The scheme shall include a programme of implementation and ongoing maintenance. The habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with the agreed programme.

REASON: To incorporate biodiversity in and around developments in accordance with paragraph 179 and 180 of the NPPF and Policy EN14 of the Reading Borough Local Plan 2019.

33. Prior to the beneficial occupation of a phase or part of a phase a 'closing out' report, from a suitably qualified ecologist, confirming that the features have been installed as per the approved plans (as under Condition xx.), shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To incorporate biodiversity in and around developments in accordance with paragraph 179 and 180 of the NPPF and Policy EN14 of the Reading Borough Local Plan 2019.

34. If demolition/clearance is planned to take place during the bird- nesting season, a suitably qualified ecologist will check ~~the all buildings~~ and vegetation to be demolished/removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance, demolition, or other works that may disturb active nests shall proceed until all young have fledged the nest.

REASON: To ensure that wildlife is not adversely affected by the proposed development in line with Policy EN12 of the Reading Borough Local Plan 2019.

35. No development (barring demolition) hereby permitted shall commence until a Biodiversity Impact Assessment Calculation using the DEFRA 3 Metric (or its successor) based on the landscaping plans submitted under Condition xx and the offsetting scheme detailed in the legal agreement or unilateral undertaking hereby agreed, demonstrating a net gain of at least 10% in biodiversity units, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: To incorporate biodiversity in and around developments in accordance with paragraph 179 and 180 of the NPPF and Policy EN14 of the Reading Borough Local Plan 2019.

Details of Access

- ~~36. No development of any phase shall commence on site until full details of the vehicle access and egress serving that phase of the development in accordance with Condition x (phasing condition) has been submitted to and approved in writing by the Local Planning Authority. The vehicle access and egress shall thereafter be constructed in accordance with the approved details prior to first occupation.~~

~~REASON: In the interests of road safety in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.~~

Commented [HS32]: And vegetation?

Commented [AA33R32]: Agreed – added and few other minor wording adjustments

Commented [HS34]: Is this condition needed in addition to Condition 45 or should the two be merged?

Commented [AA35R34]: Agreed that this condition could be removed and be dealt with under condition 45.

Car Parking

37. The Reserved Matters for any phase of the development shall include details of car parking for that phase in accordance with the relevant approved parameter plans and Design Code for that phase.

No building within that phase shall be occupied until the vehicular accesses, driveways, parking and turning areas to serve it have been provided in accordance with the approved details and retained as approved thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and to reduce the likelihood of roadside parking, which could be a danger to other road users in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

Commented [HS36]: Is this condition needed in addition to Condition 44 or should the two be merged?

Commented [AA37R36]: Condition 44 is dealing with the management of the car parking on the site whereas this condition is stipulating that the reserved matters application fully details the parking being proposed and that it be in accordance with the parameter plans and design code so we don't have future applications that seek far greater levels of parking that have not previously been assessed in relation to vehicle trip generation.

Commented [HS38]: Retention clause needed?

Commented [AA39R38]: Yes agreed. Words added.

Servicing

38. The Reserved Matters for any phase of the development shall include details of servicing and access arrangements for that phase in accordance with the relevant approved parameter plans and Design Code for that phase and details approved under Condition x (Phasing). No building within that phase shall be occupied until the vehicular accesses, turning and servicing areas to serve it have been provided in accordance with the approved details and these shall be retained as approved thereafter.

REASON: These details are required due to insufficient information being contained within this submission and in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

Commented [HS40]: Retention clause?

Commented [AA41R40]: Yes agreed. Words added as condition 37.

Cycle Parking

39. The Reserved Matters for any phase of the development shall include details of cycle parking for that phase in accordance with the relevant approved parameter plans and Design Code for that phase. No building within that phase shall be occupied until the cycle parking servicing that phase have been provided in accordance with the approved details and retained as approved thereafter.

REASON: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy TR3 and TR5 of the Reading Borough Local Plan 2019.

Commented [HS42]: Retention clause?

Commented [AA43R42]: Yes agreed. Words added as above.

Commented [AA44]: Susan Heywood comment May 19th 2022 - Do detailed plans of the treatment of the closure of the road spur from Trooper Potts Way need to be submitted to and approved by the Council, or will this be adequately covered by a landscaping condition?

Is this condition necessary in addition to condition 45 or should the two be merged?

Commented [AA45R44]: This could be dealt with through condition 45 and so this condition could be removed.

Access Closure with Reinstatement

40. ~~The existing access(es) to the site if no longer required shall be stopped up and abandoned immediately after new accesses have been brought~~

~~into use. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.~~

~~REASON: In the interests of road safety and maintenance of the highway in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.~~

Parking Permits

41. ~~Prior to any agreement being entered into for a new beneficial occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits~~

~~No development shall commence until arrangements have been made to secure the development as a car-free development, except for disabled parking, in accordance with a detailed scheme to be submitted and approved in writing by the Local Planning Authority. The approved scheme shall ensure that:~~

- ~~i) occupants/ prospective occupants of the development are excluded from entitlement to a resident's parking permit;~~
- ~~ii) any occupiers of the approved development shall surrender any such permit wrongfully issued or held;~~
- ~~iii) measures are in place to communicate this requirement to future occupiers of the proposed development, including their successors in title any persons occupying the premises as a tenant or licensee.~~

~~The implementation of the approved scheme shall commence prior to first beneficial occupation, continue, and be operated thereafter for the lifetime of the development.~~

REASON: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area Policy TR3 and TR5 of the Reading Borough Local Plan 2019.

Electric Vehicle Charging Points

42. Prior to beneficial occupation of a dwelling within a phase or part of a phase, details of an electric vehicle (EV) charging Scheme comprising a layout plan and detailed specification for a minimum of ten percent of all

Commented [HS46]: Is this necessary and how could this condition be enforced?

Commented [AA47R46]: The residents parking scheme would permit each residential unit within that zone to 2 permits each which could result in a demand for up to 2,000 vehicles should the maximum number of residential units (1,000) be built out. Although it is unlikely that this level of parking would be sought by residents, this development would result in a demand that could not be accommodated on street and will have a significant detrimental impact.

The applicant has sought a reduced parking number to maximise the development site and to limit the impacts on the surrounding road network, as such it is essential to ensure that overspill parking does not occur.

To remove this impact, it is therefore necessary that a planning condition be imposed to ensure that no parking permits are issued. This aligns with the Councils resident parking scheme rules that identifies that should a planning condition or informative be placed upon a development then no parking permits will be issued.

The condition has been reviewed and suggested alternative wording presented. The final point does present an enforceability issue but without this residential units will be continually advertised as being eligible for parking permits when they are not.

vehicle parking spaces within that phase to be provided with electric vehicle charging points, and a further ten percent of spaces provided with cabling and other supporting infrastructure reasonably required to enable EV charging points to be fitted, to be submitted to and approved in writing by the Local Planning Authority. The scheme is to be fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.

REASON: In the interests of environmentally sustainable transport in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

Car Parking Allocation

43. Prior to beneficial occupation of any phase or part of a phase details of the allocation of car parking spaces within that phase are to be submitted to and approved in writing by the Local Planning Authority. The allocation of car parking spaces is to be provided in accordance with the approved details and retained as approved thereafter.

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR5 of the Reading Borough Local Plan 2019.

Car Parking Management Plan

44. Prior to beneficial first occupation of any phase or part of a phase ~~Phase~~ of the development hereby approved, a Car Parking Management Plan (CPMP) for that phase or part of a phase ~~Phase~~ of the development shall be submitted to and approved in writing by the Local Planning Authority.

The plan CPMP shall include full details of how the allocation of the car parking spaces for residents and commercial uses will be distributed for that Phase and details of the proposed on-site parking enforcement to restrict overspill parking and obstructive servicing operations for that Phase.

Thereafter the approved CPMP shall be implemented in full, from the date of first beneficial occupation of the phase or part of a phase ~~Phase~~ for the purposes hereby approved and maintained for the lifetime of the development in that Phase.

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR5 of the Reading Borough Local Plan 2019.

Highway Works

45. No development shall commence within any phase until details of the highway works for that phase have been submitted to and approved in

Commented [HS48]: Implementation and retention clause needed?

Is this condition necessary in addition to the condition below?

Commented [AA49R48]: Clauses added, but this condition could be removed and amalgamated into condition 44 as shown below.

Commented [HS50]: It is not clear what this means as final approval for the purposes (uses?) to which each part of the development is put will be at RM stage.

Commented [AA51R50]: This section is referencing the uses permitted on the site but given these are so open in this instance this section could be removed.

writing by the Local Planning Authority. These will include the following where required for the relevant phase:

- Vehicular access modifications
- Vehicular egress creation
- Closing up of the existing vehicle exit
- Pedestrian and cycle improvements / widening surrounding the site on Vastern Road, Caversham Road and Trooper Potts Way
- A schedule for delivery of the proposed work.

The highway works are to be completed in accordance with the approved schedule for the delivery of the proposed works to the satisfaction of the Local Highway Authority and pursuant to a S278/38 Highways Agreement (if required).

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR3 of the Reading Borough Local Plan 2019.

SUDS

46. Prior to the commencement of development of any phase or part of a phase a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for that phase using SuDS methods [are](#) to be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. a timetable for its implementation; and
- ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Prior to first beneficial occupation of a phase or part of a phase, the sustainable drainage scheme for the phase is to be completed in accordance with the submitted and approved details and shall be managed and maintained thereafter, in accordance with the agreed management and maintenance plan.

REASON: These details are required due to insufficient information being contained within this submission and in order to reduce the risk of flooding onsite or elsewhere in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

47. ~~Prior to first beneficial occupation of a phase or part of a phase, the sustainable drainage scheme for the phase is to be completed in accordance with the submitted and approved details, as approved under Condition xx. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.~~

Commented [HS52]: Could this be merged with the above condition?

Commented [AA53R52]: Agreed. Changes made to condition 46

~~REASON: To reduce the risk of flooding onsite or elsewhere in accordance with Policy EN18 of the Reading Borough Local Plan 2019.~~

Archaeology

48. No development of any phase shall take place, other than demolition to ground level, until a written scheme of investigation for that phase setting out a programme of archaeological work, which may comprise more than one phase of work, has been submitted to and agreed in writing with the local planning authority. The development shall be undertaken in accordance with the programme of archaeological work agreed pursuant to this condition.

REASON: These details are required due to insufficient information being contained within this submission and because the site lies in an area of archaeological potential, as illustrated by the Berkshire Archaeology Historic Environment Record. Archaeological monitoring or evaluation will ensure preservation, either by record or in situ, of any heritage assets present on the site in a manner appropriate to their significance in accordance with Policies EN1 and EN2 of the Reading Local Plan 2019.

Foul Drainage

49. No development of a phase or part of a phase shall commence until the submission to and approval in writing by the Local Planning Authority, in consultation with Thames Water, of either:
- a) Details that foul water capacity already exists off-site to serve the phase; OR
 - b) A Development and Infrastructure Phasing Plan.

In the case of a Development and Infrastructure Phasing Plan being agreed, development shall take place in accordance with this, and in the case where foul water network upgrades are required to accommodate the additional flows, such work should be completed prior to occupation. ~~OR all foul water network upgrades required to accommodate the additional flows from the development are completed prior to occupation.~~

REASON: Network reinforcement works may be required to accommodate the proposed development and such works will be necessary in order to avoid sewage flooding and/or potential pollution incidents to accord with Policies EN16 and EN18 of the Reading Borough Local Plan 2019.

Noise Assessment and Mitigation - Residential

50. No development of any building containing a residential use shall commence until a detailed scheme, informed by an assessment of the current noise environment, for protecting the dwellings from the external noise environment of the area has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be

Commented [HS54]: Is it necessary to include the submission of any mitigation strategy if found to be necessary following investigation?

Commented [AA55R54]: Berkshire Archaeology state: "If I'm interpreting the Inspector's question correctly, they are asking if we also need to add a clause stating that, if mitigation is necessary, it will need a further WSI to be approved. We typically don't include this as a) the condition notes the possibility of further works being required, and b) we ensure that the evaluation WSI contains a statement to the effect that further works will be required if significant remains are found – thus the second WSI is secured against the first, which is secured against the condition, as it were.

If the Inspector does want to alter the wording to make this even clearer then I wouldn't see that as an issue, but I don't think it is strictly necessary – the condition, as you note, is the standard one used across the country, and it is has, as far as I am aware, always been sufficient to secure a multiphase programme of works, should it be required.

Commented [HS56]: Is the second part of this condition only necessary if a D&I Phasing Plan is not agreed? If so, this should be made clear in the wording.

Commented [AA57R56]: Amended wording suggested

designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014 ~~and the~~ and that the individual noise events do not exceed 45 dB LA,max,F more than 10 times a night. Where opening windows will lead to an internal noise level increase of 5 dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the MVHR system should not result in BS8233 internal levels being exceeded ~~in the residential properties?~~.

Thereafter, the development shall ~~not~~ be carried out ~~other than~~ in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, ~~and retained thereafter. unless the Local Planning Authority otherwise agrees in writing.~~

REASON: These details are required due to insufficient information being contained within this submission and in order to safeguard the amenity of occupants in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Hours of Deliveries/ Waste Collection

51. Hours for deliveries and/or waste collection for residential and commercial uses are restricted to 08:00 to 22:00 hours on Mondays to Saturdays and 10:00 to 18:00 on Sundays or Bank/other holidays.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policies CC8, and EN16 of the Reading Borough Local Plan 2019.

Hours of Use

52. No commercial uses (Use Classes A1-A5, D1 and D2) within a phase, shall be occupied until details of the hours of use have been submitted to and approved in writing by the Local Planning Authority. The relevant phase of the development shall not be used except in accordance with the approved details at all times thereafter.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

Mechanical Plant Noise

53. No mechanical plant shall be installed in the construction of any phase or part of a phase until a noise assessment of the proposed mechanical plant

Commented [HS58]: This seems a lot and there is no maximum level or duration of each event

Commented [AA59R58]: This should remain as is, the wording is from the previous version of the BS, they have now made it more flexible so that a suitable level can be selected, however this level is suitable for most cases.

Commented [HS60]: Delete? See next comment.

Commented [AA61R60]: Yes to deletion of words "and the "

Commented [AA62]: Yes agreed

Commented [HS63]: As previously

Commented [AA64R63]: Agreed – wording deleted and few words added

to be used for that phase has been submitted and approved by the Local Planning Authority. The assessment shall be carried out in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC8 and EN17 of the Reading Borough Local Plan 2019.

Ventilation and Extraction

54. Prior to the beneficial occupation of any commercial premises serving hot food, an odour assessment is to be carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan, ~~to shall~~ be submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the EMAQ guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Sept 2018) or the (withdrawn) DEFRA version (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. When assessing potential odours, the assessment shall consider the full range of cooking types that may be conducted under the permitted use. Thereafter, the development shall ~~not~~ be carried out ~~other than~~ in accordance with the approved scheme and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Commented [HS65]:

Commented [AA66R65]: Agreed. Wording deleted and a few words added

Air Quality Assessment & Mitigation - Proposed Residential Units

55. **No development** of any phase or part of phase containing residential units shall commence on site until a detailed Air Quality Assessment to determine whether mitigation is required to protect the residents of the proposed development from the effects of poor air quality is submitted to and approved in writing by Local Planning Authority. Where this Air

Quality Assessment identifies that future residents of the proposed development will be exposed to poor air quality, an air quality mitigation scheme shall accompany this assessment demonstrating sufficient mitigation to protect the occupants. The scheme shall be implemented as approved, prior to occupation of any part of the development and retained as approved ~~at all times~~ thereafter.

Commented [AA67]: Amended to be consistent with changes to conditions above.

REASON: These details are required due to insufficient information being contained within this submission and in order to protect the health of future occupants of the proposed development in accordance with Policy EN15 of the Reading Borough Local Plan 2019.

Air Quality Assessment - Effect of Proposed Development on Air Quality Management Area (AQMA)

56. **No development** shall commence on site until an Air Quality Assessment, to determine whether the proposed development will result in a worsening impact on air quality within the Air Quality Management Area (AQMA), has been submitted to the Local Planning Authority. The assessment must use a full dispersion model to predict the pollutant concentrations at the building façade for the proposed year of occupation as well as any impacts during the development phase. The input parameters used in the assessment must be in accordance with current best practice. Where the assessment identifies a worsening of air quality, a mitigation plan shall be submitted to and approved in writing by Local Planning Authority. The mitigation plan must quantify the impact on emissions or the impact on predicted air pollutant levels that the proposed mitigation will have, in order to demonstrate that any detrimental impact from the development will be offset ~~ore~~ prevented. Thereafter, the development shall not be carried out other than in accordance with the approved mitigation scheme, which shall be implemented before any part of the development is occupied ~~and~~ thereafter maintained.

Commented [AA68]: Amended to be consistent with changes to conditions above.

REASON: These details are required due to insufficient information being contained within this submission and in order to protect the health of borough residents in accordance with Policy EN15 of the Reading Borough Local Plan 2019.

Waste Management

57. Prior to the beneficial occupation of each phase or part of a phase the submission of a waste management strategy for each phase, which accords with Reading Borough Council's Waste Management Guidelines and Household Waste Collection Service Standards in force at the date of this permission to include details such as the number/volume of bins, presentation details and ongoing management strategies shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Management Team, and thereafter retained for such use.

REASON: in the interests of the visual amenity of the area and to ensure that there is sufficient waste management on site, in accordance with Policy CC5 of the Reading Borough Local Plan 2019.

Bin Storage

58. Prior to the beneficial occupation of any phase or part of a phase details of refuse and recycling bin stores shall be submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to first beneficial occupation of and shall not be used for any purpose other than bin storage at all times thereafter.

REASON: In the interests of visual amenity of the area and to ensure that adequate provision is made for the storage and collection of refuse in accordance with Policies CC7 and CC5 of the Reading Borough Local Plan 2019

Lighting

59. No external lighting for any phase or part of phase shall be installed on any phase or part of phase until the submission of detailed plans and specifications of lights and a report detailing the lighting scheme, is submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

- Plan of light locations;
- A layout plan with beam pattern and orientation;
- A schedule of equipment (height, specification, luminance);
- Measures to avoid glare and light spill; and
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally to include light spillage from external light sources, as well as the windows of the new development.

The proposed scheme to include dimming controls post 11pm.

The approved lighting plan shall thereafter be installed, maintained and operated in accordance with the approved details.

REASON: to protect residential amenity, in the interests of visual amenity, and to ensure that wildlife is not adversely affected by the proposed development in line with Paragraph 185 of the NPPF, and Policies CC7, CC8 and EN12 of the Reading Borough Local Plan 2019.

Scheme of lighting controls

60. No part of any phase including commercial development shall be first occupied until a Scheme of environmental controls to minimise the impact of light pollution from interior lighting on the local environment has been submitted to and approved in writing by the Local Planning Authority. The development of the relevant phase or part of phase shall not be carried out except in accordance with the approved Scheme and shall be maintained as such at all times thereafter.

REASON: To minimise light pollution in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

Wind

61. As part of the Reserved Matters applications for each phase or part of a phase in respect of Access, Scale, Layout, Appearance or Landscaping, appropriate wind tunnel testing (which includes the simulation of appropriate wind conditions, the use of appropriate instrumentation, and the use of appropriate data analysis and wind statistics used in that analysis) shall be undertaken for the phase or part of phase and a report recommending mitigation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, there shall be no first public use of the public realm within a phase or part of phase, or first beneficial occupation of any building within that phase until the relevant wind/microclimate mitigation (in the form of landscaping, canopies or other structures, as may be required) has been planted/ installed in accordance with the mitigation report. The wind/microclimate mitigation measures shall be retained and maintained as approved thereafter.

REASON: To ensure the safety of the scheme for future occupiers in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Solar Glare

62. Concurrently with the submission of Reserved Matters in respect of Scale, Layout, or Appearance for each phase, a Solar Glare Assessment detailing the mitigation measures and a timetable for the provision for the relevant phase shall be submitted to the Local Planning Authority for approval. The mitigation measures shall be provided in accordance with the approved mitigation details and timetable before first occupation of any part of the relevant phase. The mitigation measures shall be retained as approved at all times thereafter.

REASON: To prevent harmful glare affecting the surrounding area, including the railway in accordance with Policies EN16, CC8 and CR10 of the Reading Borough Local Plan 2019.

Daylight/Sunlight

63. As part of the Reserved Matters applications ~~for each phase or part of a phase~~ in respect of layout for each phase or part of phase containing residential dwellings, plans showing room layouts and window dimensions/ positions for all rooms within that phase or part of phase and a report demonstrating the degree of compliance with the Average Daylight Factor and Annual Probable Sunlight Hours recommendations in the British Standard, BS8206 Part 2 (or future revision), together with any mitigation measures required, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be constructed in accordance with the approved details.

REASON: To ensure that the development delivers satisfactory level of daylight and sunlight to the dwellings in the interest of the amenity of occupiers in accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.

Crime Prevention

64. ~~Prior~~ to the commencement of any phase or part of a phase, measures to achieve Secured by Design accreditation for that phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Valley Police. Development shall be constructed in accordance with the approved details and shall thereafter be retained in accordance with the approved details.

REASON: to protect the amenity of future occupants of the proposed development in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

Sustainability

65. Prior to the commencement of any residential buildings written verification shall be submitted to and approved in writing by the Local Planning Authority demonstrating that all of the dwellings within that building will achieve a minimum of a 35% improvement in the dwelling emission rate over the target emission rate, as defined in The Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition) and commitment in writing that a S106 contribution will be made to the Local Authority to account for any remaining emissions. Such evidence shall be in the form of a 'Design Stage' Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor.

REASON: These details are required due to insufficient information being contained within this submission and in order to ensure that the development is carried out in accordance with sustainable building standards in accordance with Policies CC2 and H5 of the Reading Borough Local Plan 2019.

Commented [HS69]: Implementation and retention clause needed?

Commented [AA70R69]: Added

Commented [HS71]: Updated?

Commented [AA72R71]: It has been, but the supporting text to Policy H5 and within the Sustainable Design and Construction SPD there is reference to the 2013 edition, so there would need to be a policy update to change this to the most recent. In addition if it were to refer to the 2022 edition then a min 35% improvement would be very onerous

66. Within 3 months of first occupation of any dwelling written verification ~~should~~ shall be submitted to and approved in writing by the Local Planning Authority demonstrating that all of the dwellings hereby permitted have achieved a minimum of a 35% improvement in the dwelling emission rate over the target emission rate, as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition) and a S106 contribution has been made to the Local Authority to account for any remaining emissions. Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP) assessment, produced by an accredited energy assessor.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

67. No development of non-residential uses within a phase shall commence on site until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Excellent rating for the relevant non-residential use within that phase has been submitted to and approved in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in order to ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

68. Within 3 months of beneficial first occupation of non-residential uses hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the relevant non-residential use within that phase has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in Condition xx.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

PV Details

69. Prior to the installation of any roof mounted Photovoltaics, full details shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a roof plan showing the location and position of the Photovoltaics, their dimensions, manufacture's specification, and ongoing maintenance arrangements. The approved Photovoltaics shall thereafter be installed in accordance with these

Commented [HS73]: As above

Commented [AA74R73]: As above.

Commented [HS75]: Unsure of the need for this?

Commented [AA76R75]: Alison, The SPD seeks a minimum standard of 35% improvement on site with a S106 obligation offset to cover the gap between 35% improvement and zero carbon

Commented [HS77]: Is it necessary to include a clause requiring mitigation if it has not achieved 35%?

Commented [AA78R77]: No, Failure to achieve a 35% improvement on site would not be policy compliant. The expectation is that the developer will seek to achieve more than a 35% improvement, but 35% is the minimum to be policy compliant. This is a minimum standard.

Commented [HS79]: As above - What happens if it hasn't attained the standard? Does the condition need to identify how any deficiencies are to be rectified eg. through the submission of a scheme of works and timescale for completion?

Commented [AA80R79]: The time scale is 3 months from beneficial first occupation as it is the BREEAM calculation to be done at practical completion and not occupation. So, the developer will have plenty of time to review the development's progress and make changes prior to occupation. The work here for the developer is at the design stage in designing a building that will achieve the policy requirement. Not something that can easily be rectified after the fact.

Commented [AA81]: Corrected typo

approved details and maintained for the life of the development in perpetuity? in good working order to the satisfaction of the Local Planning Authority.

Commented [AA82]: Suggest for 'the life of the development', rather than 'in perpetuity'.

REASON: These details are required due to insufficient information being contained within this submission and in order to incorporate measures to adapt to climate change in accordance with Policy CC3 of the Reading Borough Local Plan 2019.

Private Amenity Space

70. Prior to beneficial occupation of any building within a phase containing residential units all approved private amenity areas (including balconies) and approved communal amenity areas within that phase shall be completed and made available for use, or in accordance with a timetable for phased provision that shall first have been submitted to and approved in writing by the Local Planning Authority. All amenity areas shall be maintained by the developer as approved for the use of the occupiers of the related dwellings at all times thereafter.

REASON: To ensure the satisfactory standard of amenity space is provided for the residents of the residential dwellings in accordance with Policies CR6, CC8 and H10 of the Reading Borough Local Plan 2019.

On-Site Play Space Facilities

71. Prior to beneficial occupation of any dwellings within a phase, details of all on-site play-space facilities for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the facilities, specifications and designs of the equipment, maintenance and management (including safety inspections) arrangements. The approved scheme shall be installed before beneficial occupation of the relevant block of residential accommodation (within the relevant phase of development) and shall thereafter be maintained in accordance with the approved details.

REASON: In order to provide suitable on-site play-space facilities for future occupiers and to enhance the appearance of the development, in accordance with Policies CC7, CC8, EN9 and CR2 of the Reading Borough Local Plan (2019).

Accessible and Adaptable Dwellings

72. Details demonstrating that all proposed dwellings within a phase will be accessible and adaptable in accordance with M4(2) of the Building Regulations, unless built in line with M4(3) and that at least 5% of the proposed dwellings will be wheelchair user dwellings in accordance with M4(3) of the Building Regulations shall be submitted for approval concurrently with the submission of the Layout and Access Reserved Matters for each phase containing dwellings. The development shall be

carried out in accordance with the approved details prior to first beneficial occupation of the relevant phase and retained as approved at all times thereafter.

REASON: To ensure appropriate accessibility and adaptability in accordance with Policy H5 of the Reading Borough Local Plan 2019.

Removal of Permitted Development Rights for Changes of Use

73. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no change of use to a Class C4 house in multiple occupation shall take place without the further grant of planning permission from the Local Planning Authority.

REASON: To ensure appropriate standards of amenity for future occupiers in respect of the size of dwellings and the impacts on adjoining occupiers in accordance with Policies H5, H8 and CC8 of the Reading Borough Local Plan 2019.

74. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no change of use from a commercial use granted by this permission to a dwelling shall take place without the further grant of planning permission from the Local Planning Authority.

REASON: To ensure appropriate standards of design and amenity in respect of any additional dwellings formed within the development, in accordance with Policies CC2, CC7, CC8, EN15, EM16, H2, H5, H8, H10, TR5, CR2 and CR6 of the Reading Borough Local Plan 2019.

75. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no further extension, enlargement (including alterations to the roof or roofs), improvements or other alteration to the building(s) hereby permitted shall be carried out and no building or enclosures shall be erected or installed within the curtilage of the building(s) without the express planning permission from the Local Planning Authority.

REASON: In the interests of the amenities of neighbouring properties and to protect and maintain the character of the area in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

Maintaining Active Frontages at Ground Floor

76. Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as

amended), the retail (Use Classes A1-A5) units hereby approved shall retain appropriate 'active window displays' along the frontages at ground floor level in accordance with the approved Design Code, without the installation of window vinyls, roller shutters, or similar which would obscure visibility between the public realm and the unit during the unit's operating hours.

REASON: In the interests of retaining a vibrant and attractive streetscene, integration with the public realm and improving active surveillance, in line with Policies CC7, OU5, CR7 and CR11 of the Reading Borough Local Plan 2019.

CCTV

77. Concurrently with the submission of the first Reserved Matters a site wide CCTV scheme to be delivered in phases with each Phase of the development hereby permitted, which accords with the Council's and Thames Valley Police requirements for such a system, which would link into the CCTV system operating in the central area of Reading and provide for a connection to and control by the Council's town centre CCTV system ("CCTV Scheme"), shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation of a Phase, the approved CCTV Scheme for the Phase shall be installed and operational.

The approved CCTV Scheme shall be provided, retained and maintained in accordance with the CCTV Scheme at all times thereafter for the lifetime of the development.

REASON: In the interest of amenity and creating safe environment and residential amenity, in accordance with Policy EN9 of the Reading Borough Local Plan 2019.