

INSPECTOR'S NOTE TO PARTIES 9.5.22

VASTERN COURT, READING

APP/E0345/W/21/3289748

DISPUTED CONDITIONS

Having received the list of disputed conditions between the parties and the respective parties' comments, I consider that the following matters will need to be discussed at the conditions session. Please note that this list is not exhaustive. I may raise other points and the parties will also be free to raise points during the conditions round table discussion.

Please also note the requests in bold type below for the Council to submit further information. This information will be required **the day before the conditions session** is scheduled (currently Friday 13th).

I may also have matters to raise on the agreed conditions. This will be done separately or at the conditions session.

COUNCIL'S NOTE – Inspector's questions highlighted in grey and Council responses in italic below each question.

Disputed Conditions

5 – Design Code

Prior to the conditions discussion, the Council is requested to list all aspects of the Design Code with which it disagrees.

Council's response: List of all aspects of Design Code with which there is disagreement is in a separate document.

Inspector's questions / matters for discussion

- In principle, if the Council were able to agree with the Design Code (DC), would the Council agree that a condition should be imposed limiting development to compliance with it?

Council's response: Yes

- If I and / or Secretary of State were to disagree with the Council's concerns regarding the DC and consider that the disputed condition should be applied, is the wording appropriate?

Council's response: Yes, the Appellant's suggested wording would be appropriate.

- If the Secretary of State allows the appeal and grants planning permission would the Council prefer that the development is tied to the DC, even if it disputes elements of the code?

Council's response: No, the preference would be for a further Design Code to be submitted for approval as in the Council's suggested condition 11.

- Without prejudice to the Council's opposition to the development, is it possible for the DC to be altered to reach an agreed position in the event that the Secretary of State allows the appeal and grants planning permission?

Council's response: Yes, the Council's view is that if each of the areas of disagreement and those of discrepancy to the parameter plans were resolved then an agreed position on the Design Code could be reached.

8 – Active Frontages

There does not appear to be a dispute about the main requirements of the condition ie. that it should be 80% of the identified plots and the specified uses. The main dispute appears to be the wording in relation to the DC, although I note the Council's other suggested additions which will be discussed.

Inspector's questions / matters for discussion

- Part 3.5 of the DC includes different requirements to the condition, therefore, would the inclusion of the disputed part of the first sentence be a sensible way to ensure that there is no confusion between the DC and the condition?

Council's response: Yes, if the Design Code were an approved document.

- Is this necessary whether or not the DC is conditioned?

Council's response: No, because if the DC were not conditioned as an approved document the Council's suggested wording for this condition could sit on its own as a requirement to be met.

9 & 10 – Phasing

I assume that No. 9 is the Appellant's suggested wording and No. 10 the Council's and I note the Council's suggestion that the two should be merged.

The Council is requested to produce a merged condition prior to the discussion.

Council's response: The suggested merged condition is as follows:

~~Before submission of any reserved matters 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:

- 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) 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) Target timescales relating to the commencement of a phase, length of construction and completion of the phase;*
- iv) Details of the coordination of access and junction infrastructure into and through the site including triggers for delivery of the access and junction infrastructure including arrangements to prevent interruption of their 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).

Inspector's questions / matters for discussion - condition 10:

- 1st line - 'all' reserved matters. Should this be 'any of the reserved matters'?

Council's response: Yes, agreed (included in the merged condition above).

- Why is the Phasing Strategy (PS) needed at that stage rather than prior to commencement of development?

Council's response: It is considered that an agreed Phasing Strategy is required before any reserved matters submissions, because reserved matters applications may relate to specific phases and therefore, these phases need to be clearly defined and agreed, with relevant detail, which can feed into the reserved matters submissions.

- 10i) Why is it necessary for the PS to include development on each CR11e sub area?

Council's response: To ensure that there is a clear understanding of the adjoining development and to enable a comprehensive approach to the overall CR11e allocation and specifically with regard to the Council's request for a shared spine road between the two sub areas (appeal site and 80 Caversham Rod to the south) given that the Local Plan only identifies a single point of access from Caversham Road. This is therefore, to ensure that suitable access could be provided for either development where the access is gained from.

- 10iv) Why is it necessary for the PS to include arrangements for delivery within CR11f and CR11g?

Council's response: Having rereviewed the wording we consider that the word "delivery" could be misconstrued. The purpose of this part is not specifically related to just vehicle movements, but also pedestrians and cycles and to ensure that movements by these modes of travel appropriately connect into the adjacent sites making it a coordinated network. Some amended wording is proposed (underlined) and is included in the suggested merged wording above:

(iv) Details of the coordination of access and junction infrastructure into and through the site including triggers for delivery of the access and junction infrastructure including arrangements to prevent

interruption of their delivery across sub-phase and phase boundaries within the CR11e, CR11f and CR11g allocations;

11- Detailed Design Codes (DDC)

Inspector's questions / matters for discussion

- Is it necessary for a DDC to be submitted prior to the submission of RM applications for any phase?

Council's response: It is considered that a detailed design code is required before any reserved matters submissions, because reserved matters applications would need to be developed in accordance with the detailed design code and provide explanation of this within the reserved matters submission.

- Discussion will take place on each of the elements, a-o, to discuss whether they are necessary and whether they can be secured any other way eg through the submitted or otherwise agreed DC?

Council's response: Noted.

- Would an implementation clause need to be added ie. development to be in accordance with approved DDC?

Council's response: Yes, agreed

- 11a – what is the justification for seeking locally sourced and recycled construction materials? Is this supported by a LP policy?

Council's response: Policy CC2: Sustainable Design and Construction of the Local Plan requires developments to use "energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change." Policy CC5 Waste Minimisation and Storage directly refers to "the reuse and recycling of construction waste." Further detail is also set out in the Sustainable Design And Construction SPD, which states in paragraph 7.4 ".....If possible, materials should be produced locally and from sustainable or certified sources (e.g. timber certified by the Forest Stewardship Council.)."

27 – Landscape Strategy

Inspector's questions / matters for discussion

- Is it necessary for the landscape strategy / masterplan to be submitted prior to the submission of RM applications for any phase?

Council's response: It is considered that a landscape strategy is required before any reserved matters submissions, because reserved matters applications would need to be developed in accordance with the approved landscape details.

- Is it necessary to include reference to LP policies / other relevant adopted documents and if so, should these be specified in the condition to ensure clarity?

Council's response: As the conditions would not include a reason, if issued by the Inspectorate/ Secretary of State, then it is considered that yes it would be necessary and that these be specified within the body of the condition, i.e. those included within the 'reason' provided, i.e. EN12, EN14, EN15, EN18 and 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.

- Should reference be made to the DC?

Council's response: As the Council's view is that there are discrepancies between the Design Code and Parameter Plans it is not considered that reference should be made to the to Design Code within this condition. Should the Design Code become an agreed document, then it would be relevant to include reference to it.

- Should the wording in relation to Vastern Road be included? Would anything in the DC / parameter plans / parameters schedule prevent implementation of that part of the condition if it were to be included?

Council's response: The reference to a set-back of 10m on the Vastern road frontage is required by the Council in order to provide sufficient space for landscaping. However, this set back would conflict with what the Parameter Plans and Design Code show.

28 & 29 – to be discussed having regard to the discussion on condition 27

Susan Heywood

INSPECTOR

9.5.22