

The Keen Partnership
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Emma Gee
Interim Executive Director Economic
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Civic Offices, Bridge Street,
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Our Ref: 221494

Your Ref: PP-11597054-v1

Direct ☎:

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27/06/2023

Your contact is: David Brett, Planning

Dear Mr Keen,

TOWN AND COUNTRY PLANNING ACT 1990

Application Reference: 221494

Application type: Approval of Conditions

Address: 71 Oak Tree Road Tilehurst Reading RG31 6LA

Proposal: Application for approval of details reserved by condition 5 (Reptile Mitigation Strategy), 6 (Biodiversity Enhancements), 8 (SAP Calculations), and 13 (Hard and Soft Landscaping) of application 220221

I refer to your application as described above.

Condition 5: Reptile Mitigation Strategy

The condition reads as follows: “No development shall take place until a precautionary reptile mitigation strategy has been submitted to and approved in writing by the council. Such details shall include timings and methods of activities and precautionary measures, and shall be implemented in full accordance with the approved details unless otherwise approved in writing by the council.

Reason: To ensure that reptiles, a protected and priority species, are not adversely affected by the proposals. In accordance with Policy EN12 of the Reading Borough Local Plan 2019.”

The following documents have been received pursuant to Condition 5:

- Reptile Mitigation Statement – P4750-27/04/2023
- Landscape and Ecology Management Plan – P4750-27/04/2023

Received on 11/05/2023

- Closing Out Report – 4750

Received on 22/06/2023

The above details submitted pursuant to condition 5 have been reviewed by the Council's Ecology consultant and are not considered to be acceptable.

During the course of this discharge of conditions application, five versions of The Reptile Mitigation Statement have been submitted for consideration, along with one Closing Out Report. The latest Reptile Mitigation Statement, as received on 11/05/2023, still contains errors and inconsistencies and is therefore not sufficient to discharge condition 5 of approval 220221. Formatting errors and inconsistencies aside, the document also states what “should” or “can” be done in terms of reptile mitigation rather than what will be done. A document that suitably addresses the requirements of Condition 5 of approval 220221 has not

been submitted. The LPA cannot be sure that protected species will be suitably protected and therefore the submitted details are not agreed and are hereby **refused** in respect of **Condition 5**.

Condition 6: Biodiversity Enhancements

Condition 6 reads as follows: "No development shall take place until details of biodiversity enhancements, to include bat boxes, tiles or bricks on and around new buildings and native and wildlife friendly landscape planting has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of any residential unit hereby approved and maintained as such thereafter.

Reason: To incorporate biodiversity in and around developments in accordance with Paragraphs 109 and 118 of the NPPF and Policy EN12 of the Reading Borough Local Plan 2019."

The following documents have been received pursuant to Condition 6:

- Plot 1 Proposed First Floor Plan – 9096-104
- Proposed Front Elevation – 9748-207
- Proposed Rear Elevation – 9748-208
- Plot 2 Proposed Elevations – 9096-110

Received on 20/02/2023

- Landscape and Ecology Management Plan – P4750-27/04/2023

Received on 11/05/2023

The above details submitted pursuant to condition 6 have been reviewed by the Council's Ecology consultant and are not considered to be acceptable.

During the course of this discharge of conditions application, six versions of The Landscape and Ecology Management Plan (LEMP) have been submitted for consideration. The latest LEMP submitted, as received on 11/05/2023, still contains errors and inconsistencies and is therefore not sufficient to discharge condition 6 of approval 220221. As with the Reptile Mitigation Statement, the LEMP document also states what "should" or "can" be done rather than what will be done. It is therefore unclear what methods will be carried out.

Whilst the plans submitted on 20/02/2023 relating to the locations of bat boxes, tiles and bricks have been submitted and are acceptable, the LEMP does not adequately provide details of native and wildlife friendly landscape planting.

The submission does not suitably address the full requirements of Condition 6 of approval 220221. The LPA cannot be sure that protected species will be suitably protected and therefore the submitted details are not agreed and are hereby **refused** in respect of **Condition 6**.

Condition 8: SAP

The condition reads as follows: No development shall commence on site until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% 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 built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of a 'design stage' Standard Assessment Procedure (SAP), 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.

The following documents have been received pursuant to Condition 8:

- SAP Report Submission for Building Regulations Compliance - Plot 1
- SAP Report Submission for Building Regulations Compliance - Plot 2

Received on 02/11/2022

The details pursuant to Condition 8 have been reviewed by officers. It is considered that the information provided is sufficient to fulfil the requirements of Condition 8 of planning permission 220221. **As such, this condition 8 is therefore discharged.**

Condition 13: Hard and Soft Landscaping

The condition reads as follows: No development shall take place until full details of both hard and soft landscaping have been submitted to and been approved in writing by the local planning authority.

The submitted details shall include:

- (a) hard surfacing materials; and
- (b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate.
- (d) Tree pit specifications.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development 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: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

The following submitted documents are **approved** pursuant to Condition 13:

- Proposed Site Plan – 8947-201 Rev A

Received on 06/02/2023

- Landscape Proposals Plan – 0456-L2-A

Received on 16/02/2023

Please note that it is the responsibility of the developer to ensure that all relevant conditions are complied with during the construction and/or subsequent use of the development.

Should you wish to discuss this matter further, please contact me by email or the direct line as above.

Yours sincerely

David Brett

David Brett
Senior Planning Officer

SDV

NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse to grant approval for details submitted pursuant to a condition, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits.

If the condition(s) relate to a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If the condition(s) relate to an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision relating to any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000 or online at <https://acp.planninginspectorate.gov.uk/>