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Our Ref: 210095

Your Ref: PP-05793099

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22 July 2022

Your contact is: Mrs Alison Amoah, Planning

Dear Brian,

TOWN AND COUNTRY PLANNING ACT 1990

Application Reference: 210095

Application type: Approval of Conditions

Address: 1A Upper Redlands Road Reading RG1 5JL

Proposal: Application for approval of details reserved by conditions 4, 5, 7, 9, 11, 12, and 21 of permission 150890.

Thank you for the application to discharge/ re-discharge conditions 4, 5, 7, 9, 11, 12 and 21 of permission 150890. The following table (mostly as originally provided via email 17th January 2022) sets out the position on each condition, but in summary none of the conditions can be formally discharged as the scheme is already occupied and each of these conditions were either pre-commencement or pre-occupation. However, I confirm that no enforcement action will be taken:

Conditions 7, 9 & 21 are compliance only, so do not need to be discharged.

Condition 4 - the information is not acceptable.

Condition 5 - Had this information been submitted at the correct time it would have been acceptable

Condition 11 & 12 - Had this information been submitted at the correct time it would have been acceptable.

Condition detail	RBC notes
4 - 4. The development hereby approved shall not be commenced until: i) an Arboricultural Method Statement to BS5837:2012 for all works within, or affecting, Root Protection Areas, and ii) a Tree Protection Plan to BS5837:2012 showing the position and specifications of tree protective fencing and other necessary measures, have been submitted to and approved in writing by the Local Planning Authority.	Originally discharged under 170203 Summary of original comments from Natural Environment Officer: The submitted tree protection document by Forbes-Laird Arboricultural Consultancy, dated

a) No retained tree or ground vegetation shown on drawings DR-411-103 P00 or 31-1036.05-A Rev.A shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the local planning authority.

c) No works shall be carried out within, or affecting, Root Protection Areas at any time other than in accordance with the approved Arboricultural Method Statement.

d) Details of all underground services within the site have been submitted to and approved in writing by the local planning authority.

e) The erection of fencing and other measures for the protection of retained trees shall be undertaken in accordance with the approved Tree Protection Plan and timetable. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed in accordance with the approved Tree Protection Plan and timetable. No materials, soil, rubbish or vehicles shall be deposited or stored in any area protected in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels, or excavations, shall take place within these areas. No drains, pits, ditches or trenches shall be dug in or run across the protected areas at any time before, during and after the development of the site, unless otherwise agreed in writing by the local planning authority.

Reason: to ensure that appropriate protection and consideration is given to trees of amenity value on and surrounding the site before works commence in accordance with Policy CS38 of the Reading Borough LDF Core Strategy 2008.

29/10/20, is not a revised AMS and is just a record of what has been done.

Also not all the parts of the condition have been addressed.

Further comments from Natural Environment Officer received 25/10/21 following email from agent 20/9/21

The AMS and other requirements of the condition, e.g. part e, have not been complied with. Part b covers the need for replacement planting should any retained tree die.

Planning Officer comments:

As the condition is a pre-commencement condition it cannot be formally discharged and in any case the information is not acceptable, it is just a record of what has been done.

We would not take enforcement action.

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5. The development hereby approved shall not be commenced until a schedule of all tree works to those trees shown to be retained on drawings DR-411-103 P00 or 31-1036.05-A Rev.A has been submitted to and approved in writing by the local planning authority. No tree works associated with the implementation of this permission shall be carried out to those trees shown as being retained other than in accordance with the approved schedule.

Reason: to ensure that appropriate protection is given to trees of amenity value on and surrounding the site in accordance with Policy CS38 of the Reading Borough LDF Core Strategy 2008.

Originally discharged under 170203

Summary of original comments from Natural Environment Officer:

In relation to condition 5, the additional tree works necessary as a result of the breaches are noted and I have no objection. In order to 'agree' this condition as a whole, all tree works recommended/undertaken (previously approved) would have to be listed alongside these additional works.

Further comments from Natural Environment following email from agent rec 20/9/21

If you wanted to agree details for condition 5 (tree works), it could be confirmed that approved tree works are a combination of that listed on Primary Arboricultural Method Statement, ref. Tree Protection Plan 31-1036.06-D (approved under

	170203) and within Section 17 (tree management) of FLAC's Breach of condition (approved Tree Protection Plan) document CC31-1036 dated 29.10.20. submitted for 210095. <u>Planning Officer comments:</u> Tree works are a combination of that listed on Primary Arboricultural Method Statement, ref. Tree Protection Plan 31-1036.06-D (approved under 170203) and within Section 17 (tree management) of Forbes - Laird Arboricultural Consultancy Breach of Condition (approved Tree Protection Plan) document, ref: CC31-1036 dated 29.10.20, submitted under this discharge of conditions application. The details for condition 5 would have been acceptable had they been submitted at the correct time (i.e. pre-commencement), however, a formal re-discharge of this condition would not be possible, because the information was not submitted pre-commencement. However, no enforcement action will be taken in this regard.
<u>7-</u> Excepting the pedestrian access path to the rear of nos. 1 to 11 Upper Redlands Road hereby agreed under reference 160589/NMA, the existing vehicle and pedestrian access to the site from Upper Redlands Road shall be stopped up at the site boundary and abandoned prior to first occupation. No new access from Upper Redlands Road shall be provided to the site at any time thereafter. Reason: In the interests of road safety in accordance with Policy CS20 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).	This is a compliance condition and the wording is as amended under 160589/NMA <u>Planning Officer comments:</u> Photos of bollard installation have been provided dated 4/1/21, received 19th January 2021, and June 2021 received 7th July 2021. As this is a compliance condition only it does not require discharge. Please note, however, Transport's original comments.
<u>9-</u> 9. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential units hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential units for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential units.	This is a compliance condition. <u>Planning Officer comments:</u> A template letter from Walmsley has

	been provided, received 19th January 2021, which in itself looks acceptable, but as this is a compliance condition it does not require discharge.
11- No building/dwelling hereby permitted shall be occupied until the Sustainable Drainage Scheme for the site has been provided in accordance with the following approved details: - Document Ref: 4265-GDL-RP-C-001 (Rev A) Surface Water Drainage Design, Management & Maintenance Plan, dated 9 February 2017 - Drawing Ref: 4265/GDL/XX/D/DR/C/003 (Rev P1) Proposed Drainage Layout dated 3 February 2018 - Drawing Ref: Hand-annotated version of Proposed Drainage Layout showing "Route change to facilitate root protection", received 5 October 2018 Reason. To reduce surface water runoff to sustainable levels and in the interests of groundwater quality. In accordance with national planning policy, Policy CS1 and Policy DM1. 12 - No part of the development hereby approved shall be first occupied until the Sustainable Drainage Scheme has been implemented in accordance with the approved details: - Document Ref: 4265-GDL-RP-C-001 (Rev A) Surface Water Drainage Design, Management & Maintenance Plan, dated 9 February 2017 - Drawing Ref: 4265/GDL/XX/D/DR/C/003 (Rev P1) Proposed Drainage Layout dated 3 February 2018 - Drawing Ref: Hand-annotated version of Proposed Drainage Layout showing "Route change to facilitate root protection", received 5 October 2018 The Sustainable Drainage Scheme shall thereafter be managed and maintained in accordance with the approved details at all times thereafter. Reason. To secure the long term reduction in surface water runoff from the site. In accordance with national planning Policy, Policy CS1 and Policy DM1.	This is the amended condition approved under 181740/NMA <u>Natural Environment comments:</u> The damage done to trees cannot now be undone, but the applicant should review the drainage discharge into the woodland if they are concerned at all about trees or that woodland habitat. <u>Natural Environment comments received 2/8/21 following email from agent 7/7/21:</u> I remain concerned about the discharge into the woods - can this be commented on. The lack of ill effects thus far on trees on the site and in the woodland is not reflective of long-term impacts which can take many years. - Can the applicant confirm that all approved landscaping is been implemented and is in good condition and being maintained? <u>Response from agent 20/9/21</u> <i>We are advised that the overflow in question was put there as a temporary measure during construction and therefore it can be stopped up if required. From the NEO comments it would seem this would be a preferred route. Please confirm and we will get it organised.</i> <i>We are advised that the approved landscaping has been implemented, is in good condition and is being maintained.</i> <u>Further comments from Natural Environment Officer received 25th October 2021 following 20/9/21 response from agent</u>

If it is not required, then stopping up seems a reasonable action.

The landscaping should continue to be maintained in accordance with details agreed under condition 6 (app ref 170203) and replacement planting carried out for any failures as also required by this condition.

SUDS comments on original submission:

- A Hydro brake has been illustrated on the submitted drawing but no proposed flow rate has been identified. It should be stressed that the agreed flow rate from the whole site is 5l/s and therefore this should be retained or a full justification provided as to why any variance to this would still result in a reduction in surface water run off from the site.
- The existing and proposed drainage that links the attenuation tanks also has not been fully illustrated as it just ends in the north east corner of the site. Updated drawings are required illustrated where this drainage leads.
- The proposal now includes the provision of 2 land drains and a french drain that have unrestricted run off rates off site into the adjacent woodland.

SUDS comments on amended information as received by RBC 7/7/21:

I have reviewed the updated clarification on the sustainable drainage design and I note that previous design companies are no longer trading however for the Council to agree to the drainage design as proposed it must be

confirmed that the discharge rate is a maximum of 5 l/s as previously agreed. Based on the information provided to date this is the maximum that could be accepted given that the original drainage strategy prepared by RPS identified a that the 1 in 1 year, 1 in 30 year and 1 in 100 year return periods greenfield rates were 1.2 l/s, 2.8 l/s and 3.5 l/s respectively. The 5l/s run off rate would therefore constitute an increase run off rate.

Should the applicant wish to increase the run off rate from the previously agreed 5 l/s then a detailed drainage assessment would be required of what the historic run off rates would have been to establish that the run off rate now proposed would result in a reduction.

It is stated that the new drainage land drains will only pick-up greenfield run-off entering the site from higher ground and will not increase the overall discharge from the site or its destination.

However, on looking at the location of the main land drain at the rear of the site and the levels it would appear that there would not be any run off into the rear gardens that would be collected from the land drains only run off from within the site itself. This land drain should therefore connect into the attenuation tanks on the site so a to reduce run off rates from the site.

The land drain in the north east corner should also connect into the attenuation tank to reduce run off rates from the site.

It is also noted that the french drain to the front would collect the run off prior to it reaching the ACO channel which connects to the attenuation

tank to the rear of the site, it should therefore be explained why the run off cannot connect into the ACO channel.

As previously stated the existing and proposed drainage that links the attenuation tanks also has not been fully illustrated as it just ends in the north east corner of the site. Updated drawings are required illustrated where this drainage leads to ensure it connects into the main Thames Water sewer.

Until the above has been addressed I am unable to recommend the discharge of this condition.

SUDS comments on 26/11/21

Should the developer confirm that the Hydrobrake is set with a flow rate of 5 l/s and the temporary drainage is to be stopped up then I would be happy to accept this.

Planning Officer comments:

The landscaping should continue to be maintained in accordance with details agreed under condition 6 (app ref 170203) and replacement planting carried out for any failures as also required by this condition.

Further information was received on 10th February 2022: Hydro Brake Design Drawing; Hydro Brake Flow Specification; photo of stopped up pipe; and confirmation via email from Francis Construction that the maximum flow would be under 5 l/s and that it is not possible for the Hydro brake to allow more than 5 l/s.

The SUDS Officer has confirmed that had this information, along with the documents previously submitted, i.e.

- 00830-SWJ-XX-XX-DR-S-00003-Revision Z1 -Drainage Construction Details, received 19th January 2021;

	• 00830-SWJ-XX-XX-DR-S-00002-Revision Z1 - Attenuation Provision Update As Built, received 19th January 2021; • Proposed Drainage Layout - 4265-GDL-XX-D-DR-C-003 Rev P1, received 7th July 2021; and • Letter from SWJ dated 26th October 2020, received 7th July 2021 been submitted at the correct time then the information would have been sufficient to meet the terms of the condition. As the condition is pre-occupation and the scheme has been occupied, the condition cannot be formally discharged, but no enforcement action will be taken in this regard.
21 - A secure, lockable, 2 metre high, gate shall be provided at the eastern end of the pedestrian access path in the location indicated on the approved drawing prior to first occupation of any dwelling approved pursuant to permission 150890. The gate shall be retained as such at all times thereafter. Reason: In the interests of the security of adjacent housing and to prevent anti-social behavior. In accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM4 of the Sites and Detailed Policies Document 2012 (altered 2015).	This was an additional condition approved under 160589/NMA and is a compliance condition. <u>Planning Officer comments:</u> The photos received on 19th January indicate a gate of over 2m in height. As this is a compliance condition it does not require discharge.

Should you have any queries please contact me to discuss.

Yours sincerely

A. Amoah

Mrs Alison Amoah
Principal Planning Officer