



Quod

Planning & Retail Statement

Reading Retail Park,
Oxford Road, Reading
RG30 1PR

JULY 2022

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Documents:

- 1 Site Location Plan
- 2 Details of Tree Preservation Order
- 3 Details of Relevant Planning History
- 4 Reading Borough Council's Formal Pre-application Response
- 5 Plan showing the Area of Search for the Sequential Approach to Site Selection

1 Introduction

- 1.1 This Planning and Retail Statement ('PRS') has been prepared by Quod, on behalf of Threadneedle UK Property Authorised Investment Fund (the 'Applicant'), in support of a full application to allow Units B and C (also known as Unit 2 and Unit 6) to be used as a foodstore (Class E) at Reading Retail Park, Oxford Road, Reading, RG30 1PR (the 'Application Site'). Specifically, this application is being pursued to enable the existing floorspace together with a minor extension (collectively extending to 2,013 square metres) to be occupied by a foodstore operator. The following description of development is proposed:

"Proposed use of Unit B and Unit C as a foodstore (Class E) including rear extension, revised servicing arrangements, new shop front, trolley bay and covered cycle storage; and associated works."

- 1.2 The Application Site comprises existing retail units within a well-established retail park accessed off Oxford Road (A329). The Applicant purchased Reading Retail Park in 2018 and have since been exploring opportunities of how to improve the offer, the mix of occupants and to minimise vacancies. Within this context, discussions have been ongoing with the existing occupiers of Unit B (Carpetright) and Unit C (Halfords). Carpetright wishes to vacate the Retail Park, and Halfords, whilst looking to retain their presence, is looking to downsize. To accommodate Halfords requirements, it is intended that Halfords will be relocated into smaller premises at the former Wren Kitchens unit (Unit G), which is currently vacant. Halfords can trade from this unit under the existing planning permission.
- 1.3 As a result of Halfords relocation and Carpetright's decision to vacate their premises, the Applicant has been in discussions with potential occupants for Unit B and Unit C to avoid the creation of long-term vacancies within the Retail Park.
- 1.4 Even before the Covid-19 pandemic, the retail warehouse market has changed significantly in recent years. In addition to the many publicised administrations and CVAs, traditional out of town retailers are now reducing their store requirements. The existing consent currently restricts the potential occupation of the floorspace to a limited range of non-food retailers only. However, there is no viable demand from non-food retailers in this location that could trade under the existing goods restriction within the quantum of floorspace provided by Unit B and / or Unit C, particularly given the already strong non-food retail warehouse offer in Reading and surrounding area. There is a clear threat therefore that existing floorspace will become vacant, making no positive contribution to the local economy in challenging economic times when job creation and investment is critical.
- 1.5 Whilst there has been a decline in the non-food retail sector in recent years, over the same period there has been an uptake in activity from food-based operators, including from Aldi, Lidl, The Food Warehouse and M&S Simply Food. Reflecting this, despite difficult trading conditions, draft Heads of Terms of terms are being discussed with a food retailer and agreement is expected soon, with any subsequent Agreement for Lease to be condition under planning permission being secured to enable a foodstore operator to occupy Unit B and Unit C.

- 1.6 In addition to improving choice to the benefit of shoppers in Reading, the proposal will also positively contribute to the local area through the retention and creation of jobs and associated benefits, together with increased business rates to the benefit of the Council. The proposals will also secure the long-term occupancy of existing retail floorspace located in a prominent location that complements the existing offer within the Town Centre and that which is available within nearby local centres.
- 1.7 The proposals being advanced will also see the reuse and refurbishment of existing floorspace, rather than the creation of new buildings. Such an approach is in line with one of the Government's emerging objectives that acknowledges that the reuse and retrofit of buildings over building new ones should be prioritised as part of the work required to reduce the levels of carbon dioxide and addressing the pressing climate change crisis.
- 1.8 This full planning application follows a positive pre-application meeting held in June 2021. The scope of the application has been agreed in advance, especially in regard to the retail policy tests, and the key planning issues identified which have in turn been comprehensively addressed in this submission.
- 1.9 The purpose of this PRS is to address the planning and relevant retail policy issues arising from the application proposal in the context of national guidance and the statutory Development Plan. As we will demonstrate, the proposals have significant planning merit and, consistent with Paragraph 11 of the National Planning Policy Framework, the presumption in favour of development should apply and planning permission should be granted without delay.
- 1.10 In terms of the structure of this report:
- **Section 2** sets out the factual background of the proposal, including the Application Site and surround area, relevant planning history and pre-application discussions;
 - **Section 3** provides the commercial rationale for the proposed land use widening along with details of the proposed retail use;
 - **Section 4** outlines the planning policy framework within which the proposals should be considered;
 - **Section 5** addresses the relevant retail policy 'tests';
 - **Section 6** deals with wider development management considerations;
 - **Section 7** outlines the scheme benefits; and
 - **Section 8** provides a summary and draws the conclusions.
- 1.11 Finally, this PRS should be read alongside the following additional supporting documents.
- Transport Assessment and Framework Travel Plan prepared by Rappor;
 - Phase 1 Ground Investigation, prepared by Fairhurst;

- Noise Assessment, prepared by Resound;
- Air Quality Assessment, prepared by Tetra Tech;
- Sustainability and Energy Statement, prepared by Envision;
- Tree Survey, prepared by Encon Associates; and
- The following existing and proposed drawings prepared by The Harris Partnership

Reference	Drawing Title	Scale
15044-1-102	Site Location Plan	1:1250@A3
15044-1-103 Rev A	Existing Site Plan	1:500@A1
15044-1-104	Existing Ground Floor Plan	1:100@A1
15044-1-105	Existing First Floor Plan	1:100@A1
15044-1-106	Existing Roof Plan	1:100@A1
15044-1-107 Rev A	Existing Elevations	1:100@A1
15044-1-108 Rev A	Proposed Site Plan	1:500@A1
15044-1-109	Proposed Ground Floor Plan	1:100@A1
15044-1-110	Proposed First Floor Plan	1:100@A1
15044-1-111	Proposed Roof Plan	1:100@A1
15044-1-112 Rev A	Proposed Elevations	1:100@A1

2 Site Context & Background

Site and Surrounding Area

- 2.1 A Site Location Plan is contained at **Document 1**.
- 2.2 Reading Retail Park is located approximately 2.5 kilometres west of Reading town centre. The Retail Park occupies a large area to the south of Oxford Road (A329), which is a main arterial route to the centre of Reading town centre to the west. It sits off the Norcot Road and Oxford Road roundabout in a commercial and industrial corner of Reading.
- 2.3 Further retail and commercial uses are located opposite the retail park along Oxford Road, beyond which are residential properties and beyond that industrial and commercial uses. Further residential uses are located to the south and the west. The nearest defined centre is Oxford Road West district centre, which is located approximately 850 metres east of the Application Site.
- 2.4 The Retail Park comprises 7no. retail units, with representation from Wickes, who occupy the largest unit on the western terrace; Pets at Home; The Gym, B&M; Carpetright; and Halfords. A standalone KFC drive thru is also provided.
- 2.5 The Retail Park is accessed off Oxford Road and has a large customer car park in front of the units with further parking for staff provided in the south east adjacent to the B&M store. Servicing to Unit B and Unit C is provided to the rear.
- 2.6 Units B extends to 936 square metres (gross) with Unit C comprising 1,556 square metres (gross) which is inclusive of a mezzanine floor measuring 640 square metres. Together the existing floorspace totals 2,492 square metres.
- 2.7 The Application Site falls within Flood Zone 1 (an area at least risk of flooding). Most trees on the Site are subject to a Tree Preservation Order (ref. Oxford Road Order No. 122/09). Details of the Tree Preservation Order are contained at **Document 2**.
- 2.8 A small part of the Retail Park also sits within an Air Quality Management Area although this does not extend to include Unit B and Unit C.
- 2.9 The Application Site is in an accessible location, with several bus stops running along Oxford Road, including immediately adjacent to the entrance to the Retail Park, which provides regular services to surrounding areas.

Relevant Planning History

- 2.10 There is extensive planning history associated with the Retail Park, with the key details of relevance to the current proposals outlined below.

- 2.11 The Retail Park underwent substantial refurbishment in 2006/2007 following the grant of planning permission in August 2006 (LPA ref. 06/00427/FUL). That consent now controls much of the retail park, including Unit B and Unit C and represents the 'baseline' permission.
- 2.12 Condition 8 restricts the goods permitted to be sold from the retail park as follows:
- "The use of the retail floorspace falling within Class A1 of the Town & County Planning (Use Classes Order) 1987, shall not include the sale of food items, nor the sale of clothing, fashion accessories, shoes, sporting goods, books, stationery and toys, unless incidental to the primary retail activities undertaken therefrom."*
- 2.13 Although Condition 7 restricts the sub-division of floorspace, there is no restriction of the amalgamation of existing units.
- 2.14 Condition 9 restricts opening for the units (except for Unit A) as follows:
- 0900 to 2000 hours Monday to Saturday (inclusive)
 - 1000 to 1800 hours on Sundays
- 2.15 Deliveries are controlled under Condition 10, which restricts deliveries of goods to between 0900 - 1700 hours Monday to Friday only.
- 2.16 Planning permission was granted in December 2006 (LPA ref. 06/01118/FUL) for the installation of up to 589 square metres of additional mezzanine floorspace within Unit C. This floorspace was subject to the same goods restriction as the baseline consent.
- 2.17 A Certificate of Lawfulness (LPA ref. 11/00802/CL) was approved in August 2011 confirming that Unit E could be used for the sale of unrestricted Class A1 uses.
- 2.18 Details of the above planning history is contained at **Document 3**.

Pre-application Discussions

- 2.19 Consistent with paragraphs 39-41 of the NPPF, the Applicant has actively engaged with Officers from Reading Borough Council ('RBC') in the form of pre-application discussions.
- 2.20 The formal pre-application submission was sent by email on 19th April 2021 and virtual meeting took place on the 9th June 2021 with Planning Policy Team Leader, Mark Worringham. The pre-application was considered under reference 210607. RBC's formal response was issued on the 16th June 2022 and is contained at **Document 4**.
- 2.21 In summary, the following is agreed:
- The Application Site is not located within an existing centre nor allocated for retail development in an up-to-date development plan. Therefore, for the principle of development to be deemed acceptable it will be necessary to satisfy the relevant retail 'tests'.

- Retail impact is not a policy requirement as the proposals fall below the default threshold of 2,500 square metres as set by national policy and Policy RL5 does not apply as the proposal does not include new or additional floorspace above the lower threshold set by the Local Plan.
- The only retail 'test' of relevance is the sequential approach to site selection. In this respect the suggested parameters are deemed reasonable for undertaking the assessment. It is also agreed that a 5-minute drivetime from the Application Site represents an appropriate area of search and is consistent with the position accepted by RBC when considering retail proposals elsewhere.

2.22 The pre-application proposals are almost identical to the proposals presented within this full planning application. Therefore, the conclusions reached by RBC in their formal pre-application written response remain applicable.

2.23 The comments received from Officers have been taken into consideration as part of the application submission.

3 Proposed Development & Prospective Occupier

Proposed Development

3.1 It is proposed that full planning permission will be sought for the following:

“Proposed use of Unit B and Unit C as a foodstore (Class E) including rear extension, revised servicing arrangements, new shop front, trolley bay and covered cycle storage; and associated works.”

3.2 The proposals comprise the amalgamation of Unit B (Carpetright) and Unit C (Halfords) with a rear extension of just 64 square metres (gross internal area), to create improved servicing and loading area. This is purely being sought to create an improved servicing and loading area and will not form part of the net retail sales area.

3.3 The proposals will also see the removal of the existing mezzanine within Unit C, which measures 640 square metres and install a 66 square metre non-trading mezzanine. Overall, the proposals will result in an amalgamated unit totalling 2,013 square metres (gross internal area) of floorspace. This compares to the existing position where the two units extend to 2,492 square metres – an overall reduction of 479 square metres. Table 1 outlines the floorspace breakdown of the proposed unit.

Table 1 Floorspace Breakdown

Area	Size (Sqm)
Ground floor area, incl. extension	1,947
Plant mezzanine	66

3.4 The existing car parking area directly in front of the retail unit will be amended by introducing 9no. parent and child spaces, 12no. disabled parking bays and the introduction of a new pedestrian crossing to the front of the unit. Additional parking (22no. spaces) is also proposed within the service yard for staff.

3.5 The proposals also include the refurbishment of the existing retail units to create a single new modern shopfront. New glazing will be added that will sit alongside new grey metal cladding that will match the existing. Any existing grey cladding and grey tiles will be cleaned as part of the proposals. A canopy will also be introduced and will sit above the entrance and proposed new trolley bay. New fire doors will also be added to the front and side elevations.

3.6 Further details of the proposal are outlined in the following drawings submitted as part of the planning application.

3.7 There will be no loss of trees as a result of the proposals.

Prospective Occupier

- 3.8 It is intended that a leading discount food operator will occupy the amalgamated unit. The substantial growth in the UK market share achieved by operators within this sector has been well documented as consumers continue to recognise the benefits of the 'Limited Assortment Discount' (LAD) foodstore model. This is especially the case given the rising cost of living currently being experienced in the UK. Such retailers deliver exceptional quality and value across their whole product range.
- 3.9 A discount foodstore (or LAD) is a modestly scaled supermarket that sells a limited number of product lines when comprised to the larger supermarket operators, such as Tesco and Sainsbury's. Typically they provide around 10% of the product lines found in the larger superstore formats, and where the number of value lines stocked by larger superstore formats is limited, the whole of the LAD business model is geared to providing exceptional value.
- 3.10 Non-food items are typically around 20% of the sales area of the stores. There is no standard or constant comparison goods range offered in store and the special items are wide ranging including anything from sports equipment to electrical items.
- 3.11 Reflecting this, a LAD store serves a compact catchment area and are intended to provide a local shopping facility.
- 3.12 Whilst the store will be open seven days a week (including the majority of Bank Holidays), discount food operators do not promote 24-hour trading, as is the case with some other 'mainstream' food retailers. The following opening hours are sought:
- 0700 hours to 2300 hours – Mondays (including Bank Holidays) to Saturdays; and
 - 1000 hours to 1800 hours – Sundays
- 3.13 The delivery hours sought are 0700 hours to 2300 hours daily.
- 3.14 The proposed store, when open, would generate full and part time job opportunities (in the region of 40no. jobs). Most of these jobs will be available to local people across a range of pay scales and will provide important jobs. Additional jobs will also be created as part of the store fit out, future maintenance, etc.

4 Planning Policy Context

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 In this instance the development plan comprises the adopted Reading Borough Local Plan (November 2019) and the Central Area Action Plan (January 2009). However, the Central Area Action Plan is not relevant to this development as the Site falls outside the defined boundary.
- 4.3 Material considerations chiefly comprise the National Planning Policy Framework ('NPPF') (2021) and the supporting Planning Practice Guidance ('PPG'), together with the Sustainable Design and Construction SPD (December 2019) published by RBC.

Development Plan

Reading Borough Council Local Plan (2019)

- 4.4 The Retail Park is not allocated for any specific use in the Local Plan, although part of it (albeit excluding Units B and C) falls within an Air Quality Management Area (AQMA) (Policy EN15).
- 4.5 **Policy CC1** ('Presumption in Favour of Sustainable Development') states that a positive approach to considering proposals will be taken that reflects the presumption in favour of sustainable development contained in the NPPF. It also states that where appropriate, the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible.
- 4.6 **Policy EN12** ('Biodiversity and The Green Network') seeks no net loss in biodiversity and geodiversity. Policy EN14 ('Trees, Hedges and Woodlands') protects trees and seeks provision for tree planting.
- 4.7 **Policy EN15** ('Air Quality') states that developments which would detrimentally affect air quality will not be permitted unless the effect is to be mitigated. In this respect, the Policy identifies that the following criteria should be considered when considering the proposals:
 - *Whether the proposal, including when combined with the cumulative effect of other developments already permitted, would worsen air quality;*
 - *Whether the development is within, or accessed via, an Air Quality Management Area; and*
 - *Whether it can be demonstrated that a local worsening in air quality that would not detrimentally affect human health or the environment would be offset by an overall improvement in air quality, for instance through reduction in the need to travel.*
- 4.8 This Policy adds that planning obligations to secure a contribution to tackle air quality may be required.

4.9 **Policy EN16** ('Pollution and Water Resources') states that proposals will only be permitted where they are not damaging the environment through air, land, noise or light. Policy EN17 ('Noise Generating Equipment') requires noise generating equipment to be at least 10dBA below the existing background sound level.

4.10 **Policy RL1** ('Network and Hierarchy of Centres') identifies the following network of centres:

- Regional Centre: Reading
- District Centres: Caversham, Cemetery Junction, Emmer Green, Meadway, Oxford Road West, Shinfield Road, Tilehurst Triangle, Whitley
- Major Local Centres: Whitley Street, Wokingham Road
- Local Centres: Basingstoke Road North, Christchurch Road, Coronation Square, Erleigh Road, Dee Park, Northumberland Avenue North, Wensley Road, Whitley Wood

4.11 The Policy states that the vitality and viability of these centres should be maintained and enhanced.

4.12 **Policy RL2** ('Scale and Location of Retail, Leisure and Culture Development') states that the provision will be made for up to 34,900 square metres of new retail and related facilities in Reading to 2036. The policy also states the following in terms of the retail tests:

"Retail and main town centre leisure and culture development, where it would mean a net gain of over 2,500 sq m, will take place in, or as an extension to, the centre of Reading, unless it is on a site allocated for such development. Where a need for additional development has been identified, and no sites are available in or adjoining the centre of Reading, or other defined centres, a sequential approach should be adopted to identifying alternative sites."

All development will comply with the relevant tests for retail, leisure and culture development set out in national policy."

4.13 **Policy RL5** ('Impact of Main Town Centres Uses') states that proposals that include more than 1,000 square metres (gross) of additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location should demonstrate that there will be no significant adverse impact on existing centres. Ensuring that centres within areas of deprivation are not adversely affected is of local importance.

4.14 **Policy CC2** ('Sustainable design and construction') requires:

- All major non-residential developments or conversions to residential are required to meet the most up-to-date BREEAM 'Excellent' standards, where possible;
- All non-residential development or conversions to residential should incorporate water conservation measures so that predicted per capita consumption does not exceed the appropriate levels set out in the applicable BREEAM standard. Both residential and non-residential development should include recycling greywater and rainwater harvesting where systems are energy and cost effective.

4.15 **Policy CC3** ('Adaption to Climate Change') requires proposals for new development to incorporate measures to adapt to climate change whilst Policy CC4 ('Decentralised Energy')

encourages decentralised energy. Policy CC5 ('Waste Minimisation & Storage') seeks to minimise the generation of waste at all stages of the buildings existence.

- 4.16 **Policy CC7** ('Design and the Public Realm') states how all development must be of high quality that maintains and enhances the character and appearance of the area.
- 4.17 **Policy OU5** ('Shopfronts and Cash Machines') addresses new shopfronts and states they must respect the character of the building and their surroundings. It also contains further criteria which should be fulfilled.
- 4.18 **Policy TR1** ('Achieving the Transport Strategy') states that planning permission will not be granted for major development proposals unless there is a commitment to implement measures to promote and improve sustainable transport facilities, such as through provision to encourage walking, cycling and the use of public transport, and through agreed travel plans, safe routes to local facilities and services and similar measures.
- 4.19 **Policy TR3** ('Access, Traffic and Highway-Related Matters') states that in determining proposals involving a new or altered access onto the transport network or the generation of additional trips on the transport network, consideration will be given to the effect of safety, congestion and the environment. In this case, development will only be permitted where:
- (i) Accesses and work to the highway comply with the adopted standards of the Transport Authority;
 - (ii) The development would not have a detrimental impact on the functioning of the transport network;
 - (iii) The proposals would not be detrimental to the safety of users of the transport network, including pedestrians and cyclists;
 - (iv) The proposal would not generate regular movement of heavy goods vehicles (HGVs) on unsuitable roads, or on roads without easy access to the Classified Highway Network; and
 - (v) For non-residential uses, off street servicing would be provided.
- 4.20 **Policy TR4** ('Cycle Routes and Facilities') expects new facilities for cycling, such as parking, to be provided. TR5 ('Car and Cycle Parking and Electric Vehicle Charging') builds on this by stating cycling parking should be provided whilst 10% of spaces should provide an active charging point for electric vehicles.

Material Considerations

National Planning Policy

- 4.21 The NPPF is underpinned by a presumption in favour of sustainable development which is embodied within paragraph 11.

4.22 Paragraph 8 sets out the economic objective to *“help build a strong, responsive and competitive economy”*.

4.23 Paragraph 81 goes on to advise that *“planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth”*.

4.24 Moreover, Paragraph 38 sets out that Local planning authorities should:

“...work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

4.25 In terms of town centre and retail policies, these are set out at paragraphs 86 to 91 inclusive. Paragraph 86 advises that it is important that needs for all main town centre uses are met in full and not compromised by limited site availability. It goes on to note that at paragraph 87 that local planning authorities should apply the sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date Local Plan. In undertaking such an assessment Paragraph 88 states that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

4.26 In terms of retail impact, paragraph 90 advises that for retail development outside of town centres (which is not in accordance with an up-to-date plan) local planning authorities should:

“...require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500sqm). This should include an assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment (as applicable to the scale and nature of the scheme.”

4.27 Paragraph 119 relates to the Government’s objective of making effective use of land and states that planning decisions should, *inter alia*, promote and support the development of under-utilised land and buildings.

Planning Practice Guidance

4.28 The online Planning Practice Guidance (‘PPG’) was published in March 2014, and it supports the policies within the NPPF. It includes important guidance on town centres and the application of both the sequential and impact tests.

4.29 The advice contained in the PPG has informed the assessment of the sequential approach to site selection in support of the application proposals.

- 4.30 The PPG also states that in respect of transport and highways, that Travel Plans, Transport Assessment and Statements are required for all developments which are likely to generate significant amount of movements.

Other Material Considerations

Sustainable Design and Construction SPD (December 2019)

- 4.31 A new Sustainable Design and Construction SPD was adopted in December 2019. This states that to comply with Policy CC2 non-residential refurbishments of more than 1,000 square metres will be required to achieve a BREEAM level of 'Excellent'. It goes on to add that applications for change of use may be considered a refurbishment depending on the level of internal alterations proposed and will be considered on a case-by-case basis.

Summary

- 4.32 The starting point for determining the proposal is the development plan, which in this instance comprises principally the Reading Borough Council Local Plan (2019).
- 4.33 The Application Site is unallocated and has no site-specific policies. However, it comprises a well-established retail destination (Reading Retail Park). Given this, it is considered that the principle of retail use in this location has already been accepted. Notwithstanding this, the Application Site comprises an out-of-centre location, and planning policy advises that retail proposals in such locations are subject to certain criteria being satisfied.
- 4.34 Both national and local planning policy requires out-of-centre retail proposals to demonstrate compliance with the sequential approach to site selection, and for certain scale of development, the impact test. In terms of the impact test, the scale of floorspace subject to this application (2,013 square metres) falls well below the default threshold set by the NPPF (2,500 square metres) and as the proposal does not include new or additional floorspace over 1,000 square metres, Policy RL5 of the Local Plan does not apply. Accordingly, retail impact is not a policy consideration in the determination of the application proposals. This position has been agreed with Officers at RBC as part of formal pre-application discussions. Therefore, it is accepted it is only necessary to satisfy the requirements of the sequential approach.
- 4.35 There are also development management policies that also need to be considered when assessing the application proposal, and these along with addressing the sequential approach, are considered later in this report.

5 Sequential Approach to Site Selection

Context

- 5.1 Both national and local planning policy requires that the sequential approach to site selection be applied for town centre uses that are not in an existing centre and not in accordance with an up-to-date plan. Although the Application Site falls in an out-of-centre location in retail planning terms, significantly it does comprise a well-established retail destination, as reflected by its existing use. This means that there is the potential to link trips with other retail facilities within the Retail Park and encourage sustainable shopping patterns to take place.
- 5.2 Whilst the sequential approach seeks to focus new retail development in defined centres, it does not preclude sites coming forward elsewhere if no in-centre or edge-of-centre opportunity exists. This has been reflected by recent consents for planning applications elsewhere in Reading, including allowing a modification to the existing goods restriction at Reading Link Retail Park under planning application reference 141216 in February 2015.
- 5.3 The application proposal largely seeks the reuse of existing retail floorspace rather than the introduction of significant new retail floorspace out-of-centre. The nature of the proposal needs to be recognised when considering the suitability and availability of alternative sites. This is the ‘real world’ (as established by recent Judgments / Secretary of State decisions¹) in which the applicant and local planning authority must operate in applying the sequential approach to site selection.
- 5.4 It is against this background that the sequential approach to site selection needs to be based.

Methodology and Approach

- 5.5 In undertaking the sequential assessment to site selection, consideration has been given to the relevant guidance found in the PPG.
- 5.6 In terms of the sequential approach, the PPG² advises that:

“The application of the test will need to be proportionate and appropriate for the given proposal.” (our emphasis)

- 5.7 The PPG also recognises that in applying the sequential approach there are certain main town centre uses that have locational requirements. In particular, the PPG³ states that:

“Use of the sequential test should recognise that certain main town centre have particular market and locational requirements which mean that they may only be accommodated in specific locations.”

¹ Supreme Court Judgment – Tesco Stores Limited v Dundee City Council (Scotland), 21 March 2012; Next decision in Sheffield (Ref. APP/J4423/A/13/2189893); and Rushden Lakes Secretary of State Decision (Ref. APP/G2815/V/12/2190175)

² Reference ID: 2b-011-20190722

³ Reference ID: 2b-012-20190722

- 5.8 These factors are pertinent in considering the form and nature of development being proposed by this application.

Flexibility

- 5.9 It is recognised that national policy requires a degree of flexibility in relation to format and / or scale. In understanding this issue, the message established by recent Judgments and Secretary of State decisions is consistent in that there is a requirement to consider flexibility of format and scale, and a local planning authority must operate in the 'real world'.

- 5.10 The approach should not be applied to fundamentally compromise the development proposal. The *Dundee* Supreme Court Judgment established that if a site is not suitable for the commercial requirements of development in question, then it is not suitable for the purposes of the sequential approach; and that in terms of size of the alternative site, provided that the applicant has demonstrated flexibility about format and scale, the question is:

"...whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site." (Para. 29 of the *Dundee* Judgment)

- 5.11 The interpretation of 'suitability' was also clarified in the Secretary of State decision at Rushden Lakes. In particular, the Inspector identified that the *Dundee* Judgment to be of 'seminal importance'. To this end, when commenting on suitability the Inspector (para. 2.64, Inspector's Report) noted that:

"...if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach."

- 5.12 Similarly, in determining an appeal in Sheffield⁴, the Inspector stated (para. 35) that:

"In considering the issue of suitability I have had regard to a ruling of the Supreme Court [Dundee] which indicates, amongst other matters, that what needs to be established is whether an alternative site is suitable for the development proposed, not whether the proposed development can be altered or reduced so that it can be made fit for purpose."

- 5.13 This position was built upon further in appeal decision in Stoke-on-Trent⁵, where the Inspector concluded (para. 12) that:

"...taking account also of the 2012 judgement in Tesco Stores Limited v Dundee City council, although an applicant is expected to demonstrate flexibility in assessing alternative sites, there is no unequivocal requirement to reduce the size of a proposed development to fit a particular site."

- 5.14 It is in this context that the issue of flexibility must be assessed.

⁴ ref. APP/J4423/A/13/2189893

⁵ APP/M3455/A/13/2195541

Sequential Test Parameters

- 5.15 As highlighted, in operating in the ‘real world’, the approach to site selection should not be applied as to fundamentally compromise the development proposed.
- 5.16 The development being pursued is led by demand from a specific type of retailer (in this instance a LAD), who has specific operator requirements. As a result, the requirements of the type of retailer to occupy the is of significance in applying the sequential approach.
- 5.17 The proposed development seeks to allow up to 2,013 square metres (gross internal area) of predominantly existing retail (Class E) floorspace to be occupied by a foodstore operator that will form part of the wider Reading Retail Park offer. This location benefits from appropriate servicing, dedicated at-grade and free customer car parking, and being in a commercially viable location. These criteria are essential to the future success of the nature of retailer proposed.
- 5.18 Against this background, when applying the sequential approach to site selection this has been based on the following parameters:
- Sites capable of accommodating a discount foodstore comprising between 1,600 and 2,400 square metres of retail floorspace over a single level. This demonstrates flexibility being within 20% over and above the retail floorspace proposed (2,013 square metres);
 - The ability to sell the full range of goods;
 - Main road frontage / prominence;
 - Immediately adjacent, at grade customer car parking with trolley bays; and
 - Adequate servicing arrangements capable of receiving deliveries by large HGVs without customer conflict.
- 5.19 Whilst flexibility in scale and format has been applied in seeking to achieve and deliver a viable development when applying the sequential approach, the PPG recognises that there are market and locational requirements that need to be recognised in applying the sequential approach. The PPG suggests that the requirements of the food retail market should be an intrinsic part of the application of the test in respect of this proposal.
- 5.20 Such an approach has been reflected by recent Secretary of State / Appeal decisions. For example, in a Secretary of State decision in Southport⁶ issued in December 2016, it was acknowledged that the type of development proposed, and their operator requirements were important factors to consider in addressing the sequential approach.
- 5.21 Specifically, the Inspector noted (para. 322, Inspector’s Report) that:

“Even adopting a flexible approach in terms of format and scale, The Range at Central 12 Retail Park and the B&M Bargains site in Lord Street are clearly not suitable and the latter is unlikely to be available. British Homes Stores in Chapel Street is likely to become available soon but its layout over several floors and its restricted size would not make it a suitable candidate for a foodstore of the type envisaged by the Applicants.” (our emphasis)

⁶ APP/M4320/V/15/3002637

- 5.22 Likewise, in allowing an appeal for a foodstore in Gillingham, Dorset⁷ (decision issued in January 2019) the Inspector was clear that in applying the sequential approach (para. 29, Inspector's Report) that:

"The question is whether any suggested alternative site is suitable and available for the broad type of development currently proposed in terms of size, type and range of goods, incorporating the requirement for flexibility." (our emphasis)

- 5.23 In this context, whilst it is acknowledged that alternative sites should not be considered for a specific operator, it is entirely appropriate to take account the broad nature of the development proposed when assessing the suitability of alternative sites – a established by numerous Inspector's decisions. It is therefore to set appropriate parameters in applying the sequential approach to reflect this. The parameters outlined above have been agreed with Officers at RBC as being appropriate during pre-application discussions.

- 5.24 When applying the sequential approach, it is important to reiterate that the proposed development principally seeks to re-occupy existing retail floorspace. The proposals being advanced can be brought forward quickly – open and trading by mid-2023. It is within this context that the application of the sequential approach to site selection must be considered.

- 5.25 Indeed, although Paragraph 86 of the NPPF states that when considering the availability of sequential alternatives this should be based on a 'reasonable period of time' this is not defined. However, the PPG⁸ supporting national policy does identify that:

"When considering what a reasonable period is for this purpose, the scale and complexity of the proposed scheme and of potentially suitable town or edge of centre sites should be taken into account".

- 5.26 It would therefore be entirely unreasonable to wait an unknown period for sites that may become available in the longer term when considering a proposal that can be delivered quickly and will large utilise existing retail floorspace.

- 5.27 Redevelopment opportunities do not represent a proportionate and appropriate alternative that can be available within a reasonable period in the context of what is proposed at the Application Site.

- 5.28 Notwithstanding, following pre-application discussions with RBC, redevelopment opportunities have been assessed for completeness. This is without prejudice to our position that such opportunities do not provide a proportionate and appropriate approach for the nature of development proposals – as required under the PPG. In considering any opportunities. a minimum site area of 0.6 hectares has been identified. This is identified to represent the minimum site area that can achieve the scale of floorspace proposed (a minimum of 1,560 square metres) together with achieving sufficient, at grade, adjacent customer car parking.

⁷ APP/N1215/W/18/3195092

⁸ Reference ID: 2b-011-20190722

Area of Search

- 5.29 Reflecting the nature of the proposal, together with the strength of competing provision and existing shopping patterns, the primary catchment of the proposal is expected to comprise a 5-minute off-peak drivetime from the Application Site. Discussions with LAD foodstore operators have strongly indicated that such a catchment is an entirely reasonable approach based on their actual operational characteristics. This area of search in identifying sequential alternatives has been agreed with RBC following pre-application discussions.
- 5.30 This area comprises the following defined centres (as identified by the Reading Local Plan):
- Oxford Road West (District Centre);
 - Tilehurst Triangle (District Centre);
 - Meadway (District Centre); and
 - Dee Park (Local Centre).
- 5.31 A plan showing the location of this area is contained at **Document 5**.
- 5.32 Opportunities within and at the edge of these centres have been assessed in terms of their suitability and availability for the broad nature of development proposed.
- 5.33 Alternative sites in centres located beyond this area would not be appropriate as they would largely serve a different catchment to that intended to be served by the proposed development.
- 5.34 Other out-of-centre sites have not been assessed as part of our assessment. It is important to reiterate that the Application Site comprises an established retail destination that is widely accessible. We believe that in terms of encouraging sustainable travel patterns it is appropriate to focus development at established retail destinations rather than seeking development of *ad hoc* and sporadic out-of-centre retail development on arterial roads elsewhere in the local area. Furthermore, the reuse of existing buildings is recognised as being the Government's property in reducing carbon emissions.

Sites Considered

- 5.35 Based on the agreed approach outlined above, the following sites have been identified and assessed as part of our sequential assessment:

Site Allocations

- Dee Park (Policy WR1)
- The Meadway Centre, Honey End Lane (WR3o)

Non-site Allocations

- Vacancies within other defined centres.

- 5.36 Further consideration of the availability and suitability of these sites for the proposed development is provided below.

- 5.37 Additional sites have been identified and considered, including other site allocations, however these have been dismissed as being too small and / or allocated for non-retail uses (i.e. predominantly residential).

Allocated Sites (Reading Local Plan)

Dee Park, Reading

- 5.38 Dee Park is predominantly a residential area in West Reading which is currently benefiting from a number of regeneration initiatives. This intended to continue, as identified by Site-Specific Policy WR1. Local planning policy identifies that this ongoing regeneration of Dee Park will include a new local centre comprising a range of facilities integrated with housing development.
- 5.39 Part of the existing local centre has recently been redeveloped under planning permission reference 09/01454/OUT. This included a total of 763 residential units along with 259 square metres of retail space and commercial space.
- 5.40 It should be noted that Local Centres are not intended to attract a greater number of people nor contain large-format retailing. Such centres are therefore not deemed appropriate for large-scale retailing – as proposed.
- 5.41 Nevertheless, although regeneration proposals have come forward, which has included retail floorspace, this is small-format, and too small to accommodate the scale of development proposed. It is also understood that there is no retail floorspace available. The surrounding area is also densely populated meaning that there is little room for expansion.
- 5.42 Against this background, this site does not provide an available or suitable alternative for the Application Site.

The Meadway Centre, Honey End Lane

- 5.43 The Meadway Centre is located approximately 1.1 kilometres to the south of the Application Site. It currently comprises a number of retail units, including a large-format Asda.
- 5.44 Policy WR3o of the Local Plan allocates the site as follows:

“Development of existing shopping centre to provide a new district centre including retail and leisure uses. Development should be as comprehensive as possible. There will be no net loss in residential, and a net gain will be provided where possible.”

- 5.45 The supporting text (para. 4.6.5) to this allocation states that:

“The Meadway is an ageing shopping precinct which would benefit from substantial physical improvement (or, potentially, complete redevelopment) to allow it to continue its district centre role”

- 5.46 An outline planning application (ref. 191496) was recently submitted for the redevelopment of the Meadway Precinct. This included the creation of new retail units and 258no. residential dwellings. RBC Planning Committee resolved to grant outline permission on the 6th October

2021, subject to the completion of a s106 agreement. It is understood that the s106 agreement remains outstanding.

- 5.47 The latest application includes 2,244 square metres (gross internal area) of retail floorspace at ground floor. However, it is intended that this floorspace will comprise small-format retail units around a public square (including relocating existing retailers), reflecting its role as a local centre. This site is not suitable for large format retailing as being proposed.
- 5.48 Furthermore, the timescale for delivery is unknown. The proposals represent comprehensive development, and any commencement will be reliant on Reserved Matters being granted. It is likely that this scheme will not be completed until 2026 at the earliest. Given this, it is not considered to be available within a reasonable period of time.
- 5.49 Overall, the Meadway Centre is not available, suitable or viable to accommodate the proposals at Reading Retail Park.

Other Opportunities within and at the edge of defined centres

- 5.50 The largest defined centre within the agreed area of search (Oxford Road West) comprises a linear centre with commercial activity along Oxford Road to the east of the Application Site. Existing retail units typically comprise very small format units with residential above none of which are suitable for the scale of development proposed. Whilst there is a large existing Tesco Extra supermarket, this is occupied and not available. Opportunities for large-scale development / re-development are constrained by the neighbouring residential properties that surround the local centre.
- 5.51 Likewise, we are not aware of any opportunities in other local centres that could accommodate the scale of foodstore being proposed. Indeed, the other centres (Tilehurst and Dee Park) contain fewer commercial units and expansion is constrained by the surrounding residential properties. In the case of Dee Park this is small and reflected in its allocation as a Local Centre. For the reasons previously identified, these centres fail to provide appropriate locations for the scale and nature of development proposed. Nevertheless, we are not aware of any opportunities to accommodate the proposal.

Summary

- 5.52 This assessment has demonstrated that there is no sequentially preferable site that is available and suitable to accommodate the application proposal, or a flexible interpretation of it, and meet the same need the proposal is intended to meet.
- 5.53 Against this background, the proposed development satisfies the sequential approach as set out in national and local planning policy.

6 Other Planning Considerations

Design and Layout

- 6.1 The units will be amalgamated and refurbished as part of the proposals that seek to create an attractive retail unit which is to be occupied by a discount food retailer. The unit will be accessible, inclusive and safe as well as one which better reflects the requirements of a modern retailer as well as its customers.
- 6.2 The refurbishment is designed to be in keeping with the surrounding uses at Reading Retail Park. The main façade will see the introduction of glazing, removing some of the existing cladding. New cladding will also be installed around the glazing which together will enhance the unit give this building within the retail park a new lease of life. The cladding will match the existing and any signage will be subject to a new application.
- 6.3 The external alterations, which have been illustrated on the submitted planning drawings, will be completed to a high quality and to the scale, appearance and function is appropriate given its immediate context.
- 6.4 The location of the extension is also the rear of the property and will sit within the context of the existing building. This extends to just 64 square metres and will not increase the overall height of the building. The proposals also see 66 square metre mezzanine installed albeit this will be internal and non-trading.
- 6.5 The layout of the site will remain broadly similar with a reconfiguration of the car parking to the front of the unit, along with the introduction of a crossing point, comprising the majority of the changes. There is also the addition of staff parking to the rear.
- 6.6 The proposals fully comply with the development plan, namely policies: CC7 and OU5.

Highways

- 6.7 The application is supported by a Transport Statement ('TS') and draft Travel Plan prepared by Rappor.
- 6.8 The submitted TS demonstrates that

"a) A review of the local highway network and accident data indicates that there are no inherent / apparent local highway safety issues;

b) The site is sustainably located and accessible to a range of services and amenities in addition to public transport linkages;

c) Access to the site will be retained via the existing access arrangement. The access conforms to prevailing standards and is considered safe and suitable to serve all users of the future development;

d) The proposed internal site layout / operation shall be retained as per existing arrangements and is therefore concluded to be appropriate to serve the site;

e) Forecast trip attraction and net trip impact indicates an immaterial increase in new traffic movements, with no anticipated material impact on the local network; and

f) The proposed parking provision is envisaged to comfortably accommodate demand associated with the application site and adjacent retailers / services within the retail park; therefore, no overspill parking or queueing shall occur on the local highway network."

6.9 Overall, the TS goes on to conclude that:

"...the proposed discount foodstore will not have a material impact upon the safety or operation of the surrounding local highway network and, as such, there are no significant highways and transportation matters that should preclude the Local Planning Authority from approving this planning application."

6.10 The proposed use of up to 2,013 square metres of existing floorspace will not therefore result in any highway safety concern and accords with local and national transport policies, namely Policies TR1, TR3, TR4 and TR5.

6.11 A Travel Plan, produced by Rappor, has also been included in this submission. This document seeks to make the proposals more sustainable by detailing the sustainable travel to and from the Site for staff. The principle objective is to promote and provide alternative sustainable modes of transport and to ensure that staff are fully aware of the sustainable travel options available to them.

Noise

6.12 Resound Acoustics have produced a Noise Assessment to support the proposals at Reading Retail Park. This assessment is also supported by a further Noise Assessment produced by Acoustic Consultants Limited who have great experience in working with discount food operators.

6.13 This assessment concludes that:

"The assessment has shown that noise from increased car parking activity associated with the proposed food store is unlikely to lead to an adverse effect at receptors. Noise limits are recommended for fixed plant."

On the basis of the information set out in this report, it is considered that noise emissions from car parking or fixed plant do not pose a material constraint to the proposed development."

6.14 The proposals are in accordance with Policies EN16 and EN17 of the Reading Borough Local Plan.

Air Quality

- 6.15 An Air Quality Assessment, produced by Tetra Tech, has been included with the application submission. This assesses road traffic emissions and construction dust impacts of the proposals.
- 6.16 During the construction phase mitigation measures are proposed. With these in place, the effects from the construction phase are not predicted to be significant.
- 6.17 In terms of the operational phase, the long-term effects of the proposal in terms of NO₂, PM₁₀ and PM_{2.5} is determined to be negligible. The development therefore complies with Local Plan Policies EN15 and EN16.

Sustainability

- 6.18 A Sustainability and Energy Statement, produced by Envision, is provided in support of the application. This outlines that the BREEAM Predictive Assessment made against Part 1 identifies that the development would achieve BREEAM Very Good.
- 6.19 The proposals at hand are a speculative project with no operator yet confirmed with the scope of the application involving relatively minor alterations to the external envelope and internal modifications and therefore the target of BREEAM Excellent is not practical. The proposals are modest in nature especially in relation to BREEAM and therefore a BREEAM Very Good has been targeted.
- 6.20 An energy assessment has also been completed. This demonstrates how savings in annual carbon dioxide emissions of up to 68% could be expected and is aligned with local planning policy.
- 6.21 Furthermore, the operational efficiency of the building is also expected to improve through the installation of efficient building services in line with Building Regulations 2022. The statement also outlines additional design measures which should be followed.
- 6.22 The proposals are considered to comply with Policies CC2-CC5 of the Reading Local Plan.

Trees

- 6.23 Encon Associates have undertaken a Tree Survey to support the planning application. The report includes a survey of 18no. individual trees and 7no. groups of trees at the retail park although only 1no. tree and 2no. partial groups of trees lie within the red line boundary.
- 6.24 There is a Tree Preservation Order which covers 13no. individual trees and 3 groups of trees at Reading Retail Park. The area does not fall into a Conservation Area.
- 6.25 The proposals retain all existing trees. There is 1no. tree within the Application Site and whilst this is subject of a TPO, it can be retained. The report concludes:

“...the development will have no impact on the existing tree population”

6.26 The proposals therefore comply with Policy EN12 and EN14.

Ground Investigation

6.27 A Preliminary Risk Assessment, produced by Fairhurst, has been prepared to support this planning application. This demonstrates that the proposed development does not comprise an increased sensitivity with respect to land use.

Summary

6.28 All relevant development management considerations have been assessed and the supporting technical reports provide further justification for the development. It has been demonstrated that the proposed development fully complies with the relevant development plan.

7 Development Benefits

- 7.1 The proposed development seeks to allow the existing retail floorspace to be occupied by a leading discount food retailer which will assist in the long-term occupancy of this well-established retail destination. In turn this will retain (and create) local employment opportunities. There are tangible positive impacts associated with the proposals for the local economy.
- 7.2 Overall, the headline benefits arising from the proposal can be summarised as follows:
- Ensure the long-term occupancy of existing floorspace in a well-established retail destination that is accessible.
 - Newly refurbished building meeting the requirements of modern retailers on a key arterial route into Reading.
 - A BREEAM Very Good rating being achieved.
 - Retention (and creation) of jobs – both full and part time in the retail sector.
 - Creation of jobs as part of the refurbishment and fit-out process.
 - An increase in Gross Value Added associated with this employment.
 - Investment in the local economy.
 - Increased consumer choice and competition in the retail sector to the benefit of the consumer.
- 7.3 In addition, the proposed development will facilitate the relocation of Halfords into a vacant unit within the Retail Park. This represents further benefits associated with the proposal.
- 7.4 In line with Paragraph 81 of the NPPF, these benefits should be significant weight in the decision-making process.

8 Conclusions

- 8.1 This PRS has been prepared in support of a full planning application to allow Units B and C, Reading Retail Park to be used as a discount foodstore. This application will facilitate occupation of the existing floorspace by a leading food discount retailer. If approved, this will ensure the long-term occupancy of existing floorspace and result in a refurbished unit, meeting modern retailer requirements, and job creation through both the operation and construction and fit out phase.
- 8.2 Whilst the proposals include a very modest amount of new built floorspace (64 square metres), the proposals relate to the re-use of existing floorspace. It should be noted that the proposals result in the reduction in out-of-centre floorspace of 479 square metres (19%), something which should be afforded significant weight in assessing the proposals. The overall quantum of out-of-centre floorspace in Reading would decrease because of the proposals.
- 8.3 If approved, the proposals will deliver substantial benefits, including the retention (and creation) of jobs; improved choice and competition; result in a fully refurbished unit and demonstrate substantial investor confidence in a challenging environment. These benefits are significant and should be afforded appropriate weight in the overall planning balance.
- 8.4 Although an out-of-centre location in retail planning policy terms, it does comprise an established retail destination. Both national and local planning policy allows retail development in such locations where it is demonstrated that no sequential alternative exists (and where applicable will not lead to a significant adverse impact).
- 8.5 It has been agreed as part of formal pre-application discussions that due to the scale and nature of the proposals that retail impact is not a policy requirement in the determination of the application proposals. As such, for the principle to be deemed acceptable it is only the sequential approach that needs to be assessed. In this respect, it has been demonstrated that no alternative site exists to accommodate the proposals. The lack of alternative sites for large format retailing of the nature proposed has previously been recognised by RBC when previously considering similar proposals within the Borough.
- 8.6 In highway terms, the nature of the proposals and its location are entirely acceptable. There is no reason in transport terms that should mean that the proposals should not be supported – as demonstrated by the supporting evidence.
- 8.7 All other development management considerations have been assessed. The development will give rise to a significant number of tangible socio-economic benefits including the long-term occupancy of existing floorspace, job retention (and creation), inward investment and improved consumer choice. These benefits should be afforded significant weight when considering the overall planning balance.
- 8.8 For all the reasons set out within this report, the proposals comprise sustainable economic development, the principle of which is supported by national and local planning policy. The proposals accord with the development plan and, applying the presumption in favour of sustainable development, planning permission should be granted without delay.



Document 1

Site Location Plan



— APPLICATION SITE BOUNDARY
(7,509 sqm / 1.85 acres)

— OTHER LAND IN APPLICANTS OWNERSHIP

DRAFT

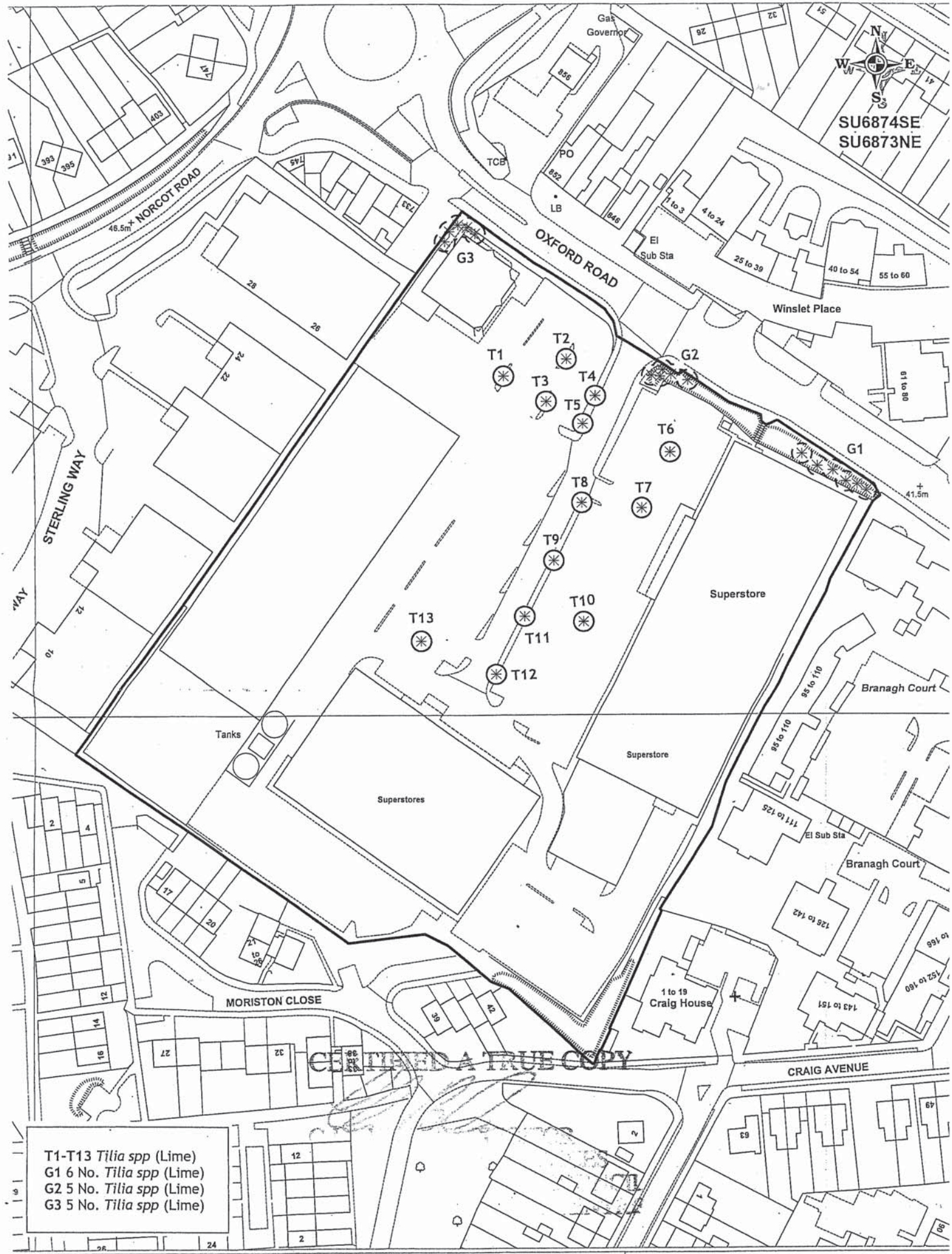
	dd-mm-yy	----	---	---
Rev	Date	Description	Rev By	Chk'd By
Project Title	PROPOSED DEVELOPMENT READING RETAIL PARK 709-731 OXFORD ROAD READING RG30 1PR			
Client	COLUMBIA THREADNEEDLE INVESTMENTS			
Status	PLANNING			
Scale	1:1250		Drawing Size	A3
Date	27/04/2022	Drawn By	DP	Checked DRW
Drawing Title	SITE LOCATION PLAN			
Job-Dwg No	15044-1-102			Rev -
☐ 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800 ☐ Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555 ☐ The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211577 ☒ 101 London Road, Reading, RG1 5BY t. 0118 9507700 ☐ 10 Gees Court, St Christophers Place, London, W1U 1JJ t. 0207 4091215 THE HARRIS PARTNERSHIP ARCHITECTS www.harrispartnership.com				

01 SITE LOCATION PLAN
1:1250



Document 2

Details of Tree Preservation Order



N
 W E
 S
 SU6874SE
 SU6873NE

T1-T13 *Tilia spp* (Lime)
 G1 6 No. *Tilia spp* (Lime)
 G2 5 No. *Tilia spp* (Lime)
 G3 5 No. *Tilia spp* (Lime)

CERTIFIED A TRUE COPY

TITLE TREE PRESERVATION ORDER: READING RETAIL PARK, OXFORD ROAD, READING

DRG NO	D1895	DATE	SEPT 2009
DRAWN BY	KR	SCALE	1:1000



Reading
 BOROUGH COUNCIL
 PLANNING SUPPORT TEAM



Document 3

Details of Relevant Planning History



**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE ORDER
1995)**

APPLICATION FOR FULL PLANNING PERMISSION

To: Ing Real Estate
C/O SMG Corstorphine And Wright
Brook Hall
Brook Street
Warwick CV34 4BL

Application No: 06/00427/FUL/DG

Applicant: Ing Real Estate

READING BOROUGH COUNCIL as local planning authority GRANT FULL planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Alterations and refurbishment of existing retail park

At: Reading Retail Park Oxford Road Reading Berkshire RG30 1PR

Subject to such conditions and for such reasons as may be attached

**OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 22/08/06

David Gwörthy

Head of Planning and Transport *DB*

Application At: Reading Retail Park Oxford Road Reading Berkshire RG30 1PR

Application No: 06/00427/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which the permission was granted. Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91(1) of the Town & Country Planning Act 1990.
2. Prior to the commencement of development details of the provision of secure cycle storage and ancillary facilities for each retail block shall be submitted to and approved in writing (following consultation with Thames Valley Police and RBC Transport Strategy) by the local planning authority. The storage facilities shall be provided in accordance with the approved details and made ready for use prior to the first occupation. The storage facilities shall thereafter be maintained for use at all times. Reason: in the interest of the amenity of residents and to reduce reliance on the private motor car in accordance with the Council's Balanced Transport Strategy and adopted RBLP Policy TRN5.
3. A minimum of 409 on-site parking spaces (as shown on the approved drawing 03-125 1201 Rev D (Proposed Site Layout Option - 7 Mar 06)) shall be provided and made ready for use prior to the first occupation of the development hereby permitted or in accordance with an alternative timescale which is agreed in writing with the Local Planning Authority prior to the commencement of development. The parking spaces shall be retained thereafter for the parking of vehicles by customers and staff of the approved scheme only. Reason: in the interests of ensuring adequate provision is made for car parking on the site and the safety and convenience of all highway users in accordance with adopted RBLP Policy TRN12;
4. A minimum of 16 disabled parking bays shall be provided and kept available for use at all times by customers of the retail units hereby approved. Reason: In the interests of providing an adequate level of parking for disabled customers in accordance with adopted RBLP Policy KEY1.
5. The development to which this permission relates shall be carried out in accordance with the approved plans and details: 03125 1000 (Site Location Plan) received 11/04/06; 03125 1001 (Existing Site Plan) received 11/04/06; 03125 1010 (Currys & Halfords Existing Floor Plans & Elevations) received 10/05/06; 03125 1011 (Focus Existing Floor Plans & Elevations) received 10/05/06; 03125 1012 (MFI & Carpetright Floor Plans & Elevations) received 10/05/06; 03-125 c1021 Rev B (Site Boundary) received 11/04/06; 03-125 1201 Rev D (Proposed Site Layout Option - 7 Mar 06) received 14/06/06; 03125 1202 Rev B (Block 1 Plans, Elevations & Section General Assembly) received 14/06/06; and each phase shall be completed in its entirety before the building(s) are occupied, except as may be subsequently agreed in writing by the

Date: 22/08/06

David Givorty

Head of Planning and Transport *DB*

local planning authority. Reason: to ensure the completion of the development in accordance with the approved plans and details before occupation of the building(s) takes place and to ensure that the quality of design is not compromised by partial completion in accordance with adopted Reading Borough Local Plan (1998) Policy CUD14.

6. The gross A1 (retail) floorspace of the development hereby approved shall not exceed 12,488 square metres at any time, including through the addition or extension of any mezzanine level (excepting that indicated on the approved drawings) without first gaining written approval from the Local Planning Authority upon submission of a planning application. Reason: to maintain control on the size of the development and its impact on the surrounding area in accordance with adopted Reading Borough Local Plan Policy RET1.
7. The units hereby approved shall not be subdivided into smaller units without the written consent of the Local Planning Authority upon submission of a planning application. Reason: As the site lies outside an existing shopping centre and to enable the Local Planning Authority to control the size of retail units to safeguard the vitality and viability of existing shopping centres in accordance with adopted RBLP Policy RET1.
8. The use of the retail floorspace falling within Class A1 of the Town & Country Planning (Use Classes Order) 1987, shall not include the sale of food items, nor the sale of clothing, fashion accessories, shoes, sporting goods, books, stationery and toys, unless incidental to the primary retail activities undertaken therefrom. Reason: As the site lies outside an existing shopping centre and to enable the Local Planning Authority to control the range of goods to be sold to safeguard the vitality and viability of existing shopping centres in accordance with adopted RBLP Policy RET1.
9. The retail floorspace, as defined by Class A1 of the Town & Country Planning (Use Classes Order) 1987, shall not be open to the public outside the hours of 09:00 and 20:00 (Mondays to Saturdays inclusive) and 10:00 and 18:00 (on Sundays) EXCEPT for Block 1 Unit A, which shall not be open to the public outside the hours of 07:00 and 20:00 (Mondays to Saturdays inclusive, except Bank Holidays) and 10:00 and 18:00 on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority. Reason: In order to protect the residential amenity of neighbouring development in accordance with adopted RBLP Policy RET1 (vi).
10. The servicing of the retail floorspace, insofar as it relates to the delivery of goods to the site, shall not take place outside the hours of 09:00 and 17:00 (Monday to Friday inclusive), EXCEPT for Block 1 Unit A, which shall not take place outside the hours of 08:00 and 20:00 (Mondays to Fridays inclusive, except Bank Holidays) for the first six months of occupation of the premises, after which period deliveries shall not take place outside the hours of 09:00 and 17:00 (Monday to Friday inclusive) unless otherwise agreed in writing by the local planning authority. Reason: In order to protect the residential amenity of neighbouring development in accordance with

David Givorty

Date: 22/08/06

Head of Planning and Transport DB

adopted RBLP Policy RET1 (vi) and, in the case of the occupation of Block 1 Unit A, to monitor and assess any impact of extended delivery hours on the residential amenity of neighbouring development before confirming these hours on a permanent basis.

11. Prior to commencement of development details of how service vehicle deliveries to the site will be managed shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details unless otherwise agreed in writing by the local planning authority and the approved details conformed to thereafter. Reason: in the interests of the safety and convenience of all highway users. Reason: In the interests of securing a satisfactory management plan for the servicing of the retail park in accordance with adopted RBLP Policy TRN13.
12. No goods or products shall be displayed, stored or sold on the open parts of the site other than within the approved Garden Centre and Storage Compound as shown on drawing no. 1201 Rev D. Reason: In the interests of visual amenity and to reduce the amount of external clutter at the retail park in accordance with adopted RBLP Policies RET1 and CUD14.
13. Full details of bin storage areas (including ventilation and management) for all uses hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby approved. Bin storage shall be carried out in accordance with the agreed information and made available prior to the first occupation of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Reason: To ensure that adequate bin storage is provided for the commercial uses hereby approved in accordance with adopted RBLP Policy RET1.
14. Provision shall be made on-site for the installation and subsequent emptying of litter bins and such provision shall be approved in writing by the local planning authority prior to the first occupation of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Reason: to ensure that adequate facilities are provided for the collection and disposal of litter likely to be generated by the use in accordance with adopted RBLP Policy RET1.
15. Construction of the development hereby approved shall not commence until there has been submitted to and approved in writing by the local planning authority (following consultation with Thames Valley Police and the Ward Councillor) a scheme for both hard and soft landscaping and all means of enclosure. The submitted details shall include any pedestrian and vehicle circulation areas, surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc) and shall include a written statement assessing the environmental impact of the proposed works. For schemes involving soft landscaping the submitted details should include proposed tree removal, schedules of plants giving the species, plant sizes, proposed numbers/densities and an implementation and maintenance programme. Other details shall include the provision where appropriate of fencing, walling and other means of enclosure and screening

Date: 22/08/06

David Gwynne

Head of Planning and Transport *DB*

(particularly between the application site and Moriston Close and to improve existing gaps in the perimeter fence), the formation of banks, terraces or other earthworks. Following approval by the local planning authority, the works shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment in accordance with adopted RBLP Policy RET1.

16. A landscaping management plan, including short and long term objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or in accordance with a timetable to be agreed in writing with the local planning authority. Reason: to ensure the long term management and maintenance of communal landscaped areas on the site in accordance with adopted RBLP Policy NE5.
17. If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation. Reason: to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme in accordance with adopted RBLP Policy NE5.
18. No development shall take place until samples of all materials (including all external fixtures, brick panelling and render detailing, fittings, window and door frames, glazing and mortar colours) to be used in the construction of the external surfaces of this development and details of window and doorway reveals have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: To secure a harmonious form of development in accordance with adopted RBLP Policies HSG5 and CUD14.
19. Details of any external lighting on the site (to include type and luminance) shall be submitted to and approved in writing by the local planning authority prior to installation. The approved lighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its prior written consent to the variation. Reason: to protect the appearance of the area and local residents from light pollution in accordance with adopted RBLP Policy CUD14.
20. Before any development or demolition works are commenced, details shall be submitted to and approved in writing by the local planning authority making provision for a construction method statement for the development. The Construction Method Statement shall show details for each phase of the development and shall include information relating to:

Date:

22/08/06

David Givorty

Head of Planning and Transport *DRB*

- a Parking of vehicles of site personnel, operatives and visitors
- b Loading and unloading of plant and materials
- c Storage of plant and materials used in constructing the development
- d Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary
- e Times, routes and means of access into the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway)
- f Hours of construction
- g A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing
- h A scheme for recycling waste resulting from the construction programme
- i The method of demolition of the existing structures and concrete hardstanding
- j Measures to be used for the suppression of dust and dirt throughout the course of construction.
- k The methods of supervision to ensure that workers have knowledge of the method statement and to ensure compliance with the method statement.
- l A "hotline" number shall be provided for the use of residents in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period.

The Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority. Reason: In the interest of safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

- 21. In connection with the implementation of this permission the demolition and construction works including the delivery of materials to the site shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays or 08:00 to 13:00 on Saturdays. Works shall not take place at all on Sundays or Bank Holidays without the prior written approval of the local planning authority. Reason: to protect local residents from unreasonable disturbances from works connected with implementing this permission.
- 22. The applicant shall appoint a permanent Transport Co-ordinator on behalf of all retail units hereby approved and notify the Local Planning Authority within 2 months from the date of first occupation of their details unless otherwise agreed in writing with the Local Planning Authority. Once appointed the Transport Co-ordinator shall implement the contents of a Written Transport Policy which promotes 'green travel' by customers and staff to the site. This Policy shall be agreed in writing with the Local Planning Authority within 6 months from the date of the first occupation of the development hereby approved. Reason: To promote alternative modes of travel in the interests of Green Travel in accordance with adopted RBLP Policies TRN11a and TRN11b.

Date: 22/08/06

David Givortny

Head of Planning and Transport *DB*

INFORMATIVES

1. The development is acceptable in planning terms and accords with the following development plan policies: KEY1 (Equality of Access to Development), TRN1 (A Balanced Transport Strategy), TRN5 (Cycle Parking), TRN11a (Location of Development), TRN11b (Development & Traffic), TRN12 (Car Parking), TRN13 (Off-street Servicing), TRN15 (Parking for People with Disabilities), RET1 (Development Outside Existing Shopping Centres) and CUD14 (Standards of Design in Development) of the adopted Reading Borough Local Plan (1998).
2. The applicant is advised that conditions 8, 10, 12, 15, 17 and 20 above are pre-commencement conditions and requires the terms of the conditions to be satisfied before development commences. If development commences in contravention of those conditions, the development taking place will be made unauthorised in planning terms. This may result in the Council taking enforcement action against the unauthorised development. If the applicant is in any doubt please contact the Council.
3. The applicant is advised that all works to which this permission relates must be carried out strictly in accordance with the plans, drawings and other relevant supporting material submitted as part of this application and hereby approved. The local planning authority must be immediately advised of any proposed variation from the approved documents and the prior approval in writing of the Council must be obtained before any such works are carried out on the site. Failure to comply with this advice may render those responsible liable to enforcement proceedings which may involve alterations and/or demolition of any unauthorised building or structures and may also lead to prosecution.
4. The applicant is advised that further applications, under the Advertisement Regulations (1992), may be required prior to the installation of any signage.
5. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
6. The applicant is advised that further applications, under the Building Regulations, will be required prior to the commencement of development.

Date:

22/08/06

David Givosty

Head of Planning and Transport DB

APPEALS

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 8000. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 - Section 32

- (1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show -
 - (a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended, And
 - (b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.
- (2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
- (3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.
- (4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.
- (5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

- 76-(1) This section applies when planning permission is granted for any development that will result in the provision -
 - (a) Of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);
 - (b) Of any of the following (being in each case, premises in which persons are employed to work) -
 - (i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
 - (ii) Premises which are deemed to be such premises for the purposes of that Act; or
 - (iii) Factories as defined by section 175 of the Factories Act 1961,
 - (c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;
 - (d) Of a building intended for the purposes of an institution within the PCFC funding sector; or
 - (e) Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.
- (2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted -
 - (a) In the case of such a building or premises as are mentioned in subsection (1)(a)
 - (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
 - (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code,
 - (b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;
 - (c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.
- (3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipe work) needing disposal.

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed. Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

BUILDING REGULATIONS

This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Planning Department whether any approval is required under the Building Regulations.



**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE ORDER
1995)**

APPLICATION FOR FULL PLANNING PERMISSION

To: ING Real Estate Investment
Management (UK) Ltd
C/O CSJ Brooke Smith
Somerville House
20-22 Harbourn Road
Edgbaston
Birmingham
B15 3AA

Application No: 06/01118/FUL/WL1

Applicant: ING Real Estate Investment Management (UK) Ltd

READING BOROUGH COUNCIL as local planning authority GRANT FULL planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Installation of additional mezzanine floorspace in Block 2, Unit C, Reading Retail Park

At: Reading Retail Park Oxford Road Reading Berkshire RG30 1PR

Subject to such conditions and for such reasons as may be attached

**OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 18th DECEMBER 2006

David Gwosdy

Head of Planning and Transport

DB

Application At: Reading Retail Park Oxford Road Reading Berkshire RG30 1PR

Application No: 06/01118/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted. Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. This permission relates only to the application as changed by drawings 1207 which were received by Reading Borough Council as local planning authority on 1st Nov 2006. Reason: as some plans were changed and to clarify which plans are approved.
3. The gross A1 (retail) floorspace provided at any mezzanine level at Unit C, Block 2 shall not exceed 589 square metres at any time. Reason: to maintain control on the size of the development and its impact on the surrounding area in accordance with adopted Reading Borough Local Plan Policy RET1.
4. The use of the retail floorspace falling within Class A1 of the Town & Country Planning (Use Classes Order) 1987, shall not include the sale of food items, nor the sale of clothing, fashion accessories, shoes, sporting goods, books, stationery and toys, unless incidental to the primary retail activities undertaken therefrom. Reason: As the site lies outside an existing shopping centre and to enable the Local Planning Authority to control the range of goods to be sold to safeguard the vitality and viability of existing shopping centres in accordance with adopted RBLP Policy RET1.
5. The applicant shall appoint a permanent Transport Co-ordinator on behalf of the retail unit in the Block in the retail park in which the mezzanine floor hereby approved is situated and notify the Local Planning Authority within 2 months from the date of first occupation of their details unless otherwise agreed in writing with the Local Planning Authority. Once appointed the Transport Co-ordinator shall implement the contents of a Written Transport Policy which promotes 'green travel' by customers and staff to the site. This Policy shall be agreed in writing with the Local Planning Authority within 6 months from the date of the first occupation of the development hereby approved. Reason: To promote alternative modes of travel in the interests of Green Travel in accordance with adopted RBLP Policies TRN11a and TRN11b.

INFORMATIVES

1. In reaching the above decision the Local Planning Authority has taken account of the following policies of the Reading Borough Local Plan 1998: RET1 (Development Outside Existing Shopping Centres), KEY1 (Equality of Access to Development), KEY3 (The Role and Development in Improving the Town), TRN1 (A Balanced Transport Strategy) and

Date: 18TH DECEMBER 2006

David GwORTHY

Head of Planning and Transport

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TRN11b (Development & Traffic) and the Council's Supplementary Planning Guidance (SPG) on planning obligations, September 2004.

2. The applicant is advised that all works to which this permission relates must be carried out strictly in accordance with the plans, drawings and other relevant supporting material submitted as part of this application and hereby approved. The local planning authority must be immediately advised of any proposed variation from the approved documents and the prior approval in writing of the Council must be obtained before any such works are carried out on the site. Failure to comply with this advice may render those responsible liable to enforcement proceedings which may involve alterations and/or demolition of any unauthorised building or structures and may also lead to prosecution.
3. **INFORMATIVE - S106 AGREEMENT** - A section 106 Agreement relates to this site, which includes a requirement for financial contributions towards: transport. A full copy of the S106 Legal Agreement is available on the Public Register of Planning Applications held at Reading Borough Council.
4. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

Date: 18TH DECEMBER 2006

David Givorty

Head of Planning and Transport 

NOTES -

APPEALS

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 8000. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 - Section 32

- (1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show -
 - (a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended, And
 - (b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.
- (2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
- (3) Section 15(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.
- (4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.
- (5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

- 76-(1) This section applies when planning permission is granted for any development that will result in the provision -
- (a) Of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);
 - (b) Of any of the following (being in each case, premises in which persons are employed to work) -
 - (i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
 - (ii) Premises which are deemed to be such premises for the purposes of that Act; or
 - (iii) Factories as defined by section 175 of the Factories Act 1961;
 - (c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;
 - (d) Of a building intended for the purposes of an institution within the PCFC funding sector; or
 - (e) Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.
- (2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted -
- (a) In the case of such a building or premises as are mentioned in subsection (1)(a)
 - (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
 - (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;
 - (b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;
 - (c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.
- (3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipe work) needing disposal.

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed. Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

BUILDING REGULATIONS

This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Planning Department whether any approval is required under the Building Regulations.

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010: ARTICLE 35
CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

To: ING Real Estate Investment Management
(UK) Ltd
C/O Prime Planning And Development
Ltd
Mr Bruce Hartley-Raven
2 Parkhill Barns
Larkwhistle Farm Road
West Stratton
SO21 3QY

Application No: 11/00802/CLP

Applicant: ING Real Estate Investment Management (UK) Ltd

The Reading Borough Council hereby certify that on **30th June 2011** the use/operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan is/are lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s) and subject to the following condition(s) as may be attached:

First Schedule: Certificate of lawfulness for proposed unrestricted A1 retail use

Second Schedule: Unit E Reading Retail Park Oxford Road Reading RG30 1PR

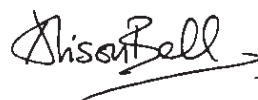
CONDITIONS & REASONS

1. The implementation of planning permission 07/00450/FUL subdivided the planning unit, known as Unit E, and had no condition attached to it restricting types of goods sold. This created a new chapter in the planning history and consequently unrestricted Class A1 (Retail) uses are lawful from this Unit.

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations specified in the First Schedule taking place on the land described in the Second Schedule is/are lawful, on the specified date and, thus, is/are not liable to enforcement action under section 172 of the 1990 Act on that date.

Date: 19th August 2011

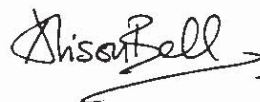


Head of Planning & Building Control

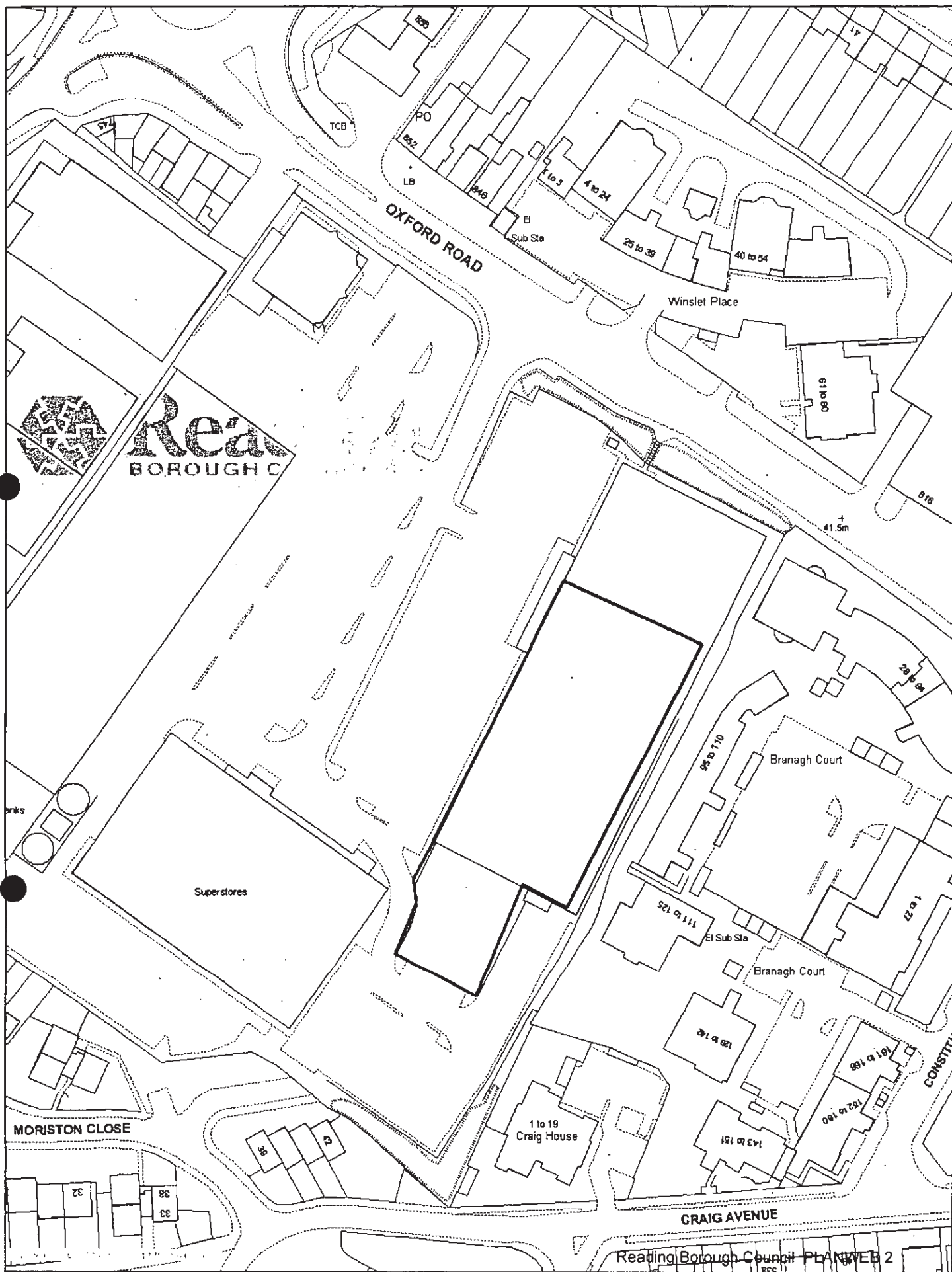


3. This certificate applies only to the extent of the use/operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Date: 19th August 2011



Head of Planning & Building Control 



11/00802/CLP - Unit 1 Reading Retail Park Oxford Road

Date 18/8/2011

Scale 1/1250



NOTES

APPEALS

- (1) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If this is a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder application) then you must do so within 6 months of the date of this notice. 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, 0117 372 8000 or online at www.planningportal.gov.uk/pes. 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.
- (2) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 - Section 32

- (1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show -
 - (a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended, And
 - (b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.
- (2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.
- (3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.
- (4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.
- (5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

- 76-(1) This section applies when planning permission is granted for any development that will result in the provision -
- (a) Of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);
 - (b) Of any of the following (being in each case, premises in which persons are employed to work) -
 - (i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
 - (ii) Premises which are deemed to be such premises for the purposes of that Act; or
 - (iii) Factories as defined by section 175 of the Factories Act 1961,
 - (c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;
 - (d) Of a building intended for the purposes of an institution within the PCFC funding sector; or
 - (e) Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.
- (2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted -
- (a) In the case of such a building or premises as are mentioned in subsection (1)(a)
 - (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
 - (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code,
 - (b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;
 - (c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.
- (3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipe work) needing disposal. Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed. Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD or 0870 8506506. There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

BUILDING REGULATIONS

This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Planning Department whether any approval is required under the Building Regulations.



Document 4

Reading Borough Council's Formal Pre-application Response

RESPONSE TO A REQUEST FOR PRE-APPLICATION ADVICE

Planning Case Officer: Mark Worringham

Ward: Norcot

Pre-app Ref No.: 210607/PREAPP

Address: Units B and C, Reading Retail Park, Oxford Road

Proposal: Pre-Application Advice for proposed use of Unit B and Unit C as a foodstore (Class E) including rear extension, revised servicing arrangements, new shop front, trolley bay, covered cycle storage, car park reconfiguration and associated works.

Pre-applicant/Agent: Threadneedle UK Property Authorised Investment Fund (c/o Quod)

Date pre-app request received: 20/04/2021

8 week target date for pre-application response: 15/06/2021

Major/Minor/Other Development Category: Major

PRE-APPLICATION ADVICE SUMMARY

In the light of the comments in this report, it is considered that the principle of a foodstore within units B and C will be dependent on demonstration of compliance with the sequential approach as set out in the National Planning Policy Framework. There are potential concerns around the impact of the extended opening and servicing hours and the extension and new plant on nearby residents in terms of noise, and a Noise Assessment would be required. Submission of a Transport Assessment will also be required that demonstrates that significant impacts on the transport network will be avoided. Further information is also required in terms of matters such as trees, external lighting, contamination and air quality.

1. PROPOSAL

The site forms part of Reading Retail Park. Units B and C are within the southernmost block of the retail park, and are currently occupied by Carpetright and Halfords respectively. The adjacent Unit D is occupied by a gym, and is shown within the red line boundary of the site, but does not appear to be part of the proposal.

The proposal is to use units B and C as a foodstore and erect a 55 sq m extension to the rear to create an improved servicing and loading area, resulting in a total floorspace of 1,952 sq m (GIA). In addition, there would be a new canopy over the entrance lobby, the introduction of parent and child parking spaces and trolley bay and reconfiguration of disabled parking spaces.

2. SUPPORTING INFORMATION SUBMITTED WITH THE PRE-APPLICATION

Pre-Application Form
Covering Letter

Location Plan
Tree Preservation Order Plan
Letter setting out Transport Assessment scope and indicative traffic impact assessment
Sustainability Overview
Previous decision notices

3. PLANNING HISTORY

87/TP/975: Retail warehouse & external garden centre and fast food outlet.
Permitted 3rd March 1988.

88/TP/313: Variation to condition 6 (87TP975) to allow Sunday training (10:00 – 18:00). Permitted 14th July 1988.

95/00424/FUL: Change of use of part of existing retail unit to car showroom.
Permitted 3rd August 1995.

95/00694/FUL: Change of use of part of existing retail unit to car showroom.
Permitted 19th October 1995.

01/01302/FUL: Alterations to rear elevation fire exit door. Permitted 30th November 2001.

04/01371/FUL: Refurbishment of existing retail park. Permitted 18th February 2005.

06/00427/FUL: Alterations and refurbishment of existing retail park. Permitted 22nd August 2006.

06/01118/FUL: Installation of additional mezzanine floorspace in Block 2, Unit C, Reading Retail Park. Permitted 18th December 2006.

07/00132/ADV: Internally illuminated fascia sign and non-illuminated panel sign.
Permitted 5th April 2007.

08/00734/ADV: Erection of six non-illuminated poster frames. Permitted 15th August 2008.

08/00741/APPCON: Application to discharge conditions 14, 15 and 16 of planning consent 06/00427/FUL. Split decision 15th August 2008 (condition 14 discharged only).

08/00742/APPCON: Application for discharge of condition 2 of planning consent 06/00427/FUL. Condition discharged 6th August 2008.

08/01149/MA: Minor amendments to planning consent 06/00427/FUL for the relocation of the sprinkler tanks. Agreed 25th September 2008.

08/01150/APPCON: Discharge of conditions 15 and 16 of planning consent 06/00427/FUL. Conditions discharged 24th October 2008.

08/01485/APPCON: Discharge of condition 19 of planning consent 06/00427/FUL. Condition discharged 23rd December 2008.

09/00690/FUL: Replacement of external condensers. Permitted 7th July 2009.

09/00994/APPCON: Discharge of condition 22 relating to permitted application 06/00427/FUL. Condition discharged 6th August 2009.

09/00995/APPCON: Discharge of condition 5 relating to permitted application 06/01118/FUL. Condition discharged 6th August 2009.

09/01331/APPCON: Discharge of condition 2 of permitted application
09/00690/FUL. Condition discharged 24th August 2009.

09/01851/ADV: Illuminated fascia sign above entrance doors (relates to Carpetright unit). Permitted 7th January 2010.

150355/FUL: Application for a change of use of floorspace from retail (class A1) to retail (class A1) and / or a health and fitness centre (class D2), and the creation of 428 sq m of additional floorspace at mezzanine level. Permitted 4th June 2015.

151040/ADV: Fascia sign and window vinyls. Permitted 20th August 2015.

211792/TPO: Proposed works to TPO tree. Split decision 7th December 2021.

4. CONSULTATIONS

(i) Consultation carried out by applicant and compliance with Statement of Community Involvement and summary of results of consultation

No consultation carried out. It is considered that in this instance, a Statement of Community Involvement (SCI) will not be required as part of the application.

(ii) Consultation carried out by RBC and summary of results

No consultations carried out. Initial pre-application enquiry in April 2021 was for a scoping meeting, which was held on 9th June 2021. A request for a written response with covering fee followed on 31st May 2022, with a request for written advice by 17th June, which did not give time to undertake consultations.

6. ENVIRONMENTAL ASSESSMENT

The development does not fall within Schedule 2 of the EIA regulations and therefore a Screening Opinion under Regulation 5(1) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 is not required.

7. RELEVANT PLANNING POLICY AND GUIDANCE

National Planning Guidance
National Planning Policy Framework

Reading Borough Local Plan (adopted November 2019)

CC1: Presumption in favour of sustainable development

CC2: Sustainable design and construction

CC4: Decentralised energy

CC5: Waste minimisation and storage

CC8: Safeguarding amenity

CC9: Securing infrastructure

EN14: Trees, hedges and woodlands

EN15: Air quality

EN16: Pollution and water resources

EN17: Noise generating equipment

TR1: Achieving the transport strategy

TR3: Access, traffic and highway-related matters

TR5: Car and cycle parking and electric vehicle charging

RL1: Network and hierarchy of centres

RL2: Scale and location of retail, leisure and culture development

RL5: Impact of main town centre uses

OU4: Advertisements

OU5: Shopfronts and cash machines

Supplementary Planning Guidance/Documents

Planning Obligations under S106 SPD (2015)

Revised Parking Standards and Design SPD (2011)

Sustainable Design and Construction SPD (2019)

8. APPRAISAL

Main considerations:

- (i) Principle of development
- (ii) Transport
- (iii) Environmental protection
- (iv) Sustainable development
- (v) Trees
- (vi) Community Infrastructure Levy
- (vii) Other matters

(i) Principle of Development

The site is not within or on the edge of a defined centre identified in the Reading Borough Local Plan. Policy RL2 of the Local Plan directs all retail, leisure and culture development of over 2,500 sq m towards the centre of Reading. However, as the proposal is below this threshold, policy RL2 states that *“All development will comply with the relevant tests for retail, leisure and culture development set out in national policy”*. Therefore, the principle of retail development in an out-of-centre location is dependent on demonstration of compliance with the relevant policy tests. Two particular tests are set out in national policy - the sequential approach and retail impact. Until information is provided to demonstrate compliance with the relevant tests, it is not therefore possible to comment further on the principle of development.

The first point to consider is the extent to which demonstration of compliance with these tests is required by policy.

Paragraph 87 of the NPPF states that *“Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan”*. No size threshold is given. Demonstration of compliance with the sequential approach is therefore a policy requirement, and should be submitted at planning application stage.

In terms of impact, paragraph 90 of the NPPF states that an impact assessment is required for applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, with a default threshold of 2,500 sq m of gross floorspace unless there is a locally-set threshold. Based on the floorspace given in a previous application of 1,858 sq m, this proposal falls below the national threshold. Policy RL5 of the Local Plan sets a lower threshold of 1,000 sq m, but only for *“new or additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location”*. This proposal does not involve new or additional floorspace, and as such policy does not require submission of an impact assessment.

Therefore, only submission of information demonstrating compliance with the sequential approach is required at application stage.

In terms of the proposed sequential approach detailed in the pre-application submission, the proposed parameters for assessing sites are as follows:.

- *“Sites capable of accommodating a discount foodstore comprising between 1,560 and 2,342 square metres of retail floorspace over a single level. This demonstrates flexibility being within 20% over and above the retail floorspace proposed (1,952 square metres);*
- *Main road frontage / prominence;*
- *Immediately adjacent, at grade customer car parking with trolley bays; and*
- *Adequate servicing arrangements capable of receiving deliveries by large HGVs without customer conflict.”*

It is agreed that these represent reasonable parameters for undertaking the assessment, and demonstrates the flexibility on issues such as format and scale required by paragraph 88 of the NPPF.

The main catchment of the proposed store is based on a five minute drive time, and it is within this area that sequentially preferable opportunities will be assessed. This is in line with similar proposals that the Council has dealt with elsewhere within Reading and is considered to be appropriate. The four centres identified for the assessment (Oxford Road West, Meadway, Dee Park and Tilehurst Triangle) are therefore also considered to be appropriate.

However, the suggestion that the sequential search should be limited to re-use of existing units is not agreed. All potential new-build opportunities within the search area should also be included. The proposal would result in a distinctly different form of operation from the current situation, including a range of goods that are typically sold from centres, over a large amount of floorspace. The NPPF (paragraph 87) states that the site should be available within a reasonable period, rather than specifying that the finished unit should be. It is not agreed that an aspiration to open by the end of 2022 represents a sufficient reason to exclude consideration of any opportunities for new-build development within or on the edge of existing centres, and the sequential approach should cover this.

Should the sequential approach be fulfilled and permission granted, it will be necessary to apply a planning condition limiting the goods that can be sold from the units to those specifically described within that permission and on the basis of which the sequential approach has been carried out. This is because the sequential approach will have been undertaken on the basis of set parameters that apply to a specific retail operation and not to retail more generally. If the operation is proposed to include any significant proportion of non-food retail, it would therefore be useful to understand the expected proportions at application stage. Similarly, it is likely that a condition preventing other uses within Class E would also be imposed.

(ii) Transport

No comments have been sought from RBC Transport colleagues on this pre-application enquiry. However, based on similar previous applications, it is expected that the proposal has potential to lead to an increase in trips, and therefore any application must be submitted with a Transport Statement.

The Transport Statement should assess the following:

- Comparison between the trip generation for the existing and proposed use at Units B and C.
- Comparison between the existing car parking provision and that required for the proposed use. It is possible that the proposed use will require a greater level of car parking and therefore this must be reviewed in detail, taking account of parking provision and requirements across the whole retail park.
- Details of the reconfigured provision for disabled parking.
- A review of the cycle parking requirements should be undertaken to ensure that sufficient cycle parking for staff and customers is provided. Also any reasonable requirements for improvements to cycle access and routes in the surrounding area.
- The application should ensure that servicing areas are fully detailed on the site including any routes through the car park to and from the road network.

The Planning Obligations under Section 106 SPD sets out where a contribution towards transport measures within a Section 106 agreement would be required. This states that contributions towards “*Strategic Borough wide transport improvements as set out in the Local Transport Plan and accompanying rolling delivery plan*” are to be generally made by the Community Infrastructure Levy. A Section 106 agreement would be expected to cover site related highway works made necessary by the development and not part of any transport programme, as well as “*Other site related transportation mitigation measures including car clubs, electric vehicle charging points, travel plans, which result directly from the development.*” The Transport Statement should highlight whether any such requirements are necessary.

In terms of car parking, the site falls within Zone 3 as defined in the Council’s Revised Parking Standards and Design SPD (2011). The proposed use is non-food retail, and the expected maximum parking standard in the SPD in Zone 3 is one space per 30 sq m. The minimum cycle parking provision in the SPD for food retail is one space per 6 staff and one space per 300 sq m.

(iii) Environmental protection

No comments have been sought from RBC Environmental Protection colleagues on this pre-application enquiry. Some initial points are set out below, but Environmental Protection colleagues will be consulted on any planning application and are likely to provide further detail.

Noise

The rear of the existing buildings is close to residential properties on Moriston Close, some of which are between 30 and 40 metres away from the existing rear elevation and even closer to the parking and servicing areas. The proposal has the potential to result in significant impacts on residents through noise as a result of:

- Changes to opening hours;
- Changes to servicing hours; and
- The proposed extension and plant.

A Noise Assessment, prepared by a suitably qualified person, is therefore required, taking account of the matters above, and detailing any proposed mitigation measures.

In terms of opening hours, condition 9 of planning permission 06/00427/FUL currently restricts trading to 09:00 to 20:00 on Monday to Saturday and 10:00 to 18:00 on Sundays and Bank Holidays, with the reason being to protect the amenity of neighbouring development. The proposal is for the opening hours to be extended to 07:00 to 23:00 on Monday to Saturday (including Bank Holidays). Sunday opening hours would not change. It is worth noting that planning permission 150355 allowed the gym at Unit D to operate on a 24-hour basis on the basis of noise control measures set out in an operations note secured by condition, but continues to restrict A1 retail floorspace to the existing opening hours. The suitability of these opening hours will need to be carefully considered in view of any proposed noise control measures.

In terms of servicing hours, condition 10 of planning permission 06/00427/FUL currently restricts servicing of units B and C to 09:00 to 17:00 on Monday to Friday, with the reason being to protect the amenity of neighbouring development. The proposal is for delivery hours to be extended to 07:00 to 23:00 on Monday to Saturday (including Bank Holidays) and 10:00 to 18:00 on Sundays. This represents a very significant increase in delivery hours that are currently tightly restricted, in very close proximity (between 10 and 20 metres) to a number of residential properties. The Noise Assessment should assess the impact on nearby residential properties and set out any mitigation measures, but it should be noted that there is a strong likelihood that the proposed servicing hours are likely to cause concern.

A Servicing Deliveries Management Plan (December 2007) was approved under condition 11 of 06/00427/FUL. It would be important to know at application stage whether changes to this plan are expected, and ideally what they would entail.

The proposed 55 sq m extension would be at the rear of the unit and would allow for an improved servicing and loading area. In addition, mechanical plant is proposed to be housed in the rear service yard. No plan of the location or extent of these additions has been provided (other than within the Sustainability Overview, with the status of this plan being unclear), but the location will certainly be within 40m of residential properties and potentially much closer. Given the proposed changes to opening and servicing hours, both the extension and the mechanical plant would presumably operate until 23:00 Monday to Saturday, this is potentially a matter of considerable concern. In terms of the mechanical plant, policy EN17 requires that, where noise generating equipment is proposed, that the noise source specific level should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor. The Noise Assessment should cover noise from these additions and include detail of any proposed mitigation measures.

Air Quality

The site falls just outside the Air Quality Management Area but is accessed from it. The Local Plan (paragraph 4.2.81) states that an Air Quality Assessment is likely to be required where major development is accessed from within the AQMA and would lead to a material increase in congestion or HGVs. The Transport Statement will therefore be important in determining whether an AQA is necessary, and it should specifically identify any change in HGV trips.

Contamination

The site of Reading Retail Park has been identified as potentially contaminated as the site of a former engineering works. As ground works would be required for the

proposed extension (as well as potentially other aspects of the proposal), a Contaminated Land Report comprising a desk study listing current and historic uses of the site and adjoining land together with a site reconnaissance is therefore required at planning application submission. Where contamination is known or suspected, a preliminary conceptual site model showing all potential pathways between contaminants and receptors is required together with a preliminary risk assessment of these pollutant linkages.

Lighting

Condition 19 of planning permission 06/00427/FUL for the refurbishment of the retail park required submission of lighting details. These were submitted and approved under 08/01485/APPCON, but in relation to the Wickes store and outdoor garden centre only. If the proposal is to include any changes to outdoor lighting, given the proximity of residential properties to the rear and the proposed changes to trading and servicing hours, it will be important that these details, including any proposals for the mitigation of impacts, are provided.

(iv) Sustainable development

The proposal represents a major non-residential development, and policy CC2 requires that such proposals meet BREEAM 'Excellent' standards where possible. The Sustainable Design and Construction SPD (2019) identifies that this includes refurbishment, although notes that consideration of whether the requirements are applicable needs to be undertaken on a case by case basis. In this instance, with a new extension, removal of internal walls and likely extensive internal fit out, it is considered that there is a need to comply with the policy requirement.

The SPD requires that a Pre-Assessment Estimator, incorporating a 5% buffer, be submitted at application stage, and this can be incorporated within the Energy Statement required by the SPD. A condition of any planning permission would generally require the submission of an interim BREEAM certificate prior to commencement and a final BREEAM certificate at completion.

Any divergence from the policy requirements, in terms of standards to be met, form of certification or stages of information submission would need to be suitably justified at application stage.

A Sustainability Overview document has been prepared which notes that, of the four elements of BREEAM UK Non-domestic Refurbishment and Fit Out (2014), only Part 1 (fabric and structure) is applicable because the other elements will be dependent on the tenant's fit out. This approach has previously been taken to other non-residential developments in the Borough where the tenant is not known, and is considered likely to be acceptable. The certificates to be submitted at completion and potentially implementation would need to take account of the fit out.

In addition, a Sustainability Statement, using the checklist at Appendix 1 of the Sustainable Design and Construction, should be submitted to explain how the proposal fulfils the relevant sustainability policies.

Policy CC4 notes that non-residential development of over 1,000 sq m shall consider the inclusion of decentralised energy provision within the site, unless it can be demonstrated that the scheme is not suitable, feasible or viable for this form of energy provision. To demonstrate compliance with this policy, the SPD

requires submission of an Energy Statement to set out how this has been taken into account. It is noted that it is not proposed to incorporate decentralised energy or link into any existing networks, and this will need to be adequately justified.

(v) Trees

A number of identified trees within the retail park are protected under Tree Preservation Order 122/09. Although a plan of the protected trees has been submitted, the information provided to support the pre-application enquiry does not detail whether any works to the trees will be necessary or whether development will be undertaken that impacts those trees. This will need to be explained clearly as part of the application submission.

In addition, there are trees along the southern boundary of the retail park, both within the park itself and within the rear gardens that the development abuts. Depending on the location and extent of the rear extension, there is potential for an impact.

Therefore, a Tree Survey is required to show the condition of the trees, as is an Arboricultural Impact Assessment to identify impacts on those trees and potential mitigation. These should be carried out in accordance with BS5837:2012 Trees. Further information is set out in the Council's Validation Checklist.

A landscaping scheme which takes opportunities to increase the number of trees within the site both to enhance the visual qualities, and to achieve the wider aims of Policies CC7, EN14, CC2 and CC3 should be included in any future design. This may reasonably include land under the applicant's control beyond the application site.

(vi) Community Infrastructure Levy

The current CIL Charging Schedule specifies a rate of £0 per sq m for retail developments of less than 2,000 sq m outside the centre and £150 per sq m (before indexation) for retail developments of 2,000 sq m or more outside the centre. The proposal would not have the effect of changing the charging category within which the unit sits. As such, there would not be a CIL charge.

(vii) Other matters

The red line boundary of the pre-application enquiry includes unit D, occupied by the gym, but this unit does not appear to be included within the proposed development. This will need to be clarified in the application submission. Equally where matters affect the wider retail park and land beyond, it may be necessary to secure off-site works (beyond the red line boundary).

Existing conditions of planning permission 06/00427/FUL relate to bin arrangements. Bin storage arrangements were agreed under condition 13 and emptying of litter bins were approved under condition 14 (see 08/00741/APPCON). It would be useful to know of any proposals to change these arrangements.

9. TYPE OF APPLICATION AND TIMESCALE

The application would be a full application. As the floorspace exceeds 1,000 sq m, this is considered to be a major planning application. The timescale for determination would therefore be 13 weeks.

10. ADVICE ON SUPPORTING INFORMATION REQUIRED FOR A PLANNING APPLICATION

The following information should be submitted with the planning application, as set out in the Council's Validation Checklist (see the Council's website¹):

- Completed application form
- Combined ownership certificates and agricultural land declaration
- Location plan
- Site plan
- Proposed floor plans
- Proposed elevations
- Proposed roof plan
- Proposed block plan
- Design and Access Statement
- Sustainable Drainage System proposals
- Planning Statement to explain proposal
- Completed CIL form
- Transport Statement
- Vehicle parking and waste storage details
- Noise Assessment
- Contaminated Land Survey & Report
- Air Quality Assessment (dependent on results of Transport Statement)
- External lighting details
- Vent/flue and ventilation details (if any mechanical ventilation proposed)
- Retail sequential test
- Energy Statement
- Sustainability Statement
- BREEAM Pre-Assessment Estimator (can be incorporated within Energy Statement)
- Tree Survey and Arboricultural Impact Assessment
- Materials details
- Correct fee

In order that any application can be determined with 13 weeks, in the event that the transport information identifies a need for a Section 106 agreement, heads of terms of s106 agreement will need to be submitted as no detail have been submitted at pre-application stage. These should include:

- Name, address and phone number of applicant
- Details of the applicant's interest in the land
- Copies of title deeds, or applicants/owners agreement to produce evidence of title
- Name, address, phone number, e-mail address and fax of the applicant's solicitor

¹ <https://images.reading.gov.uk/2021/12/Validation-Checklist-2021-Final-Version-02.12.21.pdf>

- Names and addresses of any other owners and their solicitors
- Details of any mortgages and the mortgagees' details

NB: This advice is given on a without-prejudice basis and in good faith and will not over-ride the formal consideration of a planning application by the Council. The target timing for a decision on a formal application is based on the Government's performance targets, but will depend on the complexity and quality of the application and whether the Council decides to seek amendments to the proposal before a decision is made. The responses received from consultees may also affect the decision period if matters are raised which were not addressed at pre-application stage or require consideration before a decision is made.



Document 5

Plan Showing the Area of Search for the Sequential Approach to Site Selection



Leaflet | Map © 1987-2021 [HERE](#)

Legend

(minutes)

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Date: 08/04/21