

DELEGATED APPLICATION REPORT

Address: Fisherman's Cottage Public House, 224 Kennet Side, Reading, RG1 3DN

Application No: 190983/VARIAT

Proposal: Variation of conditions 10 and 11 (BREEAM) of planning permission 180625.

Applicant: Fisherman's Cottage Ltd

Date received (valid from): 19/06/19

Target Decision date: 14/08/19

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

The application site contains the Grade II Listed Fisherman's Cottage Public House with external seating, a disused garden area to the south (rear) and to the east the associated car park.

The site is bordered by the Kennet River to the north, residential dwellings Lock Place, to the east; Kennetside (to the west fronting the watercourse) and Canal Way, to the south. The land level surrounding the Listed building including the existing car park differs significantly (by approximately 3.5m) from the front to the rear of the site. The front elevation and ground floor of the existing building and area to the rear, sought to be developed, are level with the tow path. The land level within the site is then stepped up with the car park and Canal Way which it joins set at the upper level.

There are two footpaths located to the east and west of the site linking the higher land level of Canal Way to the tow path. The northern portion of the site is located within Flood Zone 2 and the site forms part of an ecological Green Link. Although listed, the building is not located within a conservation area.

2. The Proposal

- i. The proposals seek for conditions 10 & 11 (BREEAM) of planning permission 180625 to be varied. More specifically, the proposals seek amendments to the wording of the conditions to lower the rating from 'Very Good' to 'Pass' and for the conditions to be discharged on the basis of reports from a BREEAM accredited assessor (rather than requiring formal BREEAM certification). During the course of the application the exact wording and form of the varied conditions have been discussed and agreed with the applicant.
- ii. From a procedural perspective, relevant guidance from the NPPG is reproduced below in respect of minor material amendments:

Paragraph: 015 Reference ID: 17a-015-20140306

What is the effect of a grant of permission?

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Further information about conditions can be found in the [guidance for use of planning conditions](#).

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

Paragraph: 017 Reference ID: 17a-017-20140306

Is there a definition of ‘minor material amendment’?

There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Annex A: summary comparison table

Paragraph: 019 Reference ID: 17a-019-20140306

What is the application considered against?

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

In what form must the decision be issued?

Grant: new decision notice describing the whole development and listing all conditions. Refuse: decision notice listing reasons for refusal. Original permission with existing conditions remains in place.

3. Public Consultation

- i. 2 site notices were placed around the application site; these ‘Notices’ under Article 11 of ‘Application for Planning Permission’ was carried out in accordance to the Town and Country Planning (Development Management Procedure) (England) Order 2015 on 09/07/2019, expiring on 30/07/2019. A press notice was published on 01/07/19, expiring on 22/07/19. No responses have been received.

4. Plans / Documents Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following plans and documents:

BREEAM 2018 New Construction Issue 1.2 Residential Institution (Short Term) (Fully Fitted) Design Stage Summary Sheet Rev P1 - Planning by Method Consulting dated 06/06/19, as received 19/06/19

Fisherman’s Cottage - extension Technical Note by Method Consulting Ref 1292LFCg190706-1432n- Technical Note Rev A, dated 09/06/19, as received 20/07/19

1803(EX)00 Rev P1 - Block Plan Existing, as received 21/06/19

Emails from Studio Lime received 20/07/19 and 05/08/19

5. Relevant Planning History

180625 - Partial demolition of rear projection and roof, and erection of a new 2 storey extension to form 6 ancillary guest accommodation rooms, reconfigured parking, landscaping and associated works. Granted 27/06/18.

6. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. Relevant Planning Guidance

- i. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework '*Core Strategy*' 2008 (Altered 2015), *Reading Central Area Action Plan 2009* and '*Sites and Detailed Policies Document*' 2012 (Altered 2015).
- ii. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- iii. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- iv. The '*National Planning Policy framework*' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy, Central Area Action Plan and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

Relevant Policies

- i. The application has been assessed against the following policies:

National

National Planning Policy Framework;
National Planning Policy Guidance;

RBC Local Development Framework

Reading Borough LDF Core Strategy (Adopted January 2008) (Altered 2015)
CS1 (Sustainable Construction and Design)
CS2 (Waste Minimisation)
CS4 (Accessibility and the Intensity of Development)
CS5 (Inclusive Access)

CS7 (Design and the Public Realm)
CS20 (Implementation of the Reading Transport Strategy)
CS22 (Transport Assessments)
CS24 (Car/Cycle Parking)
CS31 (Additional and Existing Community Facilities)
CS33 (Protection of the Historic Environment)
CS34 (Pollution and Water Resources)
CS35 (Flooding)
CS36 (Biodiversity and Geology)
CS38 (Trees, Hedges and Woodlands)

Sites and Detailed Policies Document - (Adopted October 2012) (Altered 2015)

DM1 (Adaption to Climate Change)
DM4 (Safeguarding Amenities)
DM12 (Access, Traffic and Highway-Related Matters)
DM17 (Green Network)
DM18 (Tree Planting)

Other relevant documents/guidance

Revised Parking Standards and Design (2011)

Sustainable Design and Construction (2011)

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking (Historic England, 2015a)

Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Historic England, 2015b)

8. Appraisal

- i. It is considered that the simplest and most efficient means of assessing the proposals is to assess the changes in turn to lead to an overall conclusion.
- ii. The proposed changes relate solely to the two sustainability based conditions included on the original permission. In short, the applicant has submitted a Design Stage BREEAM assessment and supporting document, which details the difficulties in the presently worded conditions being met and the measures / rating which the applicant considers could instead be met. More specifically, the 'Very Good' rating is not considered feasible and that by continuing to seek to reach this standard would not be of any tangible sustainability benefit and also make the scheme financially unviable. Instead the applicant details, via the assessment submitted that a 'Pass' rating could be achieved, with the base target being slightly below the pass rating.
- iii. At the time of the original permission, the officer report detailed the following:

9.15 Sustainability - In line with the Sustainability SPD (which feeds into adopted policies CS1 and DM1) a BREEAM pre-assessment should have been submitted with the application. No substantial details have been submitted and therefore it is considered necessary to secure two conditions to ensure the proposal contributes sufficiently to the aforementioned policy and guidance. The first, a pre-commencement condition, seeks an interim BREEAM certificate to demonstrate that the development would achieve the required 'very good' rating. The second element, secured prior to first occupation, will secure a copy of the final BREEAM certificate of compliance, which shall demonstrate that a 'very good' rating has been achieved. In correspondence, it is acknowledged that the applicant has raised concerns with these conditions, outlining the potential limitation of the works being to a listed building, meaning certain criteria will not be achievable.

9.16 In response, officers recognise that there may be inherent difficulties incorporating substantial sustainability improvements within schemes such as this, particularly where this application site relates to a listed building. As such, should there be shortfalls in the subsequent discharge of condition submissions (i.e. not in line with the wording of the condition), mitigating factors will be taken into account by officers when subsequently assessing such matters (i.e. a flexible approach to the stipulations of the BREEAM rating will be able to be applied by officers in the event that justifiable reasons for any shortfalls are put forward for consideration by the applicant). As such, the conditions are considered to be necessary in this case (and pass the other tests of a condition too), but a degree of flexibility will be able to be applied by officers (if applicable) in the future at the discharge of conditions stage.

iv. As such, although the original conditions were considered appropriate, it was also appreciated that there may need to be flexibility in the future, should be applicant evidence this. Accordingly, this application seeks to vary the wording of the conditions, and in short, officers (following discussions with the applicant during the course of the application) are content with the variations proposed.

v. The exact changes to Condition 10 involve changing the rating to be achieved down from 'Very Good' to 'Pass' and for the future submission to be evidenced through a report from a licensed assessor rather than requiring a formal interim BREEAM certificate. The exact wordings are as follows:

From (as approved by 180625)

No development shall take place until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

To (this proposal):

No development shall take place until a copy of BREEAM Pre-assessment, in accordance with the BREEAM Sustainability Standard and carried out by a licensed assessor, demonstrating compliance with a minimum standard of BREEAM 'Pass' rating has been submitted to and approved in writing by the Local Planning Authority.

vi. Whilst fully acknowledging the 'downgrading' of this condition, the explanation provided by the applicant is considered to be sufficient. Given the nature of the proposal, the information provided by the applicant and the listed nature of the main building, some flexibility is able to be provided. The scheme will still be required to demonstrate compliance with a 'Pass' rating (thereby demonstrating its sustainability credentials in a tangible manner) and for this to be presented by a licensed assessor.

- vii. In terms of condition 11, the 'Pass' rating from proposed condition 10 is carried over, as is for this to be confirmed by a licensed assessor (rather than through a formal BREEAM certificate). Furthermore, the trigger point for submission is also proposed to change. Instead of being pre-occupation of any room, it is now proposed to be within 3 months of first occupation. This is a request which has been incorporated in other proposals within the Borough, due to the time-lag between the completion of the post-construction review taking place / reports prepared and finalised. This is not considered to dilute the meaning or enforceability of the condition, but instead provides an extra degree of flexibility which is occasionally required in practice. The exact wordings are as follows:

From (as approved by 180625)

No room shall be occupied until a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and receipt acknowledged in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in the above condition.

To (this proposal):

Within 3 months of the first occupation of any room hereby approved, a BREEAM post-construction review report, in accordance with the BREEAM Sustainability Standard and carried out by a licensed assessor, demonstrating that the development has attained as a minimum the 'Pass rating' standard set out in the BREEAM Pre-assessment referred to in the above condition has been submitted to and approved in writing by the Local Planning Authority.

- viii. Consistent with the approach considered appropriate for Condition 10, the changes to condition 11 are considered to have been justified without significantly downplaying the original reasons for the initial condition.
- ix. It is considered from a principle of development, flooding, design and appearance / impact on the setting of the listed building, amenity, highways and parking, landscaping and ecology and all other matters perspective that the proposals are not considered to result in a significantly different scheme to that approved in 2018. No additional harm over and above the scheme already approved is identified. Accordingly, the proposals are considered to be appropriate both individually and cumulatively.

9. Conclusion

- i. It is considered in overall terms that the proposed changes to the original planning permission are acceptable. Furthermore, in line with the NPPG, cumulatively the proposals can be considered to be 'minor material amendments', as both individually and collectively (by virtue of scale and/or nature considerations) they are considered to result in a development which is not substantially different from the one which was originally approved.

Recommendation

Grant variation of conditions 10 and 11.

10. Conditions:

In line with the NPPG, all of the original conditions (as part of 180625) are reproduced below in **green**, with the now proposed conditions (bearing in mind the NPPG) below in **blue**. Officer notes explaining the changes are detailed in **red**.

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.

1. The development to which this permission relates must be begun not later than the expiration of three years from the date on which the original permission was granted (Ref 180625 granted on 27 June 2018).

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.

In line with the NPPG this condition does not carry over and remains as per the timeframes of the original permission. As such, the applicant continues to have until 27 June 2021 to begin the consented development.

2. The development hereby approved shall not be carried out other than in accordance with the following drawings/documents:

1803(PL)10 Rev P2 - Proposed Lower Ground Floor, as received 02/05/18
1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18
1803(PL)12 Rev P2 - Proposed Site Plan Roof Level, as received 02/05/18
1803(PL)20 Rev P1 - Proposed Site Sections, as received 02/05/18
1803(PL)21 Rev P1 - Proposed Site Sections, as received 02/05/18
1803(PL)30 Rev P1 - Proposed Site Elevations, as received 02/05/18
1803(PL)31 Rev P1 - Proposed Site Elevations, as received 02/05/18
2492-5-2 DR-0001 Rev S3-P3 - Landscape Proposals, as received 11/04/18

Reason: To clarify which drawings have been approved and in the interests of proper planning.

2. The development hereby approved shall not be carried out other than in accordance with the following drawings/documents:

1803(PL)10 Rev P2 - Proposed Lower Ground Floor, as received 02/05/18
1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18
1803(PL)12 Rev P2 - Proposed Site Plan Roof Level, as received 02/05/18
1803(PL)20 Rev P1 - Proposed Site Sections, as received 02/05/18
1803(PL)21 Rev P1 - Proposed Site Sections, as received 02/05/18
1803(PL)30 Rev P1 - Proposed Site Elevations, as received 02/05/18
1803(PL)31 Rev P1 - Proposed Site Elevations, as received 02/05/18
2492-5-2 DR-0001 Rev S3-P3 - Landscape Proposals, as received 11/04/18

Reason: To clarify which drawings have been approved and in the interests of proper planning.

No changes required.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority to provide for:

- a) space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided
- b) location on site for storage of plant and materials used in constructing the development
- c) the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
- d) any footpath closures or road closures needed during construction
- e) wheel washing facilities on site
- f) a scheme for recycling waste resulting from the construction works

The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the Local Planning Authority.

Reason: in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety, in accordance with Policies CS20, and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority to provide for:

- a) space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided
- b) location on site for storage of plant and materials used in constructing the development
- c) the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
- d) any footpath closures or road closures needed during construction
- e) wheel washing facilities on site
- f) a scheme for recycling waste resulting from the construction works

The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the Local Planning Authority.

Reason: in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety, in accordance with Policies CS20, and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

4. No room within the extension hereby permitted shall be occupied until all vehicle parking spaces have been provided in accordance with approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18. The spaces shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users to accord with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

4. No room within the extension hereby permitted shall be occupied until all vehicle parking spaces have been provided in accordance with approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18. The spaces shall be kept available for parking at all times thereafter.

Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users to accord with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

5. No room within the extension hereby permitted shall be occupied until the bicycle parking facility for the building has been provided in accordance with approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar, in accordance with policies CS23 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

5. No room within the extension hereby permitted shall be occupied until the bicycle parking facility for the building has been provided in accordance with approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar, in accordance with policies CS23 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

No changes required.

6. No room within the extension shall be occupied until the bin storage facility shown on approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18 has been provided and the bin storage facility shall be retained thereafter for use by occupiers of the building at all times.

Reason: To ensure that sufficient provision is made for the storage and collection of refuse and recyclables and to safeguard the amenity (including visual amenity) of existing nearby / future occupiers / road users from potential disturbance and/or smells and highway safety, in accordance with Policies CS2 and CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

6. No room within the extension shall be occupied until the bin storage facility shown on approved plan 1803(PL)11 Rev P2 - Proposed Upper Ground Floor, as received 02/05/18 has been provided and the bin storage facility shall be retained thereafter for use by occupiers of the building at all times.

Reason: To ensure that sufficient provision is made for the storage and collection of refuse and recyclables and to safeguard the amenity (including visual amenity) of existing nearby / future occupiers / road users from potential disturbance and/or smells and highway safety, in accordance with Policies CS2 and CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

7. No development shall take place until a Japanese Knotweed eradication strategy has been submitted to, and approved in writing by the local planning authority. The strategy shall include details of and timescales for knotweed eradication, and, if the knotweed has not been eradicated at the time of commencement of works, details of the measures to be put in place to ensure that works do not cause its spread. The eradication strategy shall be carried out in accordance with the approved details unless changes are agreed in advance and in writing by the Local Planning Authority.

Reason: To ensure that Japanese knotweed is controlled and not spread, thereby avoiding a significant adverse effect on biodiversity. More specifically, Japanese Knotweed is an invasive species listed on Schedule 9, Section 14, of The Wildlife and Countryside Act and can have an adverse effect on biodiversity by outcompeting native species. For this reason, it is illegal to cause its spread in the wild. This is in accordance with Policies CS36 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

7. No development shall take place until a Japanese Knotweed eradication strategy has been submitted to, and approved in writing by the local planning authority. The strategy shall include details of and timescales for knotweed eradication, and, if the knotweed has not been eradicated at the time of commencement of works, details of the measures to be put in place to ensure that works do not cause its spread. The eradication strategy shall be carried out in accordance with the approved details unless changes are agreed in advance and in writing by the Local Planning Authority.

Reason: To ensure that Japanese knotweed is controlled and not spread, thereby avoiding a significant adverse effect on biodiversity. More specifically, Japanese Knotweed is an invasive species listed on Schedule 9, Section 14, of The Wildlife and Countryside Act and can have an adverse effect on biodiversity by outcompeting native species. For this reason, it is illegal to cause its spread in the wild. This is in accordance with Policies CS36 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

No changes required.

8. The hard and soft landscaping of the development hereby permitted shall be carried out, in accordance with the approved landscaping plan 2492-5-2 DR-0001 Rev S3-P3 - Landscape Proposals, as received 11/04/18. The soft landscaping shall take place no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

8. The hard and soft landscaping of the development hereby permitted shall be carried out, in accordance with the approved landscaping plan 2492-5-2 DR-0001 Rev S3-P3 - Landscape Proposals, as received 11/04/18. The soft landscaping shall take place no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

9. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: In the interests of the character and appearance of the new development and in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

9. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: In the interests of the character and appearance of the new development and in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

10. No development shall take place until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015) and SPD Sustainable Design and Construction (2011).

No development shall take place until a copy of BREEAM Pre-assessment, in accordance with the BREEAM Sustainability Standard and carried out by a licensed assessor, demonstrating compliance with a minimum standard of BREEAM 'Pass' rating has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015) and SPD Sustainable Design and Construction (2011).

The changes reflect the wording assessed and described in the appraisal above.

11. No room shall be occupied until a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and receipt acknowledged in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in the above condition.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015) and SPD Sustainable Design and Construction (2011).

Within 3 months of the first occupation of any room hereby approved, a BREEAM post-construction review report, in accordance with the BREEAM Sustainability Standard and carried out by a licensed assessor, demonstrating that the development has attained as a minimum the 'Pass rating' standard set out in the BREEAM Pre-assessment referred to in the above condition has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015) and SPD Sustainable Design and Construction (2011).

The changes reflect the wording assessed and described in the appraisal above.

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

Reason: In the interests of the amenities of neighbouring properties and to protect and maintain the character of the area in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

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

Reason: In the interests of the amenities of neighbouring properties and to protect and maintain the character of the area in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

No changes required.

13. The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of the principal building as a drinking establishment (Class A4). The extension shall not be used or occupied as a separate residential dwelling or dwellinghouse (Class C3), house in multiple occupation (Class C4 or Sui Generis) or standalone hotel accommodation (Class C1) without the express planning permission from the local planning authority.

Reason: To accord with the terms of the application, to ensure the extension is not used for unauthorised purposes and to ensure that separate occupation of the extension/building would not detract from the amenities or living conditions of neighbouring residential properties, the character of the locality and/or noise, traffic congestion and excessive on-street parking, in accordance with Policies CS10 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

13. The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of the principal building as a drinking establishment (Class

A4). The extension shall not be used or occupied as a separate residential dwelling or dwellinghouse (Class C3), house in multiple occupation (Class C4 or Sui Generis) or standalone hotel accommodation (Class C1) without the express planning permission from the local planning authority.

Reason: To accord with the terms of the application, to ensure the extension is not used for unauthorised purposes and to ensure that separate occupation of the extension/building would not detract from the amenities or living conditions of neighbouring residential properties, the character of the locality and/or noise, traffic congestion and excessive on-street parking, in accordance with Policies CS10 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

No changes required.

Informatives

1. i) 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.
ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
2. The Local Planning Authority has worked positively and proactively with the applicant during the assessment of the variation of condition application, to enable a positive officer recommendation to be made.
3. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.
4. There should be no burning of waste on the site.
5. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.
6. 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.

7. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

8. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

9. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:

www.communities.gov.uk/publications/planningandbuilding/partywall