

DATED

25 Feb

2019

READING BOROUGH COUNCIL (1)
("the Trustee")

and

SECRETARY OF STATE FOR HOUSING COMMUNITIES AND LOCAL GOVERNMENT (2)
("the SSHCLG")

Section 106 Unilateral Undertaking and Deed of Variation

relating to land known as the Playing Field and Recreation Ground in the Parish
of Mapledurham (commonly referred to as Mapledurham Playing Fields), Upper
Woodcote Road, Caversham, Reading

(Planning Application No.182200 (VARIAT))

C J Brooks BSc
Head of Legal Services
Reading Borough
Council Civic Offices
Bridge Street Reading
RG1 2LU

DX40124 Reading
IKEN 7900
20.02.19

THIS UNILATERAL UNDERTAKING AND DEED OF VARIATION is made the
25 Feb 2019

AND GIVEN BY

- (1) READING BOROUGH COUNCIL of Council Offices Bridge Street Reading RG1 2LU ("the Trustee") and
- (2) THE SECRETARY OF STATE FOR HOUSING COMMUNITIES AND LOCAL GOVERNMENT of 4th Floor Fry Building 2 Marsham Street London SW1P 4DF ("the SSHCLG")

FOR ENFORCEMENT BY:-

READING BOROUGH COUNCIL as Local Planning Authority of Council Offices Bridge Street Reading RG1 2LU ("the Council")

RECITALS

- (1) The Application Land comprises part of the Playing Field and Recreation Ground Charity (304328) regulated by a conveyance dated 24th December 1938 and which is vested in the Official Custodian for Charities and for the purposes of this Unilateral Undertaking is referred to as the Mapledurham Playing Fields
- (2) The Trustee is the Trustee of the said Mapledurham Playing Fields and is responsible for its administration and management subject to and in conformity with the provisions of the Charity Commission Scheme sealed on 20th September 1985
- (3) The Object of the Recreation Ground Charity is the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political religious or other opinions

- (4) The Trustee has an interest in the Application Land within the meaning of the term in Section 106(9) (b) of the 1990 Act as set out in the First Schedule hereto
- (5) The Trustee has granted to the SSHCLG a lease of the Development Site for a term of one hundred and twenty five years commencing on 18th February 2019 and thus the SSHCLG has an interest in that part of the Application Land within the meaning of the term in Section 106(9) (b) of the 1990 Act
- (6) The Principal Planning Obligation was entered into on 14th August 2018 in relation to the development of the Application Land pursuant to the Original Planning Permission
- (7) Kier Construction Thames Valley has applied to the Council as Local Planning Authority on behalf of the SSHCLG to develop the Application Land by the erection of 2FE primary school (350 pupils) with associated landscaping multi-use games area (MUGA) car and cycle parking and servicing without complying with Conditions 2 (approved plans) 9 (landscaping scheme) and 10 (details of hard and soft landscaping of the MPF Community Car Park) of planning permission 171023/FUL and if the VARIAT Planning Permission is granted intend to carry out the development authorised by the VARIAT Planning Permission
- (8) The Council is the Local Planning Authority for the purposes of the Act for the area in which the Application Land is situated and by which the obligations contained in this Unilateral Undertaking is intended to be enforceable
- (9) The Council has indicated a willingness to grant the VARIAT Planning Permission (subject to conditions) provided that the Trustee and the SSHCLG enter into this Unilateral Undertaking to provide that the obligations by the Trustee and the SSE in the Principal Planning Obligation as varied and set out in the Third Schedule hereto shall also apply to the development of the Application Land in accordance with the VARIAT Planning Permission

NOW THIS DEED WITNESSES as follows:

1. DEFINITIONS & INTERPRETATION

1.1 Definitions

In this Unilateral Undertaking the following expressions shall have the meanings assigned thereto unless the context shall otherwise require:

“the Act”	the Town and Country Planning Act 1990 (as amended)
“the Application Land”	means the land against which this Unilateral Undertaking may be enforced as described in the First Schedule
“this Unilateral Undertaking”	means this planning obligation given as a Unilateral Undertaking made pursuant to the powers in Section 106 of the Act
“the Commencement of the Section 73 Development”	means the carrying out of a “material operation” as defined in the Third Schedule hereto and “ Commence the Section 73 Development ” shall be construed accordingly
“develop” and “development”	shall be construed in accordance with Section 55 of the Act
“the Effective Date”	means the 14 th August 2018

“the Original Development”

means the development permitted by the Original Planning Permission

“the Original Planning Permission”

means the planning permission under reference number 171023/FUL issued by the Council on 14th August 2018 a copy of which is annexed hereto as Annexure 1

“the Trustee and the SSE”

shall have the meanings ascribed to those expressions in the Principal Planning Obligation and the persons deriving title through or under the “Trustee” and the “SSE” for the purposes of the covenants obligations and stipulations on the part of the “Trustee” and the “SSE” contained in the Principal Planning Obligation

“the Principal Planning Obligation”

means a Unilateral Undertaking given under and pursuant to Section 106 of the Act on 14th August 2018 the details of which are set out in the Second Schedule

“the Section 73 Development”

means the development of the Application Land as permitted by the Original Planning Permission but without complying with Conditions 2 (approved plans) 9 (landscaping scheme and 10 (details of hard and soft landscaping at the MPF

Community Car Park) pursuant to the
VARIAT Planning Permission

“the VARIAT Application” means the application to the Council
referred to in Recital (7)

“the VARIAT Planning Permission” planning permission for the Section
73 Development to be granted by the
Council pursuant to the VARIAT
Application subject to the conditions
and substantially in the form set out
at Annexure 2 hereto

1.2 Interpretation

- (1) Clause headings shall not affect the interpretation of this Unilateral Undertaking
- (2) A person includes a natural person corporate or unincorporated body (whether or not having separate legal personality)
- (3) A reference to a company shall include any company corporation or other body corporate wherever and however incorporated or established
- (4) Unless the context otherwise requires words in the singular shall include the plural and in the plural shall include the singular
- (5) Unless the context otherwise requires a reference to one gender shall include a reference to the other genders
- (6) A reference to any party shall include that party's personal representatives successors or permitted assigns and in the case of the Council the successors to its respective statutory functions
- (7) A covenant obligation and stipulation in this Unilateral Undertaking on a

person not to do something includes a covenant obligation and stipulation not to agree or allow that thing to be done

- (8) Where a covenant obligation and stipulation falls to be performed by more than one person the obligation can be enforced against every person so bound jointly and against each of them individually
- (9) Any reference to Act of Parliament whether general or specific shall include any modification or re-enactment thereof for the time being in force and shall also include all instruments orders plans regulations by-laws and directions for the time being made issued or given thereunder or deriving validity therefrom
- (10) A reference to writing or written does not include faxes or e-mail
- (11) References to Clauses Plans Schedules Paragraphs and Annexures are to the Clauses Plans Schedules Paragraphs and Annexures of this Unilateral Undertaking

2. LEGAL BASIS AND STATUTORY POWERS

- 2.1 This Unilateral Undertaking is made pursuant to Section 106 of the Act and Section 111 of the Local Government Act 1972 and all other enabling powers to the intent that it shall bind the Trustee and the SSHCLG and their successors in title to each and every part of the Application Land and their assigns
- 2.2 This Unilateral Undertaking shall be enforceable by the Council
- 2.3 If the VARIAT Planning Permission expires within the meaning of Sections 91 92 or 93 of the Act or is revoked or otherwise withdrawn or modified by any statutory procedure without the consent of the Trustee and the SSHCLG this Unilateral Undertaking shall cease to have effect (but not so as to avoid any covenants obligations and stipulations in this Unilateral Undertaking on the part of the Trustee and/or the SSHCLG having already been implemented or performed)

- 2.4 Nothing in this Unilateral Undertaking shall be construed as prohibiting or limiting any right to develop any part of the Application Land in accordance with a planning permission (other than the VARIAT Planning Permission) granted by the Council or by the Secretary of State on appeal or by reference to him after the date of this Unilateral Undertaking
- 2.5 If any provision of this Unilateral Undertaking shall be held to be invalid illegal or unenforceable the validity legality and enforceability of the remaining provisions hereof shall not in any way be deemed thereby to be affected or impaired
- 2.6 The Trustee and the SSHCLG shall in parting with the Application Land or part of the Application Land be released from all liability under the terms of this Unilateral Undertaking (insofar as it is binding on that part of the Application Land to which the breach relates) unless they hold an interest in the Application Land or part of the Application Land in respect of which such breach occurs or held such an interest at the date of the breach
- 2.7 This Unilateral undertaking is without prejudice to and shall not be construed as derogating from any of the rights powers and duties of the Council pursuant to any of its statutory functions
- 2.8 The provisions of this Unilateral Undertaking (other than this Clause 2.8 which shall be effective in any event) shall be of no effect until the deed has been dated

3. CONDITIONALITY

This Unilateral Undertaking save for Clause 7 and the payment of the Mapledurham Playing Fields Mitigation Contribution (which shall have immediate effect) is conditional upon the grant by the Council of the VARIAT Planning Permission and the Commencement of the Section 73 Development

4. THE TRUSTEE'S and SSHCLG'S COVENANTS

The Trustee and the SSHCLG jointly and severally covenant to the Council that:-

- 4.1 they shall give written notice to the Council stating whether the development of the Application Land to be undertaken (or is being undertaken) pursuant to the Original Planning Permission or the VARIAT Planning Permission
- 4.2 subject to the variations set out in the Third Schedule hereto if they shall carry out the Section 73 Development authorised by the VARIAT Planning Permission they shall observe and perform all of the covenants obligations and stipulations on the part of the Trustee and the SSE set out in Principal Planning Obligation and agree and confirm that all of those covenants obligations and stipulations shall be deemed to be incorporated into this Unilateral Undertaking (mutatis mutandis) and apply in relation to the Section 73 Development authorised by the VARIAT Planning Permission as they are expressed in the Principal Planning Obligation to apply in relation to the Original Development and that references in the Principal Planning Obligation to:-
- (a) "the Planning Permission" shall be read as references to the VARIAT Planning Permission and
 - (b) "the Development" shall be read as references to the Section 73 Development and
 - (c) "Implementation" shall be read as references the Commencement of the Section 73 Development

PROVIDED ALWAYS THAT to the extent that any such covenants obligations and stipulations in the Principal Planning Obligation may have been performed or part performed on the Commencement of the Section 73 Development those covenants obligations and stipulations shall be deemed to have been performed in relation to the VARIAT Planning Permission pursuant to this Unilateral Undertaking

5. AGREEMENT AND DECLARATION

It is agreed by and between the parties to this Unilateral Undertaking that if Clause 4.2 of this Unilateral Undertaking takes effect so that the covenants obligations and stipulations on the part of the Trustee and the SSE set out in the Principal Planning Obligation are thereby deemed to be incorporated in this Unilateral Undertaking (mutatis mutandis) there shall also be deemed to be incorporated into this Unilateral Undertaking (mutatis mutandis) all of the Principal Planning Obligation **PROVIDED ALWAYS THAT** to the extent that any such provisions may have been performed or part performed on the Commencement of the Section 73 Development those provisions shall be deemed to have been performed or observed in relation to the VARIAT Planning Permission pursuant to this Unilateral Undertaking

6. NO WAIVER

No waiver (whether express or implied) by the Council of any breach of or default by the Trustee and/or the SSHCLG in performing or observing any of the terms of or covenants obligations or restrictions in this Unilateral Undertaking shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms covenants obligations or restrictions or from acting upon any subsequent breach or default in respect thereof by the Trustee and/or the SSHCLG

7. LEGAL COSTS

On completion of this Unilateral Undertaking the SSHCLG shall pay to the Council its reasonable legal costs incurred in the negotiation preparation and execution of this Unilateral Undertaking amounting to £2,500

8. THIRD PARTY RIGHTS

It is not intended that any of the provisions of this Unilateral Undertaking be enforceable under the Contracts (Rights of Third Parties) Act 1999 by anyone other than the parties to this Unilateral Undertaking and the Council

9. NOTICES

Any notice or other written communication to be served by one party upon another pursuant to the terms of this Unilateral Undertaking shall be deemed to have been validly served if delivered by hand or sent by pre-paid registered or recorded delivery post to the party to be served at its address herein specified or such other address as may from time to time be notified for the purpose by notice in writing and any such notice or other written communication to be given by the Council shall be deemed valid and effectual if on its face it is signed on behalf of the Council by a duly authorised signatory

10. LOCAL LAND CHARGES

This Unilateral Undertaking is registrable by the Council as a Local Land Charge

11. JURISDICTION

This Unilateral Undertaking shall be governed by and interpreted in accordance with the law of England and Wales

IN WITNESS whereof this Unilateral Undertaking has been executed by the parties hereto the day and year first before written

FIRST SCHEDULE

Part 1

("the Application Land")

All that freehold land (which includes the Development Site shown edged blue on Plan 2) which comprises part of the Mapledurham Playing Fields (Playing Field and Recreation Ground Charity (304328)) (See Part 2 below) which is regulated by a conveyance dated 24th December 1938 as shown edged red on the Plan 1

Part 2

("the Mapledurham Playing Fields (Playing Field and Recreation Ground Charity))"

All that freehold land being part of the Application Land as the same is shown edged green on the Plan 3 which includes for the avoidance of doubt the Application Land

SECOND SCHEDULE

("the Principal Planning Obligation")

The Unilateral Undertaking given under and pursuant to Section 106 of the Act on 14th August 2018 by Reading Borough Council (1) and The Secretary of State for Education (2) in relation to the prospective development of the Application Land pursuant to the Original Planning Permission

THIRD SCHEDULE

("Variation to the Principal Planning Obligation")

The Principal Planning Obligation shall be varied as follows:-

1. The Definition of **"Implementation"** in Clause 1.1 shall be deleted and replaced by the following:-

"Implementation"

means the carrying out of a "material operation" as defined in Section 56(4) of the Act save that this definition shall not include any site clearance (such term to include the removal of trees and other landscaping) ground investigation site survey works construction of boundary fencing or hauling decontamination soil investigation and archaeological testing and "Implement" and "Implemented" shall be construed accordingly

2. The following words shall be added to the Definition of **"the MPF Access Improvements Works"** in Clause 1.1 *"and a land grading scheme to enable improved vehicular and pedestrian access to the Mapledurham Playing Fields and the Development Site as shown on Drawing XXX annexed as Plan 4 and the construction of steps leading to the School MUGA as shown on Drawing XXX annexed as Plan 5*
3. The following words shall be added to the Definition of **"the MPF Community Car Park Improvements Works"** in Clause 1.1 *"and (c) the provision of lighting in the form of Valmont Stainton raise and lower light column with Holophane S-line series 1 LED lantern with 100mm front shield 6pin nema socket and external Mayflower node or such other lighting as may be approved"*
4. The following words shall be added to paragraph (d) of the Definition of **"the Mapledurham Playing Fields Mitigation Works Access"** in Clause 1.1 after the words Mapledurham Playing Fields *"or within the environs of the Mapledurham Ward"*

5. The “Mapledurham Playing Fields Mitigation Contribution” Definition in Clause 1.1 shall be amended to read THREE HUNDRED AND EIGHTY THOUSAND POUNDS (£380,000.00)
6. In Paragraph 2 of the Second Schedule headed The Mapledurham Playing Fields Mitigation Contribution the words “Occupy the Development Site” shall be deleted and replaced by the words *“Implement the Development”*
7. The following words shall be added at the end of Paragraph 4.1 of the Second Schedule headed The MPF Community Car Park Improvement Works *“and (c) the number location and design of the proposed lighting within the MPF Community Car Park”*

THE PLANS

Plan 1 (“the Application Land”)

Plan 2 (“the Development Site”)

Plan 3 (“the Mapledurham Playing Fields”)

Plan 4 (“the Land Grading Scheme”)

Plan 5 (“MUGA steps”)

Plan 1

100



Revised Plan



Reading
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S.E. Braden

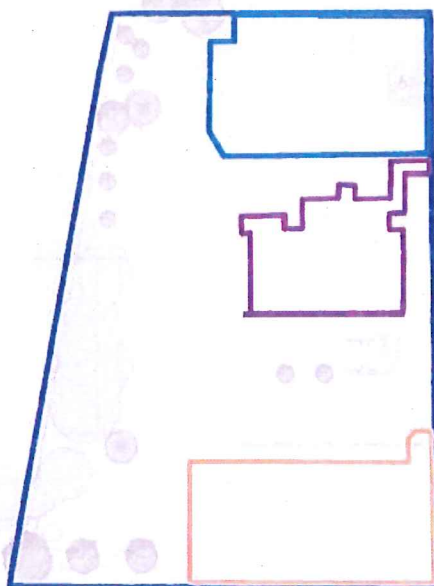
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of

© Ocean Survey
Where printing
Scale: 1:1000
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PLAN 2

ADH



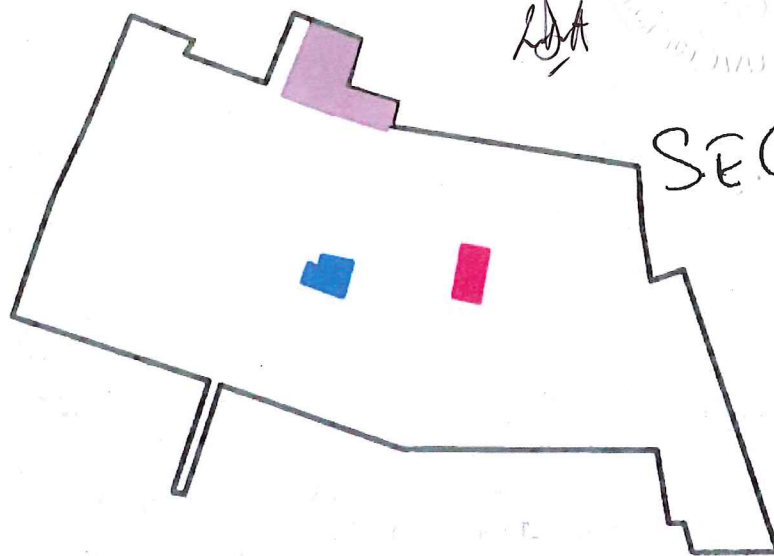
S.E. Bradene

The Development Site	Blue outline
Multi Use Games Area (MUGA)	Orange outline
Staff Car Park	Light blue outline
School Hall	Purple outline

8

CB

Plan 3



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Share pricing
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(Not to scale)

Mapledurham Playing Field (MPF)	Green outline
Children's play area	Light blue
Basketball court	Red
Relocated children's play area	Grey

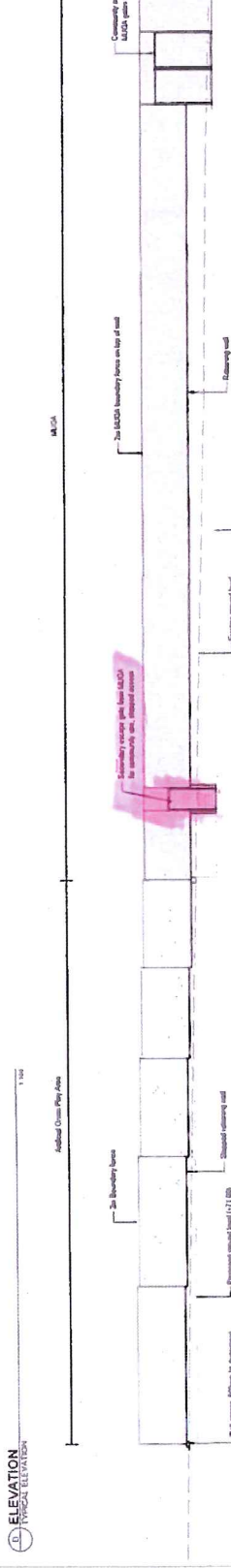
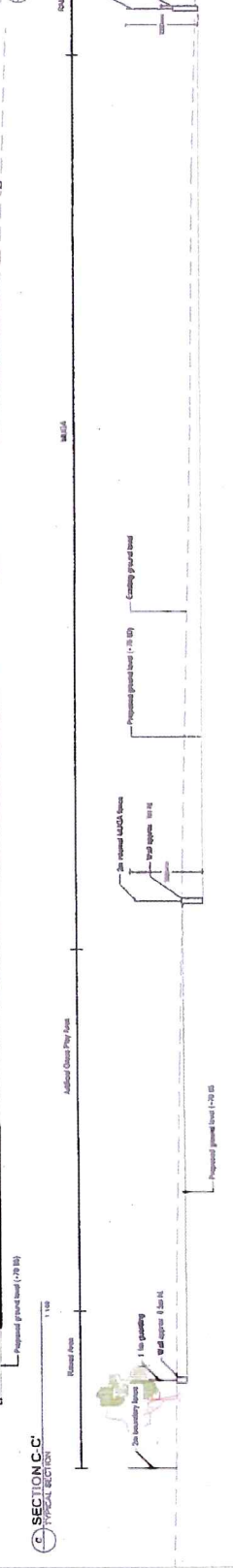
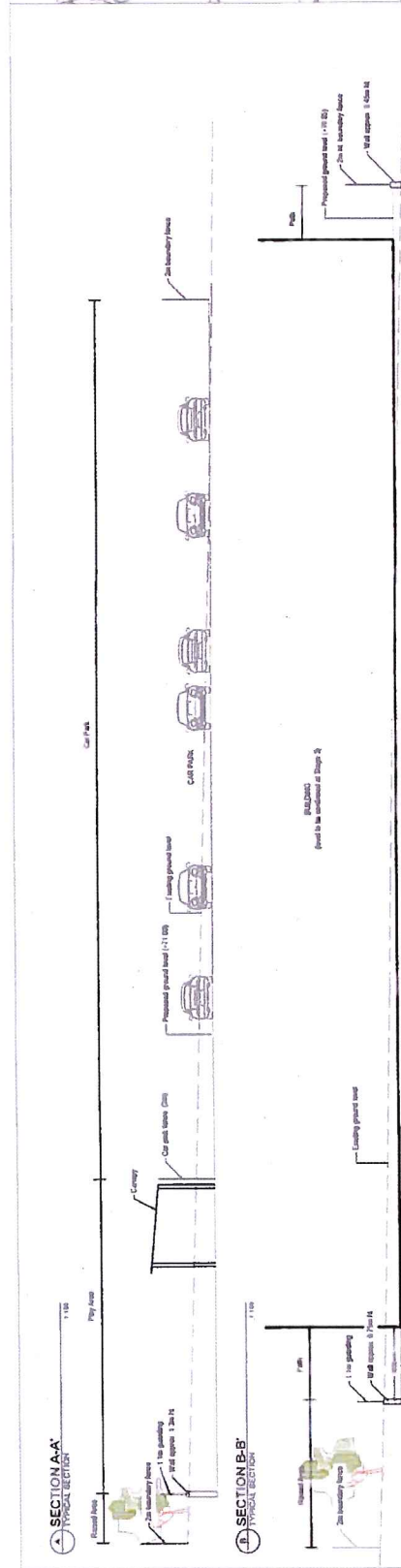
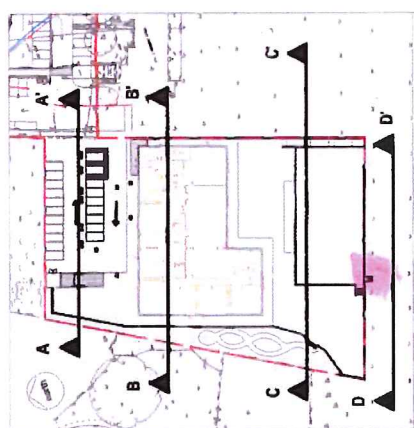
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QRO

- 0m 5m 10m
- north
- All dimensions in millimetres unless otherwise indicated. All levels in metres relative to Ordnance Datum and are positive (AOD) unless otherwise indicated.
 - Figure dimensions only to be taken from this drawing, do not scale. Dimensions to be checked on site.
 - For civil and structural matters including existing and proposed services, sub-base construction and site structures (including retaining walls over 900mm height) refer to information by others.
 - The original version of this drawing was produced in colour - monochrome copies should not be relied upon to accurately reflect all drawing elements.
 - This drawing has been prepared for information purposes only and should not be used for quantification, tender or construction.

PO2	06.02.19	PS	RB	Revised layout
PO1	04.01.19	RB	-	First issue
rev.	date	by	chk	notes
project The Heights				
title MPF Access and pavilion levels				
status For information				
scale @ A3 not to scale				
dwg no 1970-SK-20190104-02				
references				





NOTE: All levels are indicative & subject to detailed design at Stage 3

1. All dimensions are in millimetres unless otherwise stated. 2. All dimensions are to the centre of the element unless otherwise stated. 3. All dimensions are to the finished level unless otherwise stated. 4. All dimensions are to the centre of the element unless otherwise stated. 5. All dimensions are to the centre of the element unless otherwise stated. 6. All dimensions are to the centre of the element unless otherwise stated. 7. All dimensions are to the centre of the element unless otherwise stated. 8. All dimensions are to the centre of the element unless otherwise stated. 9. All dimensions are to the centre of the element unless otherwise stated. 10. All dimensions are to the centre of the element unless otherwise stated.	
Scale	1:100
Drawn by	TPC-VS-001-1-001
Checked by	TPC-VS-001-1-001
Project	TPC-VS-001-1-001
Client	TPC-VS-001-1-001
Revision	1.0
Date	10/10/2023



Handwritten signature: LJA

Handwritten signature: [Signature]

Annexure 1

("the Original Planning Permission")



**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

APPLICATION FOR FULL PLANNING PERMISSION

To: TP Bennett LLP
One America St
London
SE1 ONE

Application No: 171023
Application type: Full Planning Approval

Applicant: Education and Skills Funding Agency

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: Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing

At: Mapledurham Playing Fields Upper Woodcote Road Caversham Reading

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: 14 August 2018

Head of Planning, Development
& Regulatory Services

LEB



Application At: Mapledurham Playing Fields Upper Woodcote Road Caversham Reading

Application No: 171023

Application type: Full Planning Approval

CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of this planning permission.

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Site Plan Within Mapledurham Playing Fields

THS/DMA/22/XX/00/DR/A/01101/S2/P4 (received 5/3/18)

Proposed North and South Elevations THS/DMA/22/XX/DR/A/03101/S2/P3 (received 5/3/18)

Proposed East and West Elevations: THS/DMA/22/XX/DR/A/03102/S2/P3 (received 5/3/18)

Ground Floor Plan

THS/DMA/XX/00/DR/A/02101/S2/P3 (received 5/3/18)

The Heights Primary School First Floor Plan

THS/DMA/22/XX/DR/A/02102/S2/P2 (received 5/3/18)

The Heights Primary School Roof Plan THS/DMA/22/XX/DR/A/02103/S2/P4 (received 5/3/18)

Proposed Key Sections THS/DMA/22/XX/DR/A/04101/S2/P3 (received 5/3/18)

Landscaping plan HPS-RYD-XX-XX-DR-L-0001 P9 (received 27/3/18)

Landscaping plan HPS-RYD-XX-XX-DR-L-0002 P6 (received 27/3/18)

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

3. No development shall take place within the application area until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a subsequent mitigation strategy which will be submitted by the applicant and approved



Date: 14 August 2018

Head of Planning, Development
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in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will provide for:

- i) A programme of site investigation and recording, or alternative appropriate mitigation which may include preservation in situ, within the area of archaeological interest. Development will not commence within the area of archaeological interest until the site investigation has been satisfactorily completed.
- ii) A programme of post investigation assessment, analysis, publication, dissemination and archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the WSI or unless otherwise agreed in writing by the Local Planning Authority Reason: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the Borough. Policies: CS33

4. All trees, shrubs or vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
Reason: to ensure that wildlife is not adversely affected by the proposed development.
Policies: CS36, DM17

5. 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
- g) Car park management plan for all users of the Mapledurham Playing Fields Car Park(MPF Community Car Park), during construction
- h) Measures to indicate how continuous access can be maintained along The Access Road, during construction.

Date: 14 August 2018

Head of Planning, Development
& Regulatory Services

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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 continuing access to community and leisure users during the build-out period, protecting the amenity of neighbouring residents, the character of the area and highway safety. In accordance with Policy DM12.

6. No development above slab level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the school building, including all external fixtures, fittings, bricks, render, window frames and mortar, and details of window and doorway reveals have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out using only the approved materials and details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area in accordance with Policy CS7

7. No development above slab level shall take place before a security strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following elements, as may be necessary:

- measures to control/monitor access to the site and buildings, including CCTV/intercom systems and electronic security controls -active and passive surveillance systems

- lighting strategy for security

- security levels proposed for all doors, windows and other openings -boundary treatments

- security arrangements in respect of dual/community use of the school building (The School MUGA, School Hall and The School Staff Car Park) as shown on the approved plans in Condition 2 above.

The development shall thereafter be carried out and retained in accordance with the approved security strategy.

Reason: to ensure that the development is suitable in terms of providing a safe environment, which minimises the potential for and fear of crime.

Policies: CS7

8. In this condition 'retained tree' means an existing tree which is to be retained in accordance with approved plans and particulars; and paragraphs a) and b) below shall have effect until one year from the date of occupation of the development hereby approved.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with in accordance with the



Date: 14 August 2018

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relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice

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

c) The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy CS38 and Policy CS7.

9. No development shall take place on the School building until full details of both hard and soft landscaping for the area of the school environs (as indicated by the area within the red line as shown on approved indicative landscape plan HPS-RYD-XX-XX-DR-L-0002 P6 in Condition 2 above) have been submitted to and been approved in writing by the Local Planning Authority. The hard and soft landscaping scheme for the development shall be based on the landscaping plans in Condition 2 above. The landscaping scheme shall include full details of the following:

- (a) hard surfacing materials including permeable surfacing (porous tarmac);
- (b) boundary treatments and the their foundation details and
- (c) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes, etc.); and
- (d) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species (including mixed-species hedges and wildlife-friendly species for habitat creation), plant sizes and proposed numbers/planting densities where appropriate.
- (e) Tree pit specifications.
- (f) Any other ancillary works.

The School building shall not be first occupied until the above hard and soft landscaping works have been completed in accordance with the approved and retained thereafter.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with policies CS7 and CS38.

Date: 14 August 2018

Head of Planning, Development
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10. No development shall take place on the School building until full details of both hard and soft landscaping for the MPF Community Car Park (i.e. the remainder of the application site not contained by the area within the red line as shown on approved indicative landscape plan HPS-RYD-XX-XX-DR-L-0002 P6 in Condition 2 above) have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) hard surfacing materials including footways and kerbs, permeable surfacing (permeable tarmac, bound gravel or permeable block paving, including percolation rates/details and any other drainage details)
- b) boundary treatments and the their foundation details, including knee-rails or similar barriers; and
- c) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes, etc.); and
- d) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species (wildlife-friendly species for habitat creation), plant sizes and proposed numbers/planting densities where appropriate.
- e) tree pit specifications.
- f) any other ancillary works, e.g. litter bins and street furniture
- g) any land regrading works, as necessary
- h) access road details, including plans and sections (The Access Road)
- i) provision of parking spaces via marking/lining
- j) details of external lighting
- k) details of public (covered/secure) cycle and motorcycle parking facilities

The School building shall not be first occupied until the above hard and soft landscaping works have been completed in accordance with the approved details and retained thereafter.

Reason: in the interest of ensuring that the landscaping and servicing of the development enhances the visual local environment and in accordance with policies CS7, CS38, CS24 and DM12.

11. The hard and soft landscaping of the development (as based on the indicative landscape strategy in Condition 2 and as supplemented and explained by the full details of hard and soft landscaping as required by Conditions x and x above) hereby permitted shall be carried out, in accordance with the approved landscaping plans and documents. The soft landscaping shall take place no later than during the first planting season following the date when the development hereby permitted is ready

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for occupation or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: in the interests of the character and appearance of the new development and in accordance with Policy CS7

12. 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 (five) 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

13. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

Reason: to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy DM4

14. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: in the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management Policies: CS2, CS34

15. No development above slab level shall commence until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.

The approved lighting plan shall thereafter be implemented as agreed prior to first occupation of the School hereby approved and retained in accordance with the approved report.

Reason: to ensure that wildlife is not adversely affected by the proposed development. Policies: CS36

16. No development shall take place above slab level until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and

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running specifications have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the School use hereby permitted commences and thereafter shall be permanently retained and maintained in accordance with the approved specifications.

Reason: these details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy DM4.

17. No development above slab level shall take place until details of the School bicycle/scooter parking facilities have been submitted to and approved in writing by the Local Planning Authority. The School building hereby permitted shall not be first occupied until the parking facilities have been provided in accordance with the approved details. These facilities shall be kept available for bicycle/scooter parking at all times thereafter.

Reason: to encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

18. Prior to occupation of the School hereby approved, details of the management of delivery and servicing vehicles accessing the development site and the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development shall be submitted to the Local Planning Authority for approval in writing. Thereafter deliveries and servicing will be carried out in accordance with the approved details.

Reason: in the interest of the safety and convenience of all highway users in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies Document Policy DM12.

19. No later than three months following first occupation of the school, a copy of a Final BREEAM Certificate inshall be submitted to and approved in writing by the Local Planning Authority. The sustainability scheme shall be undertaken in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor, demonstrating that the development has attained as a minimum BREEAM 'Excellent' Standard. Reason: To ensure that the development is carried out in accordance with sustainable building standards. RBCS Policy CS1 and SPD Sustainable Design and Construction (2011)

20. The School Building hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details (as set out in the document, 'The Heights Free School, Caversham: surface water management plan' by Campbell Reith Consulting, doc. ref. N! 12243- 200317-SWMP-D2, dated 20 March 2017). The sustainable drainage scheme



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shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: to reduce the risk of flooding onsite or elsewhere in accordance with NPPF Paragraph 103, Core Strategy Policy CS1 and Sites and Detail Policies document Policy DM1

21. No later than three months following the occupation of the School hereby permitted, a School travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include a full analysis of the existing and proposed modal split for staff and pupils at the site, reasons for the modal choice and detailed proposals for future transport provision with the aim of securing reduction in car trips generated to and from the site. The development shall thereafter be operated in accordance with the approved travel plan.

Reason: to encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's adopted transport policies.

Policies: CS23, CS24

22. No later than one year following the approval of the travel plan in Condition x above (and annually thereafter), an annual review of the travel plan shall be produced, which shall include a detailed survey of the number of movements generated by the site. This shall be compared with the initial survey carried out under the terms of Condition x above (the control level) and in the event of any reduction not being secured, the occupier(s) of the site shall undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to, as a maximum, the control level. This may include such options as a greater provision of subsidised transport.

Reason: to encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's adopted transport policies.

23. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The predicted rating level, L_Ar,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to sensitive facades shall be at least 10dB below the existing background sound level, L_A90,T when all plant/equipment (or any part of it) is in operation. The plant shall only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard. Reason: to safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CS34 and Policy DM4

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24. The lift(s) as indicated on the approved plans in Condition 2 above shall be retained in working order, in accordance with the manufacturer's instructions for the lifetime of the development. Reason: in order to maintain a suitable level of access for all persons.

Policies: CS5

INFORMATIVES

1. A s106 agreement (Unilateral undertaking) relates to this planning permission. The conditions in this planning permission include wording which directly relates to the wording contained in obligations in the agreement. The definitions are capitalised, for example, 'the School Hall'.

2. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.

3. 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.

4. 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.

5. 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.

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6. 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.

7. 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.

8. 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

9. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is NOT CHARGEABLE.

If chargeable you will be sent a

CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

10. This Notice grants planning approval only and other permissions/consents may be required. This planning permission confers no right of access over land to which the developer has no control.

11. The s106 unilateral undertaking to this planning permission indicates that further landscaping works are required to land outside the application site and separate planning approval would need to be sought for these works.

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council 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 decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

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

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

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

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

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

Purchase Notices

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 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.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.

Annexure 2

("the draft VARIAT Planning Permission")



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**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

APPLICATION FOR FULL PLANNING PERMISSION

To: TP Bennett LLP
One America St
London
SE1 ONE

Application No: 182200
Application type: Variation of Condition

Applicant: Kier Construction Thames Valley

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: Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing, without complying with conditions 2 (approved plans), 9 (landscaping scheme) and 10 (details of hard and soft landscaping of the MPF Community Car Park) of planning permission 171023/FUL.

At: Mapledurham Playing Fields Upper Woodcote Road Reading RG4 7LH

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: 25 February 2019

Head of Planning, Development
& Regulatory Services



Application At: Mapledurham Playing Fields Upper Woodcote Road Reading RG4 7LH

Application No: 182200

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of this planning permission.

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

FS0820-NOV-V1-ZZ-PL-A-0003 rev P01 Proposed site plan within MPF FS0820-NOV-V1-00-PL-A-0004 rev P01 Proposed GF plan

FS0820-NOV-V1-01-PL-A-0005 rev P01 Proposed 1F plan

FS0820-NOV-V1-RL-PL-A-0006 rev P01 Proposed roof plan

FS0820-NOV-V1-ZZ-PL-A-0007 rev P01 Elevations

FS0820-NOV-V1-ZZ-PL-A-0008 rev P01 Proposed key sections

FS0820-TFC-V2-00-DR-L-1001 rev 05 General Arrangement

FS0820-TFC-V2-00-DR-L-1002 rev 02 Wider landscape context plan FS0820-TFC-V2-00-DR-L-5001 rev 04 Indicative sections and elevation sheet 1

FS0820-TFC-V2-00-DR-L-5002 rev 04 Indicative sections and elevation sheet 2

All plans received by the Local Planning Authority on 17 December 2018.

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

3. *No below-ground groundworks/building works below the existing/natural ground level hereby permitted within the application site (which for the avoidance of doubt includes any works in relation to land regrading or retaining walls/structures, or the removal of tree root systems) shall take place until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a subsequent mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will provide for:

i) A programme of site investigation and recording, or alternative appropriate mitigation which may include preservation in situ, within the area of archaeological

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interest. Development will not commence within the area of archaeological interest until the site investigation has been satisfactorily completed.

ii) A programme of post investigation assessment, analysis, publication, dissemination and archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the WSI or unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the Borough. Policies: CS33

4. All trees, shrubs or vegetation where birds may nest which are to be removed are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest. Reason: to ensure that wildlife is not adversely affected by the proposed development.

Policies: CS36, DM17

5. *No development (which for the avoidance of doubt and the purposes of this condition excludes tree removal to ground level within the application site and temporary fencing of the application site) shall take place 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
- g) Car park management plan for all users of the Mapledurham Playing Fields Car Park (MPF Community Car Park), during construction
- h) Measures to indicate how continuous access can be maintained along The Access Road, during construction.

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.

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Reason: in the interests of continuing access to community and leisure users during the build-out period, protecting the amenity of neighbouring residents, the character of the area and highway safety. In accordance with Policy DM12.

6. *No development above slab level in constructing the School building hereby permitted in the approved plans in Condition 2 above shall take place until details and samples of the materials to be used in the construction of the external surfaces of the school building, including all external fixtures, fittings, bricks, render, window frames and mortar, and details of window and doorway reveals have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out using only the approved materials and details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area in accordance with Policy CS7.

7. *No development above slab level in constructing the School building hereby permitted in the approved plans in Condition 2 above shall take place before a security strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following elements, as may be necessary:

- measures to control/monitor access to the site and buildings, including CCTV/intercom systems and electronic security controls
- active and passive surveillance systems

- lighting strategy for security

- security levels proposed for all doors, windows and other openings
- boundary treatments

- security arrangements in respect of dual/community use of the school building (The School MUGA, School Hall and The School Staff Car Park) as shown on the approved plans in Condition 2 above.

The development shall thereafter be carried out and retained in accordance with the approved security strategy.

Reason: to ensure that the development is suitable in terms of providing a safe environment, which minimises the potential for and fear of crime.

Policies: CS7

8. In this condition 'retained tree' means an existing tree which is to be retained in accordance with approved plans and particulars; and paragraphs a) and b) below shall have effect until one year from the date of occupation of the development hereby approved.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice

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

Reason: to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy CS38 and Policy CS7

9. *No building work shall take place on the School building (including the provision of any land regrading and retaining structures/wall works as shown on the approved plans in Condition 2 above) until full details of both hard and soft landscaping for the area of the school environs (as indicated by the area within the red line as shown on approved Wider landscape context plan FS0820-TFC-V2-00-DR-L-1002 rev 02 in Condition 2 above) have been submitted to and been approved in writing by the Local Planning Authority. The hard and soft landscaping scheme for the development shall be based on the landscaping plans in Condition 2 above. The landscaping scheme shall include full details of the following:

- (a) hard surfacing materials including permeable surfacing (porous tarmac);
- (b) boundary treatments and the their foundation details and
- (c) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, etc.); and
- (d) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species (including mixed-species hedges and wildlife-friendly species for habitat creation), plant sizes and proposed numbers/planting densities where appropriate.
- (e) Tree pit specifications.
- (f) Any other ancillary works.

The School building shall not be first occupied until the above hard and soft landscaping works have been completed in accordance with the approved details and retained thereafter.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with policies CS7 and CS38.

10. *No building work shall take place on the School building (including the provision of any land regrading and retaining structures/wall works as shown on the approved plans in Condition 2 above) (i.e. the part of the application site not containing coloured annotations but also within the red line as shown on approved Wider landscape context plan FS0820-TFC-V2-00-DR-L-1002 rev 02 in Condition 2 above) until full details of both hard and soft landscaping for the MPF Community Car park have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) hard surfacing materials including footways and kerbs, permeable surfacing (permeable tarmac, bound gravel or permeable block paving, including percolation rates/details and any other drainage details) b) boundary treatments and the their foundation details, including knee-rails or similar barriers; and

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

e) tree pit specifications.

f) any other ancillary works, e.g. litter bins and street furniture g) any land regrading works, as necessary

h) access road details, including plans and sections (The Access Road)

i) provision of parking spaces via marking/lining

j) details of external lighting with connection to the Council's Mayflower lighting controls

k) details of public (covered/secure) cycle and motorcycle parking facilities

The School building shall not be first occupied until the above hard and soft landscaping works have been completed in accordance with the approved details and retained thereafter.

Reason: in the interest of ensuring that the landscaping and servicing of the development enhances the visual local environment and in accordance with policies CS7, CS38, CS24 and DM12.

11. The hard and soft landscaping of the development (as based on the indicative landscape strategy in Condition 2 and as supplemented and explained by the full details of hard and soft landscaping as required by Conditions 9 and 10 above hereby permitted shall be carried out in accordance with the approved landscaping plans and documents. The soft landscaping shall take place in the planting season following or at the time of the practical completion of the development hereby permitted, whichever is the sooner.

Reason: in the interests of the character and appearance of the new development and in accordance with Policy CS7

12. 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 (five) 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.

13. No development (which for the purposes of this condition includes tree removal within the application site) or lorry or other deliveries associated therewith shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

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Reason: To protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this planning permission in accordance with Policy DM4.

14. No materials or green waste produced as a result of the clearance of the application site, demolition works or construction works associated with the development hereby approved shall be burnt on the application site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management policies CS2 and CS34.

15. *No development above slab level shall commence until a report detailing the lighting scheme for the site, including the school site and lighting for the MPF Community Car Park and the access road and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

- A layout plan with beam orientation
 - A schedule of equipment
 - Measures to avoid glare
 - An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.
- The approved lighting plan shall thereafter be implemented as agreed prior to first occupation of the School hereby approved and retained in accordance with the approved report.

Reason: To ensure that wildlife is not adversely affected by the proposed development in accordance with Policy CS36.

16. *No development shall take place above slab level for the School building as shown in the approved plans in Condition 2 above until details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and running specifications have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the School use hereby permitted commences and thereafter shall be permanently retained and maintained in accordance with the approved specifications.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy DM4.

17. *No development above slab level for the School building as shown in the approved plans in Condition 2 above shall take place until details of the School bicycle/scooter parking facilities have been submitted to and approved in writing by the Local Planning Authority. The School building hereby permitted shall not be first occupied until the

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parking facilities have been provided in accordance with the approved details. These facilities shall be kept available for bicycle/scooter parking at all times thereafter.

Reason: to encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

18. *Prior to occupation of the School hereby approved, details of the management of delivery and servicing vehicles accessing the site and the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter deliveries and servicing will be carried out in accordance with the approved details.

Reason: In the interest of the safety and convenience of all highway users in accordance policies CS24 and Policy DM12.

19. No later than three months following the occupation of the School hereby permitted 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, shall have been submitted to and receipt acknowledged in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum BREEAM 'Excellent' Standard.

Reason: To ensure that the development is carried out in accordance with sustainable building standards, to accord with Policy CS1.

20. The School building hereby permitted shall not be occupied until the sustainable drainage scheme for the application site has been completed in accordance with the submitted and approved details (as set out in the document, 'The Heights Free School, Caversham: surface water management plan' by Campbell Reith Consulting, doc. ref. N1 12243- 200317-SWMP-D2, dated 20 March 2017). The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

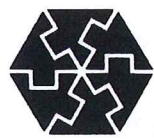
Reason: To reduce the risk of flooding onsite or elsewhere in accordance with NPPF Paragraph 103 and policies CS1 and DM1.

21. No later than three months following the occupation of the School hereby permitted, a School travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include a full analysis of the existing and proposed modal split for staff and pupils at the site, reasons for the modal choice and detailed proposals for future transport provision with the aim of securing reductions in car trips generated to and from the site. The development shall thereafter be operated in accordance with the approved travel plan.

Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's adopted transport policies CS23 and CS24.

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22. No later than one year following the approval of the School travel plan in Condition 21 above (and annually thereafter), an annual review of the School travel plan shall be produced, which shall include a detailed survey of the number of movements generated by the site. This shall be compared with the initial survey carried out under the terms of Condition 21 above (the control level) and in the event of any reduction not being secured, the occupier(s) of the site shall undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to, as a maximum, the control level. This may include such options as a greater provision of subsidised transport. Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's adopted transport policies CS23 and CS24.

23. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The predicted rating level, LA_r,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to sensitive facades shall be at least 10dB below the existing background sound level, LA_{90,T} when all plant/equipment (or any part of it) is in operation. The plant shall only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard. Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with policies CS34 and DM4.

24. The lift(s) as indicated on the approved plans in Condition 2 above shall be retained in working order, in accordance with the manufacturer's instructions for the lifetime of the development. Reason: in order to maintain a suitable level of access for all persons, in accordance with Policy CS5.

25. *Prior to occupation of the School hereby approved a staff car park management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include timings, marshalling controls, gating/fences and any other organisational controls, as may be required. The development shall be laid out as per the approved plan no later than first occupation of the school hereby permitted and thereafter the staff car park and school play area shall be operated only in accordance with the approved plan. Reason: as the amended plans indicate that an area of the staff car park shall be used as part of the playground area at school break and lunchtimes and in the interest of pedestrian and pupil safety. Policies: DM12

26. *No development of the Multi-Use Games Area (MUGA) (as shown on the approved plans in Condition 2 above) shall commence before full details and specifications of the

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MUGA have been submitted to and approved in writing by the Local Planning Authority. The details and specifications shall include fencing, surfacing, marking and lighting. The MUGA shall thereafter be implemented in full accordance with the approved plans and specifications prior to first occupation of the school and retained as such thereafter.

Policies: CS7, DM4

INFORMATIVES

1. 1. A s106 agreement (unilateral undertaking) Deed of Variation relates to this planning permission). The conditions in this planning permission include wording which directly relate to the wording contained in obligations in the agreement(s). The definitions are capitalised, for example, 'the School Hall'.
2. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.
3. 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. A charge applies to discharge of conditions applications.
4. 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.
5. Your attention is drawn to the terms and conditions of this variation planning 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.
6. Your attention is drawn to the requirement for submission of a separate Building Regulations application for the proposed development. Please contact RBC Building Control on (0118) 937 2449 for advice.
7. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from

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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.

8. 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 any adjoining property, as the requisite Notice(s) has/have 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

9. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is NOT CHARGEABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

10. This Notice grants planning approval only and other permissions/consents may be required. This planning permission confers no right of access over land to which the developer has no control.

11. The associated s106 unilateral undertaking unilateral undertaking and Deed of Variation indicate that further landscaping works are required to land outside the application site and separate planning approval would need to be sought for these works.

12. Please note that Sport England's advice shall be sought in relation to the discharging of various conditions above, including new Condition 26 (in relation to the MUGA).

13. Please note that Condition 8 above in relation to retained trees refers to trees off-site and therefore the hoarding of the site during construction will effectively function as the tree protection fencing.

14. The applicant is advised that badgers may be present at the development site. Badgers can open up new setts overnight, there is a risk that a badger sett could be dug within its vicinity. The applicant is advised to appoint an ecologist to carry out a walkover survey of the site prior to commencement of groundworks to advise if there are any badger setts and in the event that there are any present to provide their advice. Legislation relating to the protection of badgers is mainly contained within the

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Protection of Badgers Act 1992 with some protection also provided by the Wildlife and Countryside Act 1981 (as amended)

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council 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 decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

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

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

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

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

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

Purchase Notices

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 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.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.

EXECUTED (BUT NOT DELIVERED)
UNTIL THE DATE HEREOF) by the)
affixing of the Common Seal of)
READING BOROUGH COUNCIL)
AS TRUSTEE in the presence of:-

Authorised Signatory



Minute	PAC 06/02/19
Originator	SQ
Seal No.	89119
Checked	CB

THE CORPORATE SEAL of THE
SECRETARY OF STATE FOR HOUSING,
COMMUNITIES AND LOCAL
GOVERNMENT hereunto affixed is
authenticated by:

)
)
)
)

Authorised Signature
Sealing Reference

Anthony Mann
JHE 1576



DATED

2019

READING BOROUGH COUNCIL (1)
("the Trustee")

and

SECRETARY OF STATE FOR HOUSING COMMUNITIES AND LOCAL GOVERNMENT (2)
("the SSE")

Section 106 Unilateral Undertaking and Deed of Variation

relating to land known as the Playing Field and Recreation Ground in the Parish
of Mapledurham (commonly referred to as Mapledurham Playing Fields), Upper
Woodcote Road, Caversham, Reading

(Planning Application No.182200 (VARIAT))

C J Brooks BSc
Head of Legal Services
Reading Borough
Council Civic Offices
Bridge Street Reading
RG1 2LU

DX40124 Reading
IKEN 7900
20.02.19