

VARIATION/REMOVAL OF CONDITION **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 21 March 2024

Application Number: 242053

Location: Bound Oak Industrial Estate, Wokingham Lane, Arborfield, Wokingham, RG2 9PN

Proposal: Application to vary conditions 15, 22 and 31 of planning consent 201573 (as amended by 241658) for the erection of 4No buildings for B1c, B2 and B8 industrial and commercial use with the addition of a sui generis Energy Centre comprising a Combined Heat and Power facility and a Lithium Ion Battery store in Unit 1 to include landscaping and access works, following demolition of the existing buildings. Condition 15 refers to mix of uses, condition 22 refers to contamination and condition 31 to an energy statement, and the variation is to amend the wording of these conditions.

Recommendation: Approve

Conditions and Reasons

Nothing herein contained shall be deemed to affect or vary the conditions imposed by planning permission 201573, dated 28 May 2021, subsequently varied by 241658 dated 25 October 2024 which conditions shall remain in full force and effect save in so far as they are expressly affected or varied by this permission.

Conditions 15, 22 and 31 now read:

15. Mix of Uses

The sui generis Energy Centre hereby permitted shall be contained within Unit 1 (as identified on the approved plans) only. The B1(c) use hereby permitted shall be limited to not more than 50% of the floorspace contained within Units 2 – 9 (as identified on the approved plans)

Reason: To encourage a mix of uses and to ensure adequate parking to serve the site. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy Policy CP6.

22. Contamination

The development is to be carried out strictly in accordance with the details set out within the Clarke Bond documents reference Phase 2 Site Investigation, Report no. B05819-CLK-XX-XX-RP-GT- 0001, Issue P03, dated 26th January 2024 and

Remedial Method Statement, Report no. B06454-CLK-XX-XX-RPGT-001, Issue P02, dated 28th March 2024.

Following completion of measures identified in the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted within 12 months of commencement and is subject to the approval in writing of the Local Planning Authority.

Reporting of Unexpected Contamination.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to, and approved in writing by, the Local Planning Authority. An investigation and risk assessment must be undertaken and include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

31. Energy Statement

The development hereby approved shall be carried out in accordance with the energy scheme details as agreed in 'Boundoak Works, Arborfield: Energy and Sustainability Statement REV: 002 dated 20-09-24 (Doc.No. 6792-CBC-HR-RP-S-001-P02). The scheme shall be implemented in full in accordance with the approved plans and for the lifetime of the development unless otherwise agreed in writing by the local planning authority

Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy Policy CP1, Managing Development Delivery Local Plan Policy CC05 & the Sustainable Design and Construction Supplementary Planning Document.

All other conditions of planning permission 201573 dated 28 May 2021 as varied by 241658 dated 25 October 2024 apply to this planning permission, viz:

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 201573, dated 28 May 2021.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved Plans

This permission is in respect of the submitted application plans and drawings numbered:

11625-PL_001-B - LOCATION PLAN.
11625-PL_002-B - BLOCK PLANS - EXISTING AND PROPOSED.pdf
11625-PL_003-B - SITE PLAN - EXISTING.pdf
11625-PL_004-H - SITE PLAN - PROPOSED.pdf
11625-PL_005-C - SITE PLAN - EXISTING OVERLAY.pdf
11625-PL_101-C - BUILDING 1 - PLANS.pdf
11625-PL_102-C - BUILDING 1 - ELEVATIONS.pdf
11625-PL_201-B - BUILDING 2 - PLANS.pdf
11625-PL_202-B - BUILDING 2 - ELEVATIONS.pdf
11625-PL_301-B - BUILDING 3 - PLANS.pdf
11625-PL_302-B - BUILDING 3 - ELEVATIONS.pdf
11625-PL_401-B - BUILDING 4 - PLANS.pdf
11625-PL_402-B - BUILDING 4 - ELEVATIONS.pdf

The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. Materials

The development is to be carried out strictly in accordance with the samples and details of external materials as set out in the PRC Schedule of Materials dated 14.06.2024.

*Reason: To ensure that the external appearance of the building is satisfactory.
Relevant policy: Core Strategy Policies CP1 and CP3.*

4. Subdivision of Units

The units hereby approved shall be retained in the unit sizes as identified in the approved plans and no more than two units shall be occupied by the same user.

Reason: To comply with Paragraph 80 of the NPPF, which seeks to create the conditions in which businesses can invest, expand and adapt, Paragraph 82 of the NPPF, which seeks storage and distribution operations at a variety of scales and

Policy CP15 of the Core Strategy, which seeks to enable businesses to expand.

5. No External Business Use

No storage, industrial or other business use shall take place outside of the buildings except the parking, manoeuvring, loading and unloading of vehicles.

Reason: In order to safeguard the visual amenities of the area. Relevant policy: Core Strategy policies CP1 and CP3.

6. Removal of materials

All materials arising from the demolition of buildings on the site shall be re-used on the site where possible, or permanently removed from the site.

Reason: In the interests of the amenity of the area and in order to seek a sustainable approach to the demolition. Relevant policy: NPPF Paragraph 8, Core Strategy Policies CP1, CP3, CP11, CP12 and Managing Development Delivery Local Plan Policies TB01 and TB21.

7. Permitted hours of Demolition and Construction

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays nor at any time on Sundays or Bank or Public Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

8. Machinery Operating Times

No machinery shall be operated and no process shall be carried out outside of the hours of 07:00-19:00 Mondays to Fridays (inclusive) and 09:00-13:00 Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard residential amenities. Relevant policy: Core Strategy Policies CP1 and CP3 and MDD Local Plan Policy CC06.

9. Delivery Times

No deliveries shall be taken in or dispatched from the site outside the hours of 07:00-19:00 Mondays to Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard residential amenities. Relevant policy: Core Strategy Policies CP1 and CP3 and MDD Local Plan Policies CC06 and TB20.

10. Parking Management Strategy

Prior to the first occupation of the development, a Parking Management Strategy for the management of the parking arrangements shall be submitted to and approved in writing by the local planning authority. The submitted Parking Management Strategy shall include details of the management of all parking spaces and monitoring of inconsiderate parking within the site.

Reason: To ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6, CP13 and CP21 and MDDLDP policies CC07 and TB20.

11. Parking and Turning to be approved

No part of any building(s) hereby permitted shall be occupied or used until vehicle parking and turning space has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The vehicle parking and turning space so approved shall be retained in accordance with the approved details and the parking space remain available for the parking of vehicles at all times and the turning space shall not be used for any purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience, to provide a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy Policies CP3 & CP6 and Managing Development Delivery Local Plan Policy CC07.

12. Cycle Parking Details

The development is to be carried out strictly in accordance with the Cycle Parking Details set out in the PRC Drawing No.PL_006 dated 18.06.2024, before occupation of the development hereby permitted and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy Policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan Policy CC07.

13. Construction Method Statement

The development is to be carried out strictly in accordance with the details set out within the TPHS Construction Method Statement: Construction Logistics Plan dated June 2024.

Reason: In the interests of highway safety & convenience and neighbour amenities. Relevant policy: Core Strategy Policies CP3 & CP6.

14. Highways Construction Details

The development is to be carried out strictly in accordance with the details set out on the TPHS Drawings numbered TPHS-379-DR-060/ TPHS-379-DR-061/ TPHS-379-DR-062/ TPHS-379-DR-063/ TPHS-379-DR-064/ TPHS-379-DR-065 and TPHS-379-DR-066 dated June 2024. The roads and footways shall be constructed in accordance with the approved details to road base level before the development is occupied and the final wearing course will be provided within 3 months of occupation unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: To ensure that roads and footpaths are constructed to a standard that would be suitable for adoption as publicly maintainable highway, in the interests of providing

a functional, accessible and safe development. Relevant policy: Core Strategy Policies CP3 & CP6.

15. As above.

16. Walking and Cycling Details

The development is to be carried out strictly in accordance with the details set out on the TPHS Drawings numbered TPHS-379- DR-060/ TPHS-379-DR-061/ TPHS-379-DR-062/ TPHS-379-DR-063/ TPHS-379-DR-064/ TPHS-379-DR-065 and TPHS-379-DR-066 dated June 2024. The measures shall be implemented through a S278 agreement, in accordance with the approved details, prior to the occupation of the first unit.

Reason: In the interests of highway safety & convenience and neighbour amenities. Relevant policy: Core Strategy Policies CP3 & CP6.

17. Lighting

Details of external lighting shall be submitted to and approved in writing by the local planning authority before the development is occupied. The details shall include location, height, type, hours of operation, direction of light sources and intensity of illumination, including lux level predictions beyond the site boundary, for all external lighting strategies including details of lighting for all highways, cycleways, footpaths, public areas, non-residential buildings and residential areas beyond the site boundary. The details shall also identify those areas that support light sensitive biodiversity and the mitigation measures to be included to prevent disturbance. No further external lighting shall be installed without the written approval of the local planning authority.

Reason: In the interests of residential amenity and highway safety and to seek to protect habitat and species of principal importance. Relevant policies: NPPF Section 15, Core Strategy Policies CP1, CP3, CP6, CP7, CP11 and MDD Policies TB21 and TB23.

18. EV Charging Details

The development is to be carried out strictly in accordance with the details set out within the TPHS Electric Vehicle Charging (Section 73) Note (ref. TPHS/379/TN/01 Rev. A dated June 2024). The development shall be implemented in accordance with the agreed strategy thereafter.

Reason: In order to ensure that secure electric vehicle charging facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: Core Strategy Policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan Policy CC07.

19. Ground and Building Levels

The development is to be carried out strictly in accordance with the details set out within the HDR Drawing Number 10391515-HDR-XX-XX-DR-C-112400-400_P4 and the approved scheme shall be fully implemented prior to the occupation of the building(s).

Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policy: Core Strategy Policies CP1 and CP3 and Managing Development Delivery Local Plan Policy TB21.

20. Boundary Details

The development is to be carried out strictly in accordance with the details set out within the PRC drawing Number PL_007 dated 18.06.2024. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy Policies CP1, CP3 and CP6.

21. Control of Noise

The sound rating level (established in accordance with BS4142:2014) of any plant, machinery and equipment installed or operated in connection with this permission shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property.

If the plant, machinery or equipment is to be enclosed, details of the enclosure shall be sent to the local planning authority for their approval before the development commences.

Reason: To protect the occupants of nearby residential properties from noise.

22. As above.

23. Landscape Details

The development is to be carried out strictly in accordance with the details set out within the PRC Drawing Numbers 11625 PL_050 - D - Proposed Landscape HW GA Sheet 1 of 2/ 11625 PL_051 - D - Proposed Landscape HW GA Sheet 2 of 2/ 11625 PL_052- B - Proposed Landscape SW GA Sheet 1 of 2 and 11625 PL_053- B - Proposed Landscape SW GA Sheet 2 of 2.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die, or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of visual amenity. Relevant policy: Core Strategy Policy CP3 and Managing Development Delivery Local Plan Policies CC03 and TB21.

24. Retention of trees and shrubs

No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the

development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area. Relevant policy: Core Strategy Policy CP3 and Managing Development Delivery Local Plan Policies CC03 and TB21.

25. Protection of Trees

The development is to be carried out strictly in accordance with the details set out within the FLAC 38-1031 document, 'CONDITION DISCHARGE DOCUMENT' dated 27.06.24 and in accordance with the tree protection works and fencing works required contained therein. The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence. Relevant policy: Core Strategy Policy CP3 and Managing Development Delivery Local Plan Policies CC03 and TB21.

26. Biodiversity Enhancement

Prior to the occupation of the development, details of biodiversity enhancements, to include five bird and ten bat boxes or bricks on and around the new buildings and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the council. The biodiversity enhancements shall be installed as approved within 12 months of occupation.

Reason: To incorporate biodiversity in and around developments in accordance with Paragraph 175 of the NPPF.

27. Construction Environmental Management Plan

The development is to be carried out strictly in accordance with the details set out within the Wilten Construction Ltd Construction Management and Environment Management Plan dated June 2024.

Reason: In the interests of the amenities of the area and to minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

28. Drainage

The development is to be carried out strictly in accordance with the details set out within the HDR Drawing Number 10391515- HDR-XX-XX-DR-C-102300-300_P4, Technical Note referenced 10391515-HDR-XX-XX-TI-C-100001, and Drainage Calculation Report.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding whilst limiting the potential for wildlife to be trapped and therefore maintaining ecological permeability as per MDD policy TB23. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy Policy CP1 and Managing Development Delivery Local Plan Policies CC09, CC10 and TB23.

29. SuDS Maintenance Plan

No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

30. CCTV Strategy

A scheme of security lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is occupied. The details shall include the siting and the technical specification details of the cameras, direction of view and their appearance. The scheme shall be installed and be operational within one month of first occupation of the development. The scheme shall be retained for the life of the development.

Reason: In the interests of the character and appearance of the area and security.

31. As above.

32. BREEAM Level

Unless agreed otherwise in writing by the Local Planning Authority, all new buildings shall achieve at least BREEAM level 'Very Good' in accordance with the requirements of BREEAM [or equivalent].

Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy Policy CP1 and Managing Development Delivery Local Plan Policy CC04.

33. Travel Plan

The development is to be carried out strictly in accordance with the details set out within the TPHS Interim Travel Plan dated June 2024. The travel plan shall be fully implemented, maintained and reviewed as so-approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy Policy CP6.

INFORMATIVES:

1. Section 106 Agreement

This permission must be read in conjunction with the varied legal agreement under section 106 of the Town and Country Planning Act dated 11 March 2025, the obligations in which relate to this development.

2. Planning Permission Approved and Amendments Required

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- a full pre-application process was undertaken by the applicant;
- amended plans being submitted by the applicant to overcome concerns relating to planning policy compliance;
- planning issues relating to ecology, trees and landscape;

The decision to grant planning permission in accordance with the presumption in favour of sustainable development, as set out in the NPPF, is considered to be a positive outcome of these discussions.

3. SuDS condition

In connection with Conditions 28 and 29 of the permission, it is important that the SuDS proposal should be an integrated and multi-functional approach to ecosystem services and SuDS for both amenity and biodiversity, in accordance with the CIRIA guidance and the Wokingham SuDS Strategy (January 2017). Both guidance documents advocate that a SuDS train should start within very locally based treatments (site control), such as rain gardens, filter strips or swales, for example, which then lead to regional control features. There is space within the site to provide a much more naturalistic attenuation solution in association with appropriate planting and this will need to be considered in much more detail when a revised surface water strategy is submitted.

4. Mud on the road

Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 974 6000.

5. Works Affecting the Public Highway

Any works/ events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA)), shall be co-ordinated and licensed as required under NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

Any such works or events, and particularly those involving the connection of any utility to the site, must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works, to ensure effective co-ordination with other works so as to minimise disruption.

6. Service Strip

The applicant's attention is drawn to the presence of a c.2m wide service strip running adjacent to the surfaced roadway. The service strip forms part of the adopted public highway. It is an offence for any works to be undertaken within this service strip without express permission in writing from the highway authority. The Head of Technical Services at the Council Offices, Shute End, Wokingham (0118 974 6000) must be contacted for the approval of any such works.

7. Travel Plan

The requisite Travel Plan would need to comply with the latest national and local guidance:

- 1) NPPF Section 4 (Sustainable Transport)
- 2) The Essential Guide to Travel Planning (DfT, March 2008)
- 3) Delivering Travel Plans Through the Planning Process (DfT, April 2009)
- 4) A Guide on Travel Plans for Developers (DfT)
- 5) Making Residential Travel Plans Work (DfT, June 2007) All accessible at: <http://www.dft.gov.uk/pgr/sustainable/travelplans/>
<https://www.gov.uk/government/policies/improving-local-transport>

Also:

WBC Transport Plan 3 and Active Travel Plan 2011 – 2026

WBC Workplace Travel Plan Guidance and Residential Travel Plan Guidance

Documents, covering workplace travel plans and residential travel plans provide local guidance and are available on the Borough's website.

8. Line Search Before U Dig

Your attention is drawn to the response from Line Search Before U Dig, who have provided a 5 page response, details of which are included on the WBC website for this planning application, dated 20th July 2020 and labelled 'LSBUD enquiry confirmation'. They draw your attention to registered assets held by Gigaclear Ltd, Scottish and Southern Electricity Networks and SGN. This can be viewed at the following link:

<https://planning.wokingham.gov.uk/FastWebPL/detail.asp?AltRef=201573&ApplicationNumber=201573&AddressPrefix=&Postcode=&KeywordSearch=&Submit=Search>.

9. Scotia Gas Networks Ltd

Your attention is drawn to the response from Scotia Gas Networks Ltd, who have provided an extract from their mains records for your proposed work area, including the existence of gas pipes across the application site. This comprises a 24 page response, details of which are included on the WBC website for this planning application, dated 20th July 2020 and labelled 'SGN response'. This can be viewed at the following link:

<https://planning.wokingham.gov.uk/FastWebPL/detail.asp?AltRef=201573&ApplicationNumber=201573&AddressPrefix=&Postcode=&KeywordSearch=&Submit=Search>.

10. Scottish and Southern Electricity Networks

Your attention is drawn to the response from Scottish and Southern Electricity Networks, who have provided a 35 page response, details of which are included on the WBC website for this planning application, dated 20th July 2020 and labelled 'SSE Networks response'. This can be viewed at the following link:

<https://planning.wokingham.gov.uk/FastWebPL/detail.asp?AltRef=201573&ApplicationNumber=201573&AddressPrefix=&Postcode=&KeywordSearch=&Submit=Search>.

11. **Gigaclear Ltd**

Your attention is drawn to the response from Gigaclear Ltd, who have provided a 4 page response, details of which are included on the WBC website for this planning application, dated 20th July 2020 and labelled 'Gigaclear Ltd response'. This can be viewed at the following link:

<https://planning.wokingham.gov.uk/FastWebPL/detail.asp?AltRef=201573&ApplicationNumber=201573&AddressPrefix=&Postcode=&KeywordSearch=&Submit=Search>.

Recommendation and conditions/reasons agreed: *me*

Date: 18.03.2025

REMEMBER - The earliest date for a decision on this application is: **8 March 2024**