

3rd December 2024

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Dear Ben,

PLANNING CONSENT 201573 - Bound Oak Industrial Estate, Wokingham Lane, Arborfield, RG2 9PN

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 (and as amended by s73 consent 241658).

s73 Application to Vary Conditions 15 (mix of uses) and 31 (energy statement) pursuant to Consent 201573 (and as amended by s73 consent 241658).

Further to our previous discussions on this site, we have now been instructed by our client, Musketeers Properties Ltd, to submit a further s73 to vary conditions 15 (mix of uses) and 31 (energy statement) pursuant to Consent 201573 (and as retained within s73 consent 2416580. This application has been submitted via the Planning Portal accordingly (ref.no. PP-13603933).

As you will be aware, since the original consent of 2021 when the sui generis energy centre was included within the consent and permitted within unit 1 (also capable of including the other consented B1c, B2 and B8 uses), the discussions and legislation around the most efficient energy systems and their impacts on the environment have moved forward significantly.

In order to keep pace with this arising sustainability legislation and the industrial market expectations to be able to offer the most efficient and sustainable solutions to potential investors and occupiers, it is necessary for our client to upgrade the originally consented approach. To this end, our client commissioned one of the leading companies in the UK, Cudd Bentley, to review the consented energy strategy and prepare a more appropriate strategy for today's market and environment. Furthermore, the established property advisors, Vail Williams, have provided a letter confirming the current market position.

The result of this is that we have been instructed to seek a further s73 to vary condition 31 which refers to the energy strategy for the site, whilst retaining the opportunity for the consented energy centre to remain in the consent should it be required (and without having to change the original description of development or red line application boundary).

The submitted Energy and Sustainability Statement sets out the revised energy strategy now being taken, which excludes the energy centre option but provides an enhanced energy approach for the whole site. (Note: should an energy centre once again become a requirement, then a future variation of the condition would be necessary.)

Condition 31 of planning permission 201573 reads:

'The development hereby approved shall be carried out in accordance with the energy scheme details as agreed in 'Bound Oak Development - Energy Strategy Overview' dated June 2020. 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.'

The proposed submission seeks to vary the wording of this condition, so it reads:

'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.'

Furthermore, this submission also requires a variation of the wording of Condition 15 which under the consent reads as follows:

'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 – 11 (as identified on the approved plans).'

Under the s73 consented scheme there are now only units 1, and 2-9, and therefore the wording should be amended to reflect this, as follows:

'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).'

Finally, we a further Deed of Variation will be required. Please can you instruct the Council's solicitor at the earliest opportunity to ensure there is no delay in preparing this document.

We trust that you will be able to agree the adjustments and be able to approve the s73 variation of conditions as set out.

Yours sincerely

On behalf of PRC Architecture and Planning Ltd

Andy Ryley

Senior Associate Director

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