Item 1 - 19/01063/COMIND

Appendix 4 – List of recommended draft conditions in the event that the committee resolve to grant planning permission

1. **Commencement of development**
   The development hereby permitted shall begin not later than three years from the date of this decision.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approved plans**
   The development hereby permitted shall be carried out in accordance with the following approved plans/documents:
   - Site location plan ref. AD100 Revision E;
   - Proposed site layout plan ref. AD110 Revision N;
   - Proposed building plan ref. AD111 Revision A;
   - Proposed site finishes ref. AD114 Revision L;
   - Proposed boundary treatments ref. AD115 Revision L;
   - Proposed layout with topo overlay ref. AD117 Revision C;
   - Soft landscape proposals ref. 9001 Revision P11;
   - Elevations plan ref. 18004-054 Revision A.

   Reason: For the avoidance of doubt and in the interest of proper planning.

3. **Archaeological work**
   No development (including any demolition or other site works) shall take place until a written scheme of investigation for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place unless the programme of archaeological work has been undertaken and/or has been incorporated into the demolition/construction phase, in accordance with the approved details.

   Reason: To ensure that any significant archaeological remains are found and adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the programme must be adhered to before and during construction so as to avoid loss of any historical interest before appropriate recording.

4. **Construction method statement**
   No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include measures for:
   (a) Parking of vehicles of site operatives and visitors;
   (b) Loading and unloading of plant and materials;
   (c) Storage of plant and materials used in constructing the development;
   (d) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
   (e) Temporary access arrangements to the site, and any temporary hard-standing;

(f) Wheel washing facilities;
(g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
(h) A scheme for recycling/disposing of waste resulting from demolition and construction works;
(i) Hours of construction and demolition work;
(j) Hours of deliveries and preferred haulage routes;
(k) An emergency plan providing policies and procedures for the preparedness and response to a radiation emergency at AWE Aldermaston during demolition and construction work.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of contractor, public and highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

5. **Protection of water main (Thames Water)**
No development shall take place until information detailing how the developer intends to divert the water main (Thames Water asset) or align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, has been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). No construction shall take place within 5 metres of the water main. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026.

6. **Ground levels and finished floor levels**
No development shall take place until details of existing and proposed ground levels, and finished floor levels of the buildings hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

7. **Sustainable drainage**
No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:

(a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
(b) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
(c) Include detailed run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change at a maximum rate of 4.4l/s;
(d) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
(e) Written confirmation is required from Highways Authority of their acceptance of the discharge from the site into the existing ditch and confirmation that the downstream network has the capacity to take this flow.

Thereafter the development shall not be first occupied until the approved measures have been provided in accordance with the approved details. The measures shall be retained, managed and maintained in their approved condition.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of the Supplementary Planning Document Quality Design (June 2006), and the Sustainable Drainage Systems SPD (2018). A pre-commencement conditions is required because the measures will need to be incorporated into the construction operations.

8. **Emergency Plan**

No development shall take place until a site-specific Emergency Plan, tailored to the first occupants of the premises, has been submitted to and approved in writing by the Local Planning Authority. The Emergency Plan shall provide policies and procedures for the preparedness and response to an incident at AWE Aldermaston. Thereafter, the premises shall be constructed in accordance with the approved details. The premises shall not be operated without the implementation of the latest approved revision of the Emergency Plan.

The plan shall be kept up-to-date, and relevant to the current occupant at all times. An amended version of the plan may be submitted to the Local Planning Authority for approval pursuant to this condition. The Local Planning Authority may at any time require the amendment of the plan by giving notice pursuant to this condition; in which case the amended plan shall be submitted to the Local Planning Authority for approval within 1 month of notice being given. The premises shall not be occupied for the first time by any new occupant until a site-specific Emergency Plan tailored to that specific occupant has been submitted to and approved in writing by the Local Planning Authority.

Reason: The approval and implementation of a site-specific Emergency Plan is necessary to mitigate the residual risk posed to public safety by the close proximity of AWE Aldermaston, to ensure appropriate preparedness and response in the

event of an incident at AWE, and to ensure that the development does not adversely affect the AWE Off-Site Emergency Response Plan. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS8 of the West Berkshire Core Strategy 2006-2026. A pre-commencement conditions is required because measures may need to be incorporated into the construction of the store.

Note: For queries relating to the content of the site-specific Emergency Plan, please contact the Joint Emergency Planning, West Berkshire Council, Council Offices, Market Street, Newbury, RG14 5LD. Tel: 01635 503535, Email: emergencyplanning@westberks.gov.uk. Please quote the application reference.

9. **Arboricultural supervision**
No development (including site clearance and any other preparatory works) shall take place until an arboricultural watching brief has been secured for the development, in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Site monitoring shall thereafter take place in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. A pre-commencement condition is required because the watching brief must be secured before development takes place to ensure that the trees are protected throughout the construction phase. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS18 of the West Berkshire Core Strategy (2006-2026).

10. **Tree protection**
The development shall not be carried out without implementing in full the Arboricultural Method Statement and tree protection measures outlined within the Tree Survey and Arboricultural Impact Assessment by RPS (Revision D dated March 2019, incorporating drawing 71D – rev B Jan 19). This includes no-dig surfaces detailed in RPS drawing 400 Jan 2019. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority, whereby the submission shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

To ensure the protection of the existing trees to be retained during building/engineering operations. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS18 of the West Berkshire Core Strategy 2006-2026.

11. **Materials**
No development above ground/slab level shall take place until a schedule of materials to be used in the construction of the external surfaces of the development has been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are respond to local character. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

12. **BREEAM**

The development shall achieve an “Excellent” rating under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). No later than three months after the building is operational, a copy of the final certificate certifying that this rating has been achieved shall be submitted to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework , Policy CS15 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

13. **Access**
The development shall not be first occupied until all vehicular, pedestrian and cycle accesses to the site have been completed in accordance with the approved plans (under s278 of the Highways Act or other appropriate mechanism).

Reason: To ensure that the accesses into the site are constructed before the approved buildings in the interest of highway safety and providing safe and suitable access for all. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

14. **A340 access visibility splays**
The development shall not be first occupied until visibility splays of 2.4 metres by 43.0 metres have been provided at the new site access onto the A340. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times. This condition shall also apply to the Silchester Road emergency access.

Reason: To ensure adequate visibility at the access to the highway, in the interests of road safety. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

15. **Right hand turn lane off A340**
The development shall not be first occupied until a right hand turn lane off the A340 into the site has been completed in accordance with the approved plans (under s278 of the Highways Act or other appropriate mechanism).

Reason. To ensure highways safety and the free flow of traffic on the A340. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

16. **Parking and internal circulation**
The development shall not be first occupied until the parking spaces, internal site circulation, and manoeuvring spaces have been provided (including surfacing and marking out) in accordance with the approved plans. Thereafter these spaces shall be kept available for parking and internal vehicle circulation at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. **Electric vehicle charging points**
No development above ground/slab level shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the charging points have been installed and made operational in accordance with the approved details. Thereafter the charging points shall be retained and kept available for the use of electric vehicles.

Reason: To promote the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. **Cycle parking/storage**
No development above ground/slab level shall take place until details of cycle parking/storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the cycle parking/storage facilities have been provided in accordance with the approved details. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

19. **Refuse storage**
No development above ground/slab level shall take place until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the refuse storage areas have been provided in accordance with the approved details. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD.

20. **Hard landscaping (prior approval)**
The development shall not be first occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. roads, paths, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

21. **Soft landscaping**
All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme (drawing number 9001 Revision P11) within the first planting season following completion of building operations / first occupation of the development (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP6, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

22. **External lighting**
No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, height, type and direction of any light sources and the intensity of their illumination. Any lighting, which is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance that does not change its details.

Reason: To respect the relationship with open countryside and protect the amenity of neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP6 and CS14 of the West Berkshire Core Strategy 2006-2026, and Part 5 of the Quality Design SPD.

23. **Travel Plan**
The development shall not be first occupied until a Travel Plan for staff/employees at the premises has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the date that the development if first brought into use in accordance with timescales set out in the plan and any subsequent revisions. The Travel Plan shall include provisions for it to be reviewed, and if necessary updated within 6 months of first implementation, and annually thereafter.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

24. **Use restriction**
The premises shall be used solely as a foodstore and for no other purpose, including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Any other use may not be acceptable on the site. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP6 and CS11 of the West Berkshire Core Strategy (2006-2026), and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

25. **Range of goods/lines**
At no time shall more than 3500 individual lines of goods be sold at the retail premises hereby permitted. Only food and convenience goods sales shall be permitted in the store.

Reason. The specific justification for this development, of exceptional local demand for a discount food store in the locality, must persist. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6 and CS11 of the West Berkshire Core Strategy (2006-2026).

26. **Customer opening hours**
The premises shall not be open to customers outside of the following hours:
Mondays to Fridays: 07:00 to 21:00
Saturdays: 08:00 to 20:00
Sundays and public holidays: 10:00 to 16:00

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

27. **Delivery hours**
No deliveries shall be taken at or despatched from the site outside the following hours:
Mondays to Fridays: 07:00 to 21:00
Saturdays: 08:00 to 20:00
Sundays and public holidays: 11:00 to 15:00

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).