

Suggested Conditions

Appeal Ref:	APP/W0340/W/25/3360702
Site:	Land Bounded by Hoad Way and M4 and High Street, Theale
Proposal:	Full planning application for the construction of 2 employment units for flexible uses within Class E (light industrial), B2 and/or B8 of the Use Classes Order (including ancillary office provision) with associated enabling works, access from Hoad Way, parking and landscaping.
Application:	24/00145/FULMAJ

West Berkshire Council suggest the following conditions in the event that the Inspector decides to allow the appeal, in addition to the standard commencement and approved plans conditions. These suggested conditions are provided without prejudice to the Council's position on the appeal proposal.

These suggested conditions have been sent to the appellant to review and agree.

Suggested conditions

1. **Pre-commencement: Archaeology**

No development including site clearance shall take place within the application area until the applicant has secured the implementation of the Stage 1 written scheme of investigation (WSI) for a geoarchaeological borehole study by the University of Winchester ARCA, dated 21 August 2023, that has been submitted to the local planning authority. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the Stage 2 WSI no site clearance work or development shall take place other than in accordance with the agreed Stage 2 WSI, which shall include:

- A. The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material.

This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Alternatively, if no heritage assets of archaeological interest are identified by the Stage 1 WSI, a report shall be submitted to the Local Planning Authority confirming this prior to the commencement of site clearance and development.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance in the National Planning Policy Framework and is accordant with the requirements of **Policies SP9 and DM14 of the West Berkshire Local Plan Review 2023-2041**. A pre-commencement condition is required because these works will need to be carried in the early stages of site clearance and construction.

2. **Pre-commencement: 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. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) A plan showing the layout, surfacing arrangements, visibility splays and any adjoining gates and means of enclosure for the construction access;
- (c) Parking of vehicles of site operatives and visitors;
- (d) Loading and unloading of plant and materials;
- (e) Storage of plant and materials used in constructing the development;
- (f) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (g) Wheel washing facilities and procedures;
- (h) Measures to control dirt, noise, dust, smell and other effluvia, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) Proposed method of piling for foundations (if any);
- (j) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (k) Proposed construction and demolition work hours;
- (l) Hours of deliveries and vehicles taking materials are permitted to enter or leave the site and preferred haulage routes;
- (m) Details of any banksmen arrangements.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, [Policies SP19, DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041](#). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

4. **Pre-commencement: Construction Traffic Management Plan**

No development shall take place until a detailed Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways).

Reason: To mitigate any adverse impact from the development on the M4 and to ensure that the M4 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. This condition is applied in accordance with the NPPF and [Policy SP19 of the West Berkshire Local Plan Review 2023-2041](#). A pre-commencement condition is required as the traffic management plan will be required to be complied with throughout the construction stage.

5. **Pre-commencement: Material management plan**

No development shall commence until a materials management plan is provided detailing how soil and other materials are managed during earthworks and construction of the approved development. The materials management plan should include details:

- (a) Showing where any spoil to remain on site will be deposited;
- (b) Showing the resultant ground levels for spoil deposited on the site (compared to existing ground levels);

- (c) Include measures to remove all spoil from the site (that is not deposited);
- (d) Include timescales for the depositing/removal of spoil.

Reason: To maximise the re-use of materials on site and appropriate disposal or deposition of spoil within the site. This condition is applied in accordance with **Policies SP7 and SP8 of the West Berkshire Local Plan Review 2023-2041** and Policy 9 of the Minerals and Waste Local Plan (2022-2037). A pre-commencement condition is required as materials re-use will be required to be complied with throughout the construction stage and spoil may arise throughout development.

7. Pre-commencement: Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of “biodiversity protection zones”.
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.
- (i) Risk Assessment Method Statement for Great Crested Newts.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid any adverse impacts to biodiversity during construction. This condition is applied in accordance with the National Planning Policy Framework, and **Policy SP11 of the West Berkshire Local Plan Review 2023-2041**. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

8. Pre-commencement: Ecology updated surveys

No development shall take place until an updated ecological survey has been undertaken and a report submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken no more than six months prior to the commencement of development. The report shall detail the methods, results and a discussion on the survey, and include recommendation measures for any working practices or other mitigation measures.

Reason: To ensure that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting biodiversity. A pre-commencement condition is required for updated surveys given the mobile nature of some species. This condition is applied in accordance with the National Planning Policy Framework, and **Policy SP11 of the West Berkshire Local Plan Review 2023-2041**.

9. **Pre-commencement: Landscape and Ecological Management Plan**
The development shall not commence until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- (a) Description and evaluation of features to be managed.
 - (b) Ecological trends and constraints on site that might influence management.
 - (c) Aims and objectives of management.
 - (d) Appropriate management options for achieving aims and objectives.
 - (e) Prescriptions for management actions.
 - (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - (g) Details of the body or organization responsible for implementation of the plan.
 - (h) Ongoing monitoring and remedial measures.
 - (i) Details of a 30-year Habitat Management and Monitoring Plan (HMMP) for the site.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives linked to the Biodiversity Net Gain objectives of the approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that onsite biodiversity gains are delivered. This condition is applied in accordance with [Policy SP11 of the West Berkshire Local Plan Review 2023-2041](#). A pre-commencement condition is required because the LEMP may need to be implemented during construction and shall be used to secure onsite gains in biodiversity.

10. **Pre-commencement: Soft landscaping scheme**
No development or other operations shall commence on site until an implementation program providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment is provided for the soft landscaping scheme as shown in Drawings Soft landscaping plan FIRS3002 02 F (June 2024, Turley), Illustrative Landscape Masterplan FIRS3002 01 E (June 2024, Turley), Landscaped Cross Section FIRS3002 05 00 (June 2024, Turley) and Plant Schedule within the Design and Access Statement-Landscape Strategy FIRS3002 REV C (June 2024, Turley) is submitted and approved in writing by the Local Planning Authority.

The implementation program shall ensure completion of the approved landscape scheme within the first planting season following completion of development.

Any trees shrubs or plants that die or become seriously damaged within fifteen years of this development shall be replaced in the following year by plants of the same size and species.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a

satisfactory scheme of landscaping in accordance with the National Planning Policy Framework and **Policies SP7, SP8, SP9, SP10, SP11 and DM15 of the West Berkshire Local Plan Review 2023-2041**. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; the implementation of the landscaping scheme may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

11. Unexpected land contamination

If any previously unidentified contaminated land is found during site clearance, groundwork and construction, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, the development shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs the National Planning Policy Framework, and **Policy DM5 of the West Berkshire Local Plan Review 2023-2041**.

12. Compliance with existing detailed biodiversity method statements, strategies, plans and schemes

All ecological measures and/or works shall be carried out in accordance with the details contained in:

- Soft landscaping plan FIRS3002 02 F (June 2024, Turley);
- Illustrative Landscape Masterplan FIRS3002 01 E (June 2024, Turley);
- Plant Schedule within the Design and Access Statement-Landscape Strategy FIRS3002 REV C (June 2024, Turley);
- Preliminary ecological appraisal and preliminary bat roost assessment RT-MME-150244-02 (September 2019, Middlemarch);
- Design and access statement – landscape strategy (Turley, June 2024).

Or as subsequently approved through details to discharge condition 10.

Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and **Policy SP11 of the West Berkshire Local Plan Review 2023-2041**.

13. Time limit on development before further surveys required

If the development approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning permission, the approved ecological measures secured through Condition 'Compliance with existing detailed biodiversity method statements, strategies, plans and schemes' shall be reviewed and, where necessary, amended and updated. The

review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of protected habitats or species and (ii) identify any likely new ecological impacts that might arise from any changes.

Reason: To avoid any adverse impacts to biodiversity during construction and completion of the development. This condition is applied in accordance with the National Planning Policy Framework, and **Policy SP11 of the West Berkshire Local Plan Review 2023-2041**.

14. Surfacing of access (prior approval)

No permanent vehicular accesses to the highway shall be constructed until details of the surfacing arrangements have been submitted to and approved in writing by the Local Planning Authority. Thereafter the accesses shall be constructed in accordance with the approved details.

Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is applied in accordance with the National Planning Policy Framework, and **Policy SP19 of the West Berkshire Local Plan Review 2023-2041**.

15. Schedule of materials (prior approval)

The construction of the development above ground level shall not take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, **Policies SP7, SP8, SP9 and DM9 of the West Berkshire Local Plan Review 2023-2041**, and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

16. Acoustic fence (prior approval)

The hereby approved development shall not be brought into use until an acoustic fence as shown on the approved plans and specified within the Noise Assessment, prepared by Tetra Tech is installed in accordance with details that have first been approved in writing by the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from operational noise from the site. This condition is applied in accordance with the National Planning Policy Framework, **Policies SP7, DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041**.

17. Drainage (prior approval)

The hereby approved development shall not be brought into use 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 the WBC SuDS Supplementary Planning Document

December 2018, with particular emphasis on Green SuDS and water re-use, and the approved Drainage Strategy Layout produced by BWB Consulting (Ref. THR-BWB-GEN-XX-DR-D-500, S8, P05) with a maximum discharge rate of 15.0 l/s.

- b) Include flood water exceedance routes (low flow, overflow and exceedance routes), both on and off site.
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site.
- d) Include details of any pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain, including manufacturers specifications.
- e) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow.
- f) Include groundwater flotation calculations to demonstrate that all below ground infrastructure will not be subject to flotation which would subsequently impact upon the functionality of the design.
- g) Include a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted immediately following construction to be approved by the Local Planning Authority. This Report shall include plans and details of all key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter.

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 SP6 of the West Berkshire Local Plan Review 2023-2041**, Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).

18. Hard landscaping (prior approval)

No unit shall not be first occupied until the hard landscaping of the site has been completed in accordance with the details of boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) shown on the approved plans/documents (Hard Landscaping Plan FIRS3002 04 E, Design and Access Statement- Landscape Strategy FIRS3002, June 2024) and Site Plan 18-0950SGP-ZZ-ZZ-DR-A- 131001).

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, **Policies SP7 and SP8 of the West Berkshire Local Plan Review 2023-2041**, and the Quality Design SPD.

19. Electric vehicle charging points (prior approval)

No unit shall be brought into use until at least 8 electric vehicle charging point(s) have been provided for that unit in line with drawing 18-095-SGP-ZZ-ZZ-DR-A-131001-P8 in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the voltage to be available. Thereafter, the charging point(s) shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework and [Policies SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023-2041](#).

20. Cycle parking/storage (approved plans)

The hereby approved development shall not be first occupied until cycle parking/storage facilities have been provided in accordance with the approved drawings. 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, [Policies SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023-2041](#).

21. Parking (approved plans)

The hereby approved development shall not be occupied until vehicle parking has been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking shall be kept available for parking.

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, [Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041](#).

22. Visibility splays (approved plans)

The development hereby permitted shall not be first brought into use until visibility splays of 2.4 metres x 48 metres have been provided in both directions at the new access onto Hoad Way in accordance with the approved plans (Proposed Site Access 20168-01) unless otherwise agreed in writing. Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.

Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and [Policy SP19 of the West Berkshire Local Plan Review 2023-2041](#).

23. Provision of footpath (approved plans)

The development shall not be brought into use until the footpaths are constructed in accordance with drawing 18-095-SGP-ZZ-ZZ-DR-A-131001-P8 and brought into use.

Reason: To encourage walking to reduce the reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, and **Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023-2041**.

24. **BREEAM**

The development hereby permitted shall achieve a rating of "Excellent" under BREEAM V6 (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided 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, and **Policies SP5 and DM4 of the West Berkshire Local Plan Review 2023-2041** and Supplementary Planning Document Quality Design (June 2006).

25. **External lighting**

No external lighting shall be installed at the site until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) include a plan to show the location of any lighting,
- (b) isolux contour diagram(s), an operation strategy (e.g. details of timed operation),
- (c) specifications all lighting,
- (d) demonstrate how external lighting will not disturb or prevent bats and badgers using their territory or having access to their breeding sites and resting places (this includes identifying areas/features particularly sensitive to lighting including in and around breeding sites and resting places or along important routes to access to their key areas of their territory e.g. foraging)

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect the occupants of nearby residential properties and bats and badgers from light pollution. Such disturbance to protected species can constitute an offence under the relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, **Policies SP7, SP8, SP11 and DM5 of the West Berkshire Local Plan Review 2023-2041**.

26. **Noise- plant, machinery and equipment**

All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed the existing background noise level when measured in accordance with BS4142:2014+A1:2019.

Reason: To protect the occupants of nearby residential properties from noise. This condition is applied in accordance with the National Planning Policy Framework, **Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041**.

27. **Use restriction**

The development hereby approved shall be used for Use Class E(g) ii) and iii) (light industrial), B2 and B8 with ancillary office provision and for no other purpose,

including any other purpose in [Classes E] 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 any provision equivalent to that Class in any statutory instrument revoking and reenacting 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 and **Policies SP1, SP3, SP17 and SP18 of the West Berkshire Local Plan Review 2023-2041**.

28. Travel Plan

The Framework Travel Plan (received on 26th June 2024, prepared by David Tucker Associates) shall be implemented from the development first being brought into use. It should be reviewed and updated within 6 months of first implementation. After that the Travel Plan shall for the following 5 years after first occupation be annually reviewed and updated to achieve agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. In accordance with the National Planning Policy Framework, **Policies SP5, SP19, DM44 and DM45 of the West Berkshire Local Plan Review 2023-2041**.

Informative notes for the appellant

It is appreciated that, the Planning Inspectorate will not include informative notes within decision letters. As such, the Council takes this opportunity to bring the following matters to the appellants attention in the event that the appeal is allowed.

Compliance with approved drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development particularly if these arise as a result of changes to meet Building Regulations. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

Building Regulations

Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: building.control@wokingham.gov.uk, or visit: www.wokingham.gov.uk/building-control

CIL Liability

The development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and thus a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable, if applicable, will be sent out separately from this Decision Notice. It is your responsibility to contact the CIL Team as soon as possible to confirm whether the development is CIL liable. If subsequently confirmed as CIL liable, you are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit a Commencement Notice will affect any exemptions claimed, including the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

Great Crested Newts

The applicant should be aware that should a great crested newt be discovered during works, all works must cease until a licence is obtained. The applicant has the option to completely remove the risk of stopping works and construction delays by entering the West Berkshire Council's District Licence scheme. For more information on the West Berkshire Council's District Licence scheme, administered by NatureSpace, please visit www.naturespaceuk.com.

Future occupiers and odour

Use of Class E, Class B2 and Class B8 cover a wide variety of commercial uses, some of which have a greater potential for odour to affect neighbouring properties, such as catering production, food processing and certain industrial processes. The use could change within this category without requiring further planning approval. It will be the responsibility of the end user to ensure that odour mitigation measures are suitable for the use prior to that use commencing. It is usually simpler and more cost effective to design odour mitigation measures for the end use prior to occupation rather than retrofitting solutions so it is recommended that the intended use is carefully considered and appropriate mitigation included at the design stage. An abatement notice will be served should it be established that there is odour amounting to a statutory nuisance under the Environmental Protection Act 1990 arising from that use.