

06 September 2023



Reading
Borough Council
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Title	PLANNING APPLICATION REPORT
Ward	Abbey
Planning Application Reference:	230682/VARIAT
Site Address:	The Oracle, Reading, RG2 2AG
Proposed Development	Application under Section 73 of Town and Country Planning Act (1990) to remove condition no. 62 of planning permission ref. 970419 (Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1, A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking (2390 spaces) and community uses together with associated landscaping etc) to allow the sub-division of 'department store' floorspace. Imposition of new planning condition(s) to restrict use of 'department store' floorspace within Use Class E(a)(b)(d)(e), with a minimum unit size of 1,000 sqm (GIA).
Applicant	Hammerson
Report author	Jonathan Markwell, Principal Planning Officer
Deadline:	8 th September 2023
Recommendation	Grant removal of condition 62, subject to new conditions as follows (numbering aligns with conditions included on original permission 970419):
Conditions	<p><u>Newly proposed conditions</u> (hereafter numbered as follows), summarised as:</p> <p>76. Restriction on the areas marked on the approved plans as 'application floor space' being for the following uses only: Class E(a),(b),(d) or(e), unless a separate permission is sought and approved.</p> <p>77. Restriction requiring no unit within the areas marked on the approved plans as 'application floor space' to be less than 1000sqm (GIA) in floorspace, unless a separate permission is sought and approved.</p> <p>78. Prior to the first occupation of any 'application floor space' unit a plan specifying the location of the unit in the context of the remainder of the 'application floor space' shall be submitted to and approved by the local planning authority.</p> <p>79. Restriction preventing the future inclusion of mezzanine floors / increases in floor area, unless a separate permission is sought and approved.</p> <p>80. Hours of use of any Class E(b) or Class E(d) 'application floor space' unit being Monday to Saturday 08:00hours – 00:00 hours and Sunday, Bank Holidays and other statutory holidays 08:00 hours – 23:00 hours.</p>

81. Noise assessment (including specific reference to structure borne noise) prior to the first occupation of any Class E(d) gym use within any 'application floor space' unit.

Review of other conditions as per the original permission, for inclusion on the future decision notice (as per best practice guidance) summarised as follows (full wordings, methodology and explanation provided in Appendix 1):

1. 5 years for implementation - No longer relevant.
2. Development to be carried out in accordance with the approved plans - No longer relevant.
3. List of approved plans – To be reattached, referencing the still relevant original plans and the Riverside, Lower Mall and Upper Mall plans received on 28/07/2023.
4. Phasing details – No longer relevant.
5. Notification of commencement of each phase – No longer relevant.
6. Completion of relevant phase prior to first trading in that phase – No longer relevant.
7. Programme of archaeological work – No longer relevant.
8. Implementation of archaeological scheme prior to commencement of development in the relevant phase – No longer relevant.
9. Public viewing of archaeological investigations – No longer relevant.
10. Public art and related matters – No longer relevant.
11. Details of pedestrian bridges and the Millennium Tower – No longer relevant.
12. Security measures adjoining the BT buildings in Minster Street – Wording altered to a compliance condition to maintain the approved / implemented measures.
13. Material details – No longer relevant.
14. Lighting details - Wording altered to a compliance condition to maintain the approved / implemented measures.
15. Tramways Generating Station date plate - Wording altered to a compliance condition to maintain the approved / existing plate.
16. Creche, public toilet and recycling facilities – Creche and recycling facility components are no longer relevant. Public toilet wording to be altered to a compliance condition to maintain the approved / existing facilities.
17. Shopfront and advertisements – No longer necessary.
18. Glazing on specific windows – Wording altered to require submission of details prior to the first occupation/re-occupation of any unit including externally facing windows. Approved details to be carried out prior to first occupation and maintained thereafter.
19. Maintain window displays – Wording altered, but essence of condition retained.
20. Landscaping, surface treatments and all external works – No longer relevant.
21. Servicing to rear of Gun Street – Wording altered for the area to remain unobstructed at all times.
22. Realignment of the River Kennet – No longer relevant.
23. Finished levels of the River Kennet banks – No longer relevant.
24. River Kennet and Holy Brook railings / safety measures – Wording altered for approved/existing measures to be maintained.
25. River works – No longer relevant.

26. Sewerage works – No longer relevant.
27. Surface water drainage – No longer relevant.
28. Oil/grit interceptor – No longer relevant.
29. Off-site highway works – No longer relevant.
30. Car parking signage – No longer relevant.
31. Servicing and Deliveries – Wording altered for this to become a compliance condition; servicing and deliveries to be carried out in accordance with the document submitted during the application on 15/08/2023.
32. Restricting deliveries between 11am-4pm at weekends – Wording altered to clarify this relates to the site as a whole.
33. Temporary parking during construction – No longer relevant.
34. Various design details – No longer relevant.
35. Parking on Minster St – Wording altered, but essence remains unchanged.
36. Retention of all parking areas – Wording altered, but essence remains unchanged.
37. Public highway access control and car park circulation area details – Wording altered to reflect current arrangements, but essence remains unchanged.
38. Pedestrian routes into and within the car parks – Wording altered to reflect current arrangements, but essence remains unchanged.
39. Pedestrian access – Wording altered, but essence remains unchanged
40. Cycle routes - Wording altered to reflect current arrangements, but essence remains unchanged.
41. External pedestrian routes - Wording altered, but essence remains unchanged.
42. All public entrances to department stores to remain open when trading - No longer necessary or relevant.
43. Accessibility – Wording altered for accessibility to be maintained.
44. Areas with gradients exceeding 1:20 - No longer relevant.
45. Shopmobility – No longer relevant.
46. Restriction on telecommunications – Wording altered, but essence remains unchanged.
47. Ventilation of the basement and south bank car parks – Wording altered to become a compliance condition, given the on-going maintenance element in the original wording.
48. Ventilation and filtration for Class A3 units – Wording altered and strengthened to relate to current standards and relate to odour matters being required prior to the installation of any external kitchen extraction system, irrespective of the proposed use or location at the site.
49. CCTV – Wording altered to relate to existing facilities to be maintained.
50. No more than 10 Class A2 units – No longer relevant.
51. Siting of Class A2 units – No longer relevant.
52. Removal of change from Class A3 to A2 - No longer relevant.
53. Removal of change for Riverside units being used as hot-food takeaways – No longer relevant.
54. Cinema used solely for that purpose – No longer relevant as cinemas are now a Sui Generis use.

	<p>55. Retention of Citizens Advice Bureau and creche – No longer relevant in relation to the creche / worded amended in relation to the Citizens Advice Bureau, but essence remains unchanged.</p> <p>56. Retention of South Bank gallery/display unit – No longer relevant.</p> <p>57. Construction Ecology action plan – No longer relevant.</p> <p>58. Waste Management – Wording altered to become a compliance condition, in accordance with the document submitted during the course of the application.</p> <p>59. Construction Method Statement – Wording updated to be specific to any unit created through this application</p> <p>60. Programmes and schedules of works for Nos 2/4 London Street and 19 Bridge Street – No longer relevant.</p> <p>61. No development until Reading Transport vacates its depot – No longer relevant.</p> <p>62. No sub-division of the department stores – hereby granted to be removed.</p> <p>63. Residential sound attenuation – No longer relevant.</p> <p>64. Noise report – No longer relevant.</p> <p>65. Open storage of materials, products, plant or equipment - No longer relevant.</p> <p>66. Minimum of 4 Class A3 uses within the covered mall - No longer relevant.</p> <p>67. Minster Street entrance details - No longer relevant</p> <p>68. Cycle parking not to fall below 230 public spaces and 30 for staff – Wording amended, but essence remains unchanged.</p> <p>69. Bailey Bridge details - No longer relevant.</p> <p>70. Decontamination works and proposed remediation - No longer relevant.</p> <p>71. Restriction on contract parking – Wording amended, but essence remains unchanged.</p> <p>72. Replacement planting for three years - No longer relevant.</p> <p>73. Landscape, open space, car park and shopmobility management plans – amended wording, but essence remains unchanged in respect of landscaping. In terms of open space, car park and shopmobility matters, it is either not possible or necessary to retain these conditions.</p> <p>74. Ground floor parking layout - No longer relevant.</p> <p>75. Details of the east end leisure development - No longer relevant.</p>
<p>Informatives</p>	<ol style="list-style-type: none"> 1. Positive and Proactive Working 2. Highways 3. Terms of the permission 4. Building Control 5. Complaints about construction 6. Community Infrastructure Levy 7. Impact of the minimum 1000sqm floorspace condition on the existing Riverside units within the former Debenhams unit shown on the proposed floorplans 8. Likely requirement for separate advertisement consent in respect of future externally facing advertisements

1. Executive summary

- 1.1 The proposal is seeking the removal of condition 62 of the original 1997 permission, to enable the lawful sub-division of the existing House of Fraser and former Debenhams units at the Oracle into a number of separate units. This is considered to be acceptable, subject to a number of new conditions. These include securing the future units to have a minimum floorspace of 1000sqm and restricting the possible uses within the future units to Class E(a) retail, E(b) food and drink on the premises, E(d) Indoor sport, recreation or fitness, or E(e) Provision of medical or health services uses only. The new conditions are considered to be necessary and relevant to protect the vitality and viability of the town centre and guard against possible adverse amenity or transport implications not assessed as part of this application.
- 1.2 Given that permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions, the 74 other conditions as part of the original 1997 permission have been considered. The conditions have where relevant either been repeated, modified or removed (where they have already been discharged or are no longer relevant), in order to assist with future clarity.

2. Introduction and site description

- 2.1. The application site comprises the entirety of the Oracle Shopping Centre and some surrounding buildings and highways, consistent with the red-line application site boundary of the original permission from 1997. This extends from Broad Street in the north, Duke Street, Yield Hall Place and London Street in the east, Mill Lane to the south and Bridge Street to the west. This is shown below in figure 1 and is 8.6 hectares in area. The application form submitted with the application confirms that the applicant has served notice on various other landowners on part of land or buildings to which this application relates.

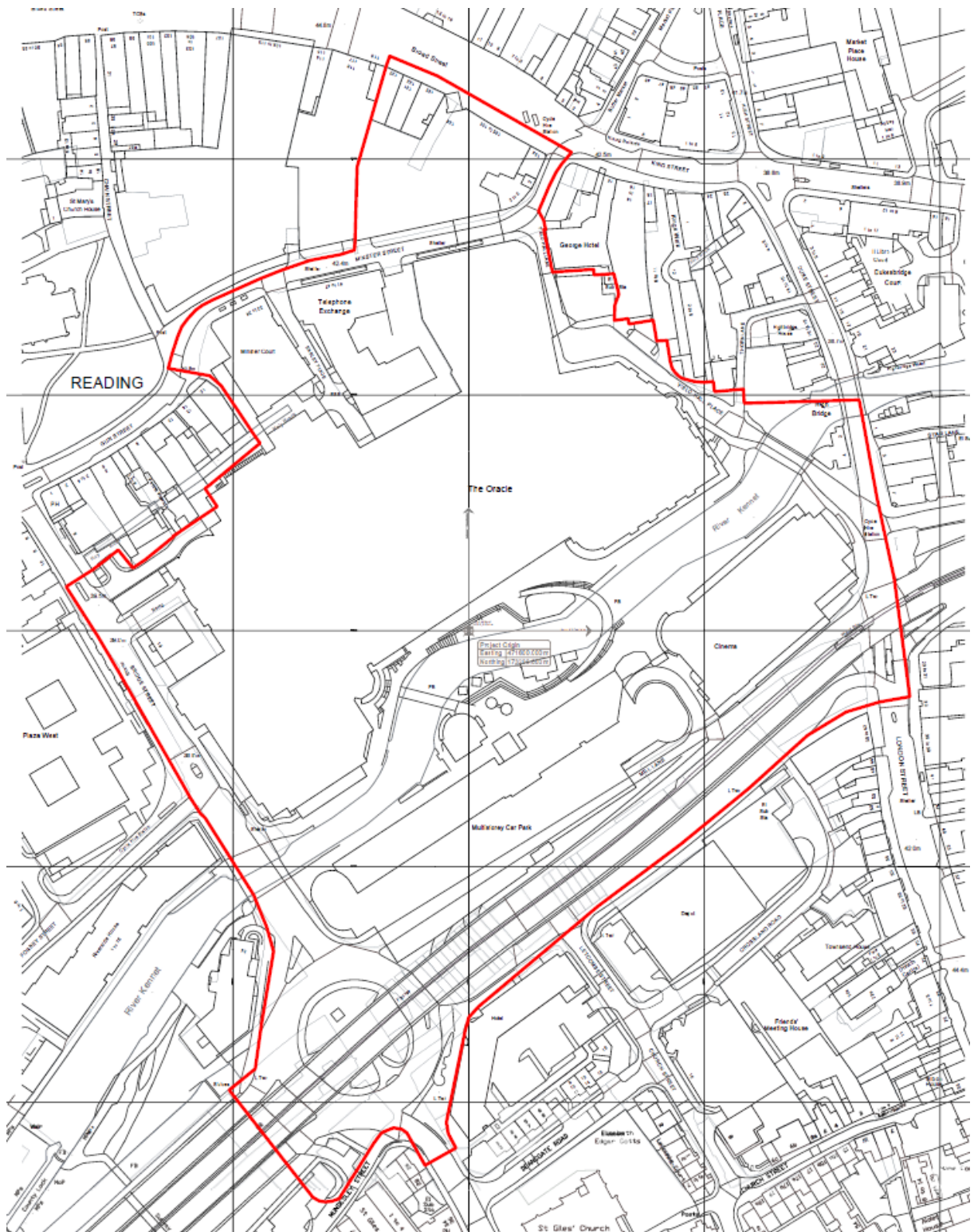


Figure 1 – Site Location Plan.

- 2.2. In practice however, the proposals relate to the existing House of Fraser and former Debenhams units within the Oracle, which at the time of the original permission were referenced as the 'department stores' within the development. These are located at the eastern and western ends of the Oracle, to the north of the River Kennet, at Riverside, Lower Mall and Upper Mall levels. As a whole, the Oracle opened in September 1999 and comprises a two level shopping centre, with further uses either side of the River Kennet riverside. The Oracle is managed by Hammerson (the applicant for these proposals) and consists predominantly of national retailers providing a variety of retail, restaurant and leisure uses.

- 2.3. The local plan, at paragraph 5.1.4 specifies that the opening of the Oracle helped to establish Reading as one of the leading shopping locations in the UK. The application site is subject to the following site constraints / designations:
- Part of the site is allocated for development under Policy CR14g – The Oracle Extension, Bridge Street and Letcombe Street, which specifies development of the area between the River Kennet and Mill Lane for retail, with use of the site at Letcombe Street for a public car park.
 - With the boundary of Reading Central Area (Policies CR1-10)
 - Inside the primary shopping area (Policy CR1)
 - Inside the central core (Policy CR1)
 - Inside the office core (Policy CR1)
 - The Riverside frontages are designated primary frontages in Central Reading (Policy CR7)
 - The site is partly within two separate conservation areas (Policies EN1 & EN3), namely Market Place / London Street to the east and St Mary's Butts / Castle Street to the west.
 - On site Grade II listed buildings, namely 2&4 London Street, Seven Bridges House (19 Bridge Street) and the Telephone Exchange at 41- 47 Minster Street
 - On site Grade II* structure, namely the culvert on the Holy Brook to the rear of Gun Street / Castle Street
 - High Bridge (Duke Street) is a scheduled ancient monument (Policy EN1)
 - Within the viewing corridor of view 2 within Policy EN5 (Protection of Significant Views with Heritage Interest) – the view northwards down Southampton Street from Whitley Street towards St Giles Church, St Mary's Church and Greyfriars Church.
 - Includes parts of the classified highway network and a series of cycle routes (e.g. Mill Lane is an orbital route, Bridge Street, Broad Street, Minster Street and Duke Street are local routes, the southern Riverside is a leisure route, all as per the Local Cycling and Walking Infrastructure Plan)
 - The River Kennet is an area of identified biodiversity interest (Policy EN12) and waterspace (Policy EN11)
 - A number of parts of the site are subject to potential contaminated land (Policy EN16)
 - Within areas of Flood Zone 1, 2 and 3 (Policy EN18)
 - Within an area with archaeological potential (Policy EN2)
 - Within an air quality management area (Policy EN15)
 - Within a British Waterways consultation area
 - Within a smoke control area
 - Within a licensing cumulative impact area
- 2.4. In the surrounding area there are a wide mix of uses (both commercial and residential) and building types, including a number of other listed buildings (e.g. fronting Gun Street). As per the aerial view provided at figure 2 below, the site and surrounding area is within the heart of Reading town centre.



Figure 2: Aerial view looking north of the site and surrounding area.

- 2.5. The application is being considered at Planning Applications Committee as the proposal constitutes a 'major' development, given the floorspace and site areas involved.

3. The proposal

- 3.1. The proposal is seeking the removal of condition 62 of the original 1997 permission, to enable the lawful sub-division of the existing House of Fraser and former Debenhams units at the Oracle into a number of separate units.
- 3.2. More specifically, the original Oracle permission (Reference 97/0017/FD / 970419, as granted following completion of a legal agreement on 04/04/1997) granted the demolition of the then existing buildings and redevelopment / change of use to provide a shopping centre (specified at that time as Class A1, A2 & A3), 41 residential units, leisure facilities including a multi-screen cinema (at that time Class D2), 2390 car parking spaces, community uses and associated landscaping. That permission was subject to a number of planning conditions, including condition 62, which stated:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, with or without modifications there shall be no subdivision of the department stores shown on the approved drawings into separate shop units unless agreed in writing by the Local Planning Authority.

Reason: As the balance between shop units and department store retail floor space has a critical effect on the vitality and viability of the rest of the town centre and the impact of any shift needs to be evaluated by the Local Planning Authority.

- 3.3. In essence, it was managed through this condition for the units occupied by House of Fraser and most recently (on all floors) by Debenhams to be retained as 'department stores'. This was in order to 'anchor' the shopping centre, helping attract footfall to the whole Oracle centre and assist in the vitality and viability of both the Oracle and wider town centre. This condition is now sought to be removed, with this applied for via the appropriate section 73 application process. This relates to all three floors of these two

existing units, namely at Riverside, Lower Mall and Upper Mall levels, with the extent of the Riverside level shown below at figure 3 (the upper floors largely mirror these footprints).

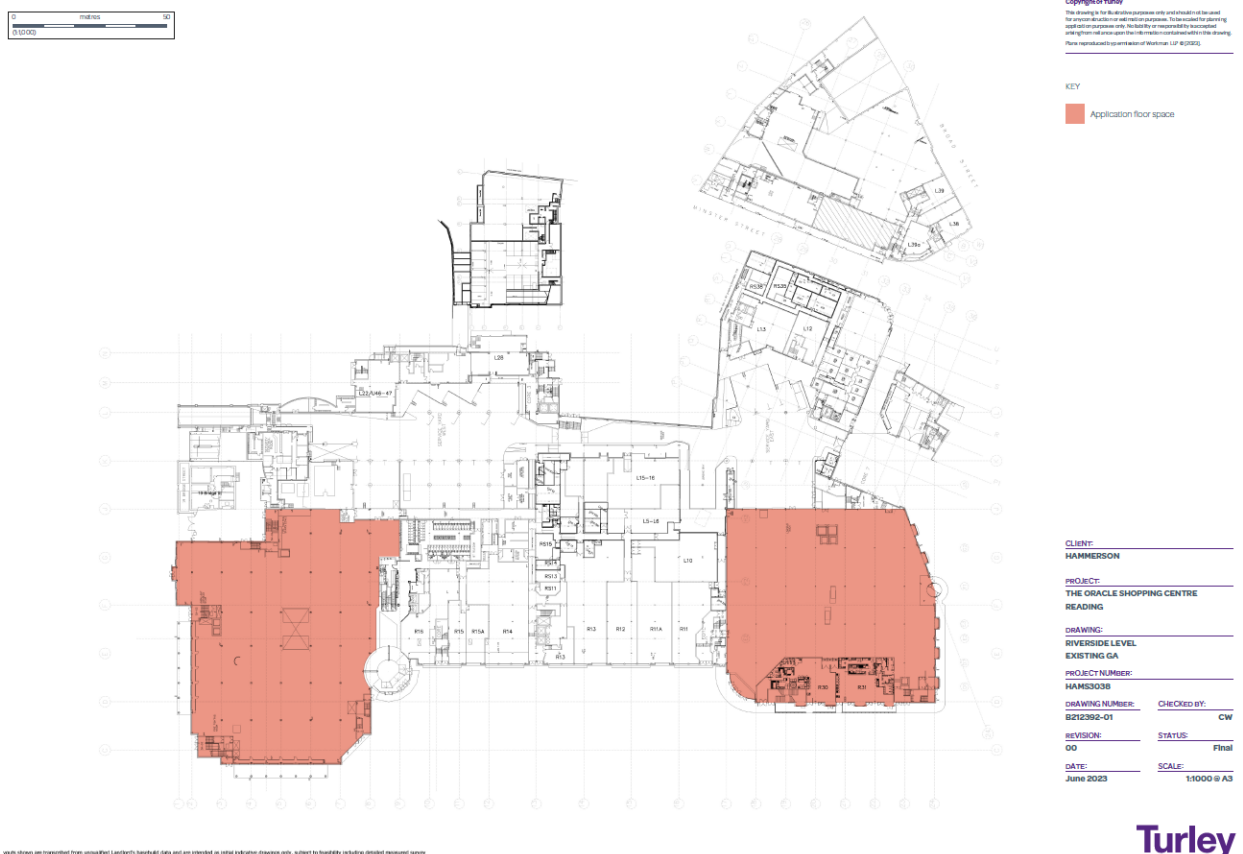


Figure 3 - Proposed Riverside level floor plan submitted, showing the application floorspace at the existing House of Fraser (left) and former Debenhams (right).

- 3.4. As part of the application submission, the applicant has made two distinctions in respect of its intentions should the condition be removed, relating to the resultant uses which could occupy the floorspace and the minimum size of any resultant unit. In terms of the proposed uses, the applicant has specified that only the following sub-categories of Class E are sought to occupy any future unit:
- Class E(a) Display or retail sale of goods, other than hot food
 - Class E(b) Sale of food and drink for consumption (mostly) on the premises
 - Class E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink)
 - Class E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- 3.5. As such, the proposal is not seeking for all 11 parts of Class E to be able to occupy any future unit, but instead is proposing to limit the use to any of the 4 component parts of Class E specified above.
- 3.6. With regard to the floorspace component of the proposal, the applicant has confirmed that it is proposed for a minimum unit size of 1,000 sqm (GIA) to be provided. To illustrate this in context, the floorspaces of each floor within both units are specified below in Figure 4. Consequently, if the units were to be sub-divided on a floor-by-floor basis, this would mean in practice that a maximum of 3 units per floor within the former Debenhams unit would be possible (given the total floorspace per floor is between 3,000 & 4,000sqm), with 3 units possible at Upper Mall level of the House of Fraser unit and 4 at Riverside and Upper Mall level. If the units were to be sub-divided vertically (i.e. encompassing

multiple floors) a maximum of 11 separate units would be possible within the former Debenhams unit and 12 within House of Fraser (in light of the total floorspaces involved).

	Existing House of Fraser unit	Former Debenhams unit
Riverside level	4,357sqm	3,864sqm
Lower Mall level	4,181sqm	3,800sqm
Upper Mall level	3,650sqm	3,538sqm
Total	12,188sqm	11,202sqm

Figure 4 – Floor-by-floor floorspace totals within the existing department stores.

- 3.7 During the course of the application a number of clarifications and details have been sought and received from the applicant to enable the proposals to be fully assessed. This has included discussions with the applicant in respect of the implications of this application for the 74 other conditions attached to the original permission. This has been required bearing in mind the National Planning Practice Guidance (NPPG) (relating to Flexible Options for Planning Permissions) confirms that:

What is the effect of a grant of permission under section 73?

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions...

... A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. (Paragraph: 015 Reference ID: 17a-015-20140306)

- 3.8 Therefore, the assessment of this application has also required consideration of the other 74 conditions, with these summarised in the recommendation above and discussed further in the appraisal below and at Appendix 1.
- 3.9 The NPPG also highlights that the Environmental Impact Assessment (EIA) Regulations apply in the case of s73 applications. No screening opinion was submitted by the applicant prior to the submission of the application. The applicant was alerted to this prior to the validation of the application and subsequently submitted a letter outlining its viewpoint on the EIA implications of the application. In such instances the requirement is for the local planning authority to carry out a screening exercise. In short, a negative screening opinion was issued and adopted by the local planning authority on 18th August 2023, with it being considered that the proposed development is not EIA development.
- 3.10 In terms of the Reading Community Infrastructure Levy (CIL), the proposals will not be liable given no new floorspace is proposed and the proposed uses have a zero or nil charge (£0/sqm) set out in the Reading Borough Council CIL Charging Schedule.
- 3.11 The following plans have been received (only the latest versions are referenced):

TOR-CRL-ZZ-ZZ-DR-AR-0100005 – Department Store Sub-Division Application – Redline Plan
As received 09/06/2023

B212392-01 Rev 00 – Riverside Level Existing GA
B212392-02 Rev 00 – Lower Mall Level Existing GA
B212392-03 Rev 00 – Upper Mall Level Existing GA
As received 28/07/2023

- 3.12 The following other documents and plans have been received (only the latest versions are referenced):

Planning Statement Proposed sub-division of 'Department Store' Units, The Oracle, Reading by Turley Ref HAMS3032 dated June 2023, as received 30/06/2023.

Letter from Turley 'Planning Application Ref. 230682 – Application Under Section 73 Application To Planning Permission Ref 970419, The Oracle Shopping Centre, Reading, dated and received 30/06/2023.

Email from Turley 'RE: 230682 - S.73 The Oracle, Reading' dated and received 28/07/2023

Oracle Shopping Centre – 970419: Planning Conditions Schedule by Turley, as received 15/08/2023.

9 Deliveries and Servicing as received 15/08/2023.

The Oracle Sustainable Travel Plan 2022 – 2023, dated January 2020 as received 15/08/2023.

Site Specific Waste Management Plan The Oracle Shopping Centre By Mitie Version 06 dated 27/04/2023, as received 15/08/2023.

Fitout Technical Guide The Oracle Reading by Hammerson Ref 2021 Rev 07, as received 15/08/2023.

Introduction to Hammerson Retail Design & Delivery Process New Lettings and Refits by Hammerson Ref 2021/Rev G, as received 15/08/2023.

Fast Track Design Guide by Hammerson dated May 2017, as received 15/08/2023.

Sustainability Requirements for Retail Delivery by Hammerson Revision 7, as received 15/08/2023.

4. Planning history

- 4.1. There have been numerous planning applications at the wider Oracle site since the original permission to which this application relates. Those which are specifically relevant to this proposal are:
- 4.2. 97/0017/FD / 970419 – Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1, A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking (2390 spaces) and community uses together with associated landscaping etc. Granted following the completion of a s106 legal agreement 04/04/1997.
- 4.3. [no official reference number] Amended plans for 3-5 Minster Street elevation associated with permission 970419 were resolved to be granted at Planning Committee on 10/12/1997 as recommended.
- 4.4. 98/00137/VARIAT / 980719 - Relaxation of condition No 3 of consent reference 97/0017/FD to substitute plans relating to House of Fraser lifts, Debenhams lift, Debenhams high level wall, Holy Brook lift, Broad Street canopy. Granted 02/04/1998.
- 4.5. 98/00143/FUL - 980127 - Substitution of approved drawings submitted pursuant to condition 75, the South Bank Car Park elevations of consent reference 97/0017/FD. Granted 10/06/1998.
- 4.6. [unspecified number] – Relaxation of condition 59 to allow 24 hour working on 8, 20, 21 and 22 April 1998. Granted 15/4/1998 after consideration at Planning Committee on 1/4/1998.
- 4.7. 98/00255/VARIAT / 980652 - Relaxation of condition 59 of application 97/0017/FD to allow 24 hour working in specified areas for 6 weeks commencing 27 April 1998. Granted 17/04/1998.

- 4.8. 98/00238/VARIAT / 980695 - Variation of condition 75 re cinema elevations. Granted 23/04/1998.
- 4.9. 98/0939/VC / 980841 - Relaxation of condition 3 of planning application 97/0017/FD to substitute plans relating to the internal layout and external elevations of phase 3. works. Granted 10/02/1999.
- 4.10. 98/00578/FUL / 981047 - Substitution of plans pursuant to condition 3 of app 97/0017/FD re the ground floor of south bank car park which previously showed 3 restaurants the gallery & disabled parking bays to show 4 restaurants, the gallery & the creche and relocating disabled parking bays on Level 3. Granted 10/07/1999.
- 4.11. 98/00808/VARIAT / 981053 - Town & Country Planning Act 1990 - Section 73 Variation of Condition 59. Granted 17/04/1998.
- 4.12. 98/00408/VARIAT / 981059 - Application under Section 73 of the Town and Country Planning Act 1990 to vary condition 3 attached to planning permission 97/0017/FD to allow for changes to the proposed 'circular' restaurant on the South Bank. Granted 10/09/1998.
- 4.13. 99/00764/VARIAT / 991435 - Variation of conditions 18 and 19 of planning permission 97/0017/FD to allow obscure glazing of selected windows of the department stores. Granted 22/09/99.
- 4.14. 99/00073/VARIAT / 991769 – Vary condition 59 attached to Planning Permission 97/0017/FD to allow for 24hr working to enable internal works only from 6.00pm to 8.00am. Granted 05/10/1999.
- 4.15. [no specific application reference number] - Amended drawings pursuant to Condition 3 of planning permission 97/0017/FD/LBP showing a new design and details for the canopy over the proposed Broad Street entrance. Resolved to be granted at Planning Committee on 5/4/2000, subject to the submission and approval of acceptable material samples.
- 4.16. [no specific application reference number] - Letter from RBC Senior Planning Officer to Montagu Evans dated 29/4/2001 – Ref OR/Condition 3/KM confirming that the 'as built' drawings received on 18/09/2000 are accepted as amended plans to this condition.
- 4.17. 05/00222/VARIAT / 050162 - New access and external seating area to House of Fraser Restaurant. Granted 29/04/05.
- 4.18. Current The Real Greek and Franco Manca units only: 170850/ADV - Display of 4 internally illuminated fascia signs, 2 non-illuminated fascia signs, 2 high-level internally illuminated projecting signs, 1 graphic on the south elevation and 4 menu box signs (retrospective). Granted Advertisement Consent 26/07/2017. Informative 3 on that decision notice stated: *The applicant is advised to explore whether separate planning permission should be sought for the two restaurant units operating from this site since 15th June 2017. This is owing to condition 62 of permission 97/00017/FD (alternative reference 970419) at the wider site stating that there shall be no subdivision of the department stores into separate units unless agreed in writing by the Local Planning Authority.* No application has subsequently been submitted.
- 4.19. Current Next unit only: 171726/CLP - Internal alterations associated with amalgamation of units L12 & LX, Yield Hall East Mall internal access space (all at Level 2) and units U16, U17 and U18 (all at Level 4 on Town Mall East) into a single retail unit (Class A1). Certificate of Lawfulness Granted 15/11/2017. This was implemented and combined a number of existing units to create the existing single unit occupied by Next.
- 4.20. Current House of Fraser unit only: 191841/FUL - Subdivision of three-storey retail unit (Class A1) and change of use to form: 1x flexible retail/restaurant/bar unit (Class A1/A3/A4), 1x flexible retail/restaurant unit (Class A1/A3) and 1x assembly and leisure unit (Class D2) at Riverside level; 1x retail unit (Class A1) and 1x assembly and leisure unit (Class D2) at lower ground level; 1x retail unit (Class A1) at upper ground level, together with alterations to the Riverside frontage and associated plant, car parking and external alterations at car park levels. Granted following completion of s106 legal

agreement on 31/07/2020. Not implemented and the 3 year period for works to commence expired on 31/07/2023.

- 4.21. Former Debenhams Department Store, West of Yield Hall Place, The Oracle only: 221916/FUL - Mixed use development comprising part demolition of former department store and erection of new building comprising up to 202no. build to rent residential dwellings (Class C3) and 1,209 sqm commercial uses within Uses Class E and / or bar (Sui Generis Use). Reconfiguration and change of use of up to 5,866 sqm remaining department store floorspace (Class E) to uses with within Use Class E and / or bar (Sui Generis Use) and / or experiential leisure use (Sui Generis Use). Associated public realm, infrastructure works and external alterations to shopping centre, including creation of new shopping centre entrance. Current application under consideration.
- 4.22 Existing Vue Cinema Complex, Land West of Yield Hall Place / London Road, The Oracle only: 221917/FUL - Mixed use development comprising demolition of existing buildings and erection of new building comprising up to 247 no. build-to-rent residential dwellings (Class C3) and up to 3,046 sqm commercial floorspace comprising cinema (Sui Generis) and ground floor commercial uses within Use Class E and /or Bar (Sui Generis Use). Associated public realm and infrastructure works. Current application under consideration.

5. Consultations

5.1. Statutory and Non-Statutory:

5.2. Transport – In broad terms there are no in-principle concerns with the proposals from a transport perspective, although the impacts on existing conditions as part of the original permission need to be carefully considered and managed. The following summary comments are made in respect of the most relevant transport related conditions:

- Condition 32 (Restriction on delivery hours) - The Highway Authority agree that this should be retained to be consistent with the remainder of the town centre.
- Condition 35 (Parking for Minster Street residential units) - It is assumed this relates to the residential units accessed via Minster Street. The Highway Authority would agree that this condition should be retained and would suggest that the wording be revised to include a plan number for clarity.
- Condition 37 (Access control measures involving car parks) - The Highway Authority consider this condition should be retained. To simplify matters it is suggested that the applicant should submit the latest layout for the site and the condition be revised to specify that the measures are to be maintained in accordance with the approved plan(s).
- Condition 38 (Pedestrian routes into the car parks) - The Highway Authority consider this condition should be retained. To simplify matters it is suggested that the applicant should submit the latest layout for the site and the condition be revised to specify that the measures are to be maintained in accordance with the approved plan(s).
- Condition 40 (Retention of cycle routes) - The Highway Authority agrees that this should be retained and would suggest that a plan is provided for agreement/inclusion into a revised condition.
- Condition 41 (Pedestrian routes) - The Highway Authority agrees that this should be retained and would suggest that a plan is provided for agreement/inclusion into a revised condition.
- Condition 58 (Recycling waste scheme) - The Highway Authority would suggest that this is reimposed to identify what changes to recycling storage and collection.
- Condition 59 (Construction Method Statement) - The Highway Authority suggests that this is reimposed to ensure that suitable storage and access is maintained so

as to not impact the Public Highway. The works may ultimately be an internal fit out, but the units are considerable in size and therefore could require extensive works to create the smaller units and access to service areas.

- Condition 68 (Cycle Parking) - The proposed change to smaller units would not generate an additional demand for cycle parking across the site. The Highway Authority have continued concerns regarding the suitability and underutilisation of the main current facility at the Rotunda (see figure 5 below), but consider there are no reasonable planning grounds to require the applicant to make improvements to the current facilities as part of this application. For context, discussions with the applicant regarding the poor state of the cycle parking across the site has been undertaken as part of other applications at the site, but no improvements have been forthcoming from the applicant. A possible improvement could be for cycle parking to be incorporated within the main retail frontage along the northern side of the riverside, allowing cycles to be properly secured, well overlooked and integrated into the site (unlike the existing remote location), but there are no planning grounds to insist on this given the proposals would not generate additional demand.



Figure 5 – Photographs of the existing main cycle parking facility at the Rotunda (09/08/2023)

- Condition 71 (No contract parking in the car parks) - The Highway Authority considers that this condition should be retained to ensure that the car park is retained solely for customers /visitors of the Oracle/town centre.
- 5.3. Environmental Protection – concur that it is not appropriate for an EIA to be undertaken and no objections to the proposals. In terms of the impact on conditions associated with the original permission, the following summary comments are made:
- Condition 47 (Ventilation of the basement and south bank car parks) – condition remains relevant and compliance-based wording recommended.
 - Condition 48 (Ventilation and filtration for Class A3 uses) – Sill relevant, but wording should be updated as existing wording is not fit-for-purpose.
 - Condition 63 (Residential sound attenuation) – No longer relevant.
 - Condition 64 (Noise report) – Could still be relevant, but deficiencies in original wording means there is little scope to require any on-going maintenance.
- 5.4. Legal Services – Input was sought and received from Legal Services as to whether a deed of variation (DoV) to the original s106 legal agreement would be required, given the guidance within Planning Practice Guidance regarding DoV's for s73 applications. It is confirmed in this instance that no DoV is considered to be necessary, given the requirements of the s106 from the original permission have already been satisfied.

- 5.5. Lead Local Flood Authority – No objection.
- 5.6. Waste Services – No objection.
- 5.7. Royal Berkshire Fire and Rescue Service – confirmed that there is no duty placed upon the Fire Authority to make any comment at this stage. It was also added that any structural fire precautions and all means of escape provision will have to satisfy Building Regulation requirements. A caveat was also provided stating that these comments must not be taken as formal approval that the plans confirm to the requirements of current Guides or Codes of Practice for means of escape in case of fire.
- 5.8. At the time of writing no responses have been received from the following consultees: Thames Water; Environment Agency; Crime Prevention Design Advisor at Thames Valley Police; Reading's Economy & Destination Agency; Community Safety; Licensing. If any responses are subsequently received in advance of committee they will be reported.
- 5.9. Public:
- 5.10. A total of 8 site notices were erected around the site on 07/07/2023, expiring on 28/07/2023. A press notice was published on 13/07/2023, expiring on 03/08/2023. No responses have been received.
- 5.11. Local Groups:
- 5.12. Reading Conservation Area Advisory Committee (CAAC) was formally consulted. No response has been received to date. If any response is subsequently received in advance of committee it shall be reported.

6. Legal context

- 6.1. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.
- 6.2. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).
- 6.4. The National Planning Practice Guidance (NPPG) confirms that for s73 proposals the application should be considered against Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission (Paragraph: 019 Reference ID: 17a-019-20140306).
- 6.5. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 6.6. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

NPPF 2021

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 16. Conserving and enhancing the historic environment

NPPG (2014 onwards)

Reading Borough Local Plan 2019

Policies:

- CC1: Presumption in Favour of Sustainable Development
- CC2: Sustainable Design and Construction
- CC3: Adaptation to Climate Change
- CC4: Decentralised Energy
- CC5: Waste Minimisation and Storage
- CC6: Accessibility and the Intensity of Development
- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- EN1: Protection and Enhancement of the Historic Environment
- EN2: Areas of Archaeological Significance
- EN3: Enhancement of Conservation Areas
- EN5: Protection of Significant Views with Heritage Interest
- EN6: New Development in a Historic Context
- EN11: Waterspaces
- EN12: Biodiversity and the Green Network
- EN15: Air Quality
- EN16: Pollution and Water Resources
- EN17: Noise Generating Equipment
- EN18: Flooding and Drainage
- TR1: Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR4: Cycle Routes and Facilities
- TR5: Car and Cycle Parking and Electric Vehicle Charging
- RL1: Network and Hierarchy of Centres
- RL2: Scale and Location of Retail, Leisure and Culture Development
- OU5: Shopfronts and Cash Machines
- CR1: Definition of Central Reading
- CR2: Design in Central Reading
- CR3: Public Realm in Central Reading
- CR4: Leisure, Culture and Tourism in Central Reading
- CR7: Primary Frontages in Central Reading
- CR14: Other Sites for Development in Central Reading

Relevant Supplementary Planning Documents (SPD) are:

- Revised Parking Standards and Design SPD (2011)
- Sustainable Design and Construction SPD (2019)

Other relevant guidance

- Market Place/London Street Conservation Area Appraisal (2007)
- St Mary's Butts / Castle Street Conservation Area Appraisal (March 2008)
- Local Cycling and Walking Improvement Plan 2020-2030 (LCWIP) (November 2019)

7. Appraisal

7.1. The main considerations are:

- i) Land use matters

- ii) Transport
- iii) Amenity
- iv) Other matters
- v) Impacts on other conditions of the original permission

i) Land use matters

7.1.1 As a starting point, it is noted that the applicant has provided a range of information to contextualise and justify the proposals, summarised as follows:

- At the time of the original permission department stores were seen as a necessary anchor to the scheme given their role as a footfall generator, and their popularity amongst shoppers in providing a wide range of goods in a single location. Both department store operators Debenhams and House of Fraser have however entered administration in the past 5 years, as have other independent/regional chains, whilst other national operators (for example John Lewis and Marks & Spencer) have consolidated their portfolio. This has resulted in a significant amount of vacant department store floorspace across the UK, many in prominent or anchor locations.
- The applicant recognises that an element of vacant floorspace enables existing retailers to upsize or downsize and offer scope for new occupiers; however, excess vacant space can lead to a perception of decline and uncertainty amongst both retailers and customers, leading to a downward spiral of decline and lack of confidence in the centre. With this in mind it has been identified that the most urgent need for the Oracle is to contract the retail space that was built and designed for department stores.
- Like all town centres, Reading is facing challenges from vacant retail floorspace, with a November 2022 report by Colliers identifying a vacancy rate of 21% gross space, higher than the national average of 13.8%. A separate Colliers report (April 2023) specifies in the past decade Reading town centre's floorspace has been dominated by anchor stores and in 2016, 64% of Reading's occupied retail space was anchor store space. Whilst in 2023 this has reduced to 46% (predominantly through the closure of Debenhams), this proportion of 'anchor tenant floorspace' is high in national terms, compared to an average of 28% across the other top 30 retail destinations in the country. As such, Colliers consider Reading is 'over anchored' in respect of the proportion of department stores in a national context.
- Furthermore, changing retail patterns have meant that department store units are no longer central to the vitality and viability of centres. Vacant department stores are detrimental to centres, but finding replacement tenants is limited given the costs of maintaining and occupying such a significant quantum of floorspace. The applicant has been unable to secure a long-term occupier for the former Debenhams unit, with Next Home & Beauty only occupying part of the floorspace. With both House of Fraser and Debenhams available for reoccupation, there is considered to be no realistic prospect of the retail floorspace in either unit being successfully reoccupied in its entirety. This includes marketing evidence, as explained in a supporting letter, whereby it was identified that there was no interest in occupying the whole (largely owing to a lack of potential occupiers, with a number already established elsewhere in the town), in contrast to strong interest in taking a single level.
- The context of town shopping has shifted significantly since the original permission, diminishing the appeal of department stores with alternative approaches in retailing (growth of online retailing; competition from out-of-town retail; on-going impacts from the Covid-19 pandemic – e.g. increased vacant units; cost of living pressures) and continually changing consumer demands (e.g. desire for experiences rather than consumption of items). In addition, changes in national legislation seek for town centres to remain flexible to these market shifts, to sustain and enhance the vitality and viability of town centres. This application is submitted in that context, to remove the outdated restriction on the Oracle which seeks the retention of the 'department store' floorspaces.

- The applicant, Hammerson, are committed to positive intervention in their assets and to ensure they proactively manage and plan for their centres to create thriving destinations. These proposals repurpose the existing department stores, as part of the evolution in the role of the centre, introducing new uses to increase footfall and dwell times. The applicant specifies their vision is to introduce new uses but ensure the core shopping element is retained and invested in enabling it to retain its premium offer within Reading.
- The Oracle is the largest retail zone within Reading town centre, contributing nearly a third of Reading's town centre retail and leisure offer and considered to be a key driver of visits to the town centre. Its significant positive impact in strengthening the role and offer of Reading town centre is identified throughout the Local Plan.
- The original condition 62 is considered to strictly pertain to limiting the sub-division of the identified department stores. This condition does not provide any restriction on the ongoing use of these units. Following changes to the Town and Country Planning Act (Use Classes) (Amendment) (England) Regulations 2020, the subject 'department store' floorspace within the Oracle is therefore considered to benefit from an unrestricted Class E use.
- The changing nature of retail (as separately identified above), together with a lack of investment and innovation, reduced customer demand for department stores and ultimately the demise of a number of operators including Debenhams and House of Fraser. Debenhams closed in April 2020 and for a time Next Home & Beauty occupied one floor, albeit on a very concessionary basis (Officer note: this actually ceased use on 12th August 2023 – it is therefore vacant at the time of writing). Meanwhile, whilst the House of Fraser store is still operating there is very little new investment into this store.
- The House of Fraser store previously obtained planning permission for its repurposing, sub-dividing the unit to accommodate a number of new retail and leisure operators (Officer note: Ref 191841 – see paragraph 4.20 above), as supported by Reading UK CIC and officers. This application establishes the principle of providing a range of uses in this location, that will visibly activate the Riverside frontage and were considered to provide *“an exciting range of uses which will maintain and enhance the vitality and viability of the regional centre”*. Owing to changes in market requirements and operational demands, the approved scheme will not be delivered (Officer note: since the application was submitted the three year time period to implement this 2020 permission has expired without the scheme being implemented, meaning it is no longer possible for that scheme to come forward).
- Removing condition 62 would facilitate the re-occupation of the House of Fraser unit, and align with the wider development proposals at the eastern end of the centre in the former Debenhams unit (Officer note: see separate applications Refs 221916 and 221917 at paragraphs 4.21-4.22 above). The proposals enable the sub-division of the units to create separate large floor plate units (with a minimum size of 1,000sqm) and deliver a wider mix of uses (within the Class E(a)(b)(d)(e) uses), broadening the retail and leisure offer, all reflecting current market demands. The proposals enable this space to be successfully reoccupied and contribute positively to vitality and viability of the town centre. The proposals would facilitate the long-term future of this floorspace within a key frontage and regional shopping destination, allowing for a wide range of potential occupiers without diluting the town centre offer.
- The restrictive nature of condition 62 currently inhibits a flexible approach the NPPF advocates, and detracts from the potential of the Oracle to remain a regional draw in the Thames Valley. The ongoing imposition of the condition is inhibiting the successful reoccupation of this prominent floorspace with the shopping centre. The condition is now detrimental to the vitality and viability of the centre by severely limiting the successful reoccupation of the department stores.
- The House of Fraser unit benefits from well configured floorplates for retail layout, good circular access, good connection with the car park, together good prominence and visibility. The applicant has a strong level of interest in this unit from retailers and leisure

operators on a longer-term basis, albeit only taking part of the floorspace. The proposal would therefore help maintain and attract footfall through the Oracle.

- Whilst legal advice obtained by the applicant opines the 'department store' floorspace benefits from unrestricted Class E use, the applicant is willing to restrict potential future occupiers to Class E(a)(b)(d)(e) uses only, with these considered acceptable in this town centre location and would make a positive contribution. It is stated these uses would allow the individual units to remain in-keeping with character and function of Oracle, whilst remaining flexible to meet customer requirement and future market demands. More specifically, it is likely that some floorspace would be repurposed for Class E leisure use(s). A range of leisure operators are seeking representation in Reading town centre, which would have a positive impact on the vitality and viability of the centre. The repurposing of the former Debenhams department store in Wandsworth into a Gravity leisure unit resulted in both increase in footfall and dwell time in the centre. A new leisure use would therefore support and increase the attractiveness of Reading town centre as a destination.
- The applicant's intention is to sub-divide the House of Fraser unit in order to create 3 no. separate individual units at Riverside, Lower Mall and Upper Mall level. At 3,000-4,000sqm, these would continue to be large floor plate units (functioning as anchors to the centre), targeted at national multiple businesses in accordance with the wider strategic vision for the shopping centre by the applicant.
- The proposals would comply with local and national policy, such as paragraph 86 of the NPPF which empathises that planning decisions should support the role that town centres play at the heart of local communities and take "a positive approach to their growth". At a local level the units would introduce uses which would make a positive contribution to the overall character of the centre in accordance with CR7 of the Local Plan. References to alignment with policies CR1, CR4, RL1 and RL2 are also made, helping to widen the variety of the offer of the centre and help attract a greater range of people into the centre.
- The proposals would facilitate new occupiers into the Oracle and should existing occupiers relocate into the proposed space (upsizing in floorspace terms), this would free up space for smaller occupiers. The proposals represent a visible sign of significant investment in the town centre by a core landowner, which is a positive indicator of commercial confidence in the centre.
- Successful occupation by permanent retailers and / or leisure operators will secure new employment opportunities, delivering economic benefits both in direct jobs and net indirect / induced jobs and further instil confidence in the operation and success of Reading being a social, communal, and economic hub within the south east region.

7.1.2 Having regard to the above submissions by the applicant in whole, the primary initial consideration in this proposal is considered to be whether the sub-division of the two department store units is acceptable. This is given that the updates to the Use Classes in 2020 effectively permitted the use of the existing two units for any Class E use, having long been in Class A1 use prior to this.

7.1.3 Accordingly, it is first acknowledged that since the original Oracle permission in 1997 the context of town centres and town centre uses have evolved considerably. Changing retail and societal patterns provide a suitable narrative to evidence that the provision of department stores to anchor shopping centres are no longer strictly required as they once were. The thrust of national policy for planning decisions to take a positive approach to the growth, management and adaption of town centres, for example by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries (paragraph 86 of the NPPF) align closely with the nature of these proposals, which essentially would enable the applicant to repurpose the floorspace in a flexible manner. The NPPF principles are mirrored in the local policy context too, where paragraph 5.2.1 identifies key principles for Central Reading as including a broad range of different but complementary uses and appealing to all sectors of Reading's population as a place to live in, work in, study in and visit. With this in mind, evidence submitted by

the applicant demonstrates Reading is well served by department stores in comparison with other UK locations, with the difficulties shown to have been encountered in letting the former Debenhams unit by a single occupier since its closure in 2020 indicating that the removal of the condition would assist in increasing the likelihood of all floors of this unit being occupied in a Central Reading location in the future.

- 7.1.4 To further illustrate that the proposals align with various local policies, it is relevant to note that Policy RL1 (Network and Hierarchy of Centres) identifies the town centre as a regional centre and that, alongside the smaller district and local centres, the vitality and viability of these should be maintained and enhanced. The potential future occupation of presently vacant floorspace (in the case of the former Debenhams unit) through the repurposing of the floorspace in this unit would both maintain and potentially enhance vitality and viability. In addition, broadening the range of facilities is identified as an acceptable improvement in all centres and it is recognised that Central Reading will see the greatest levels of development and change. The supporting text to the policy at paragraph 4.6.2 expands on this, identifying that the town centre will need to develop and adapt to maintain its position as having the 8th strongest market potential in the country, owing to competing centres continuing to enhance their offers. The proposals would align with this approach.
- 7.1.5 In addition, the supporting text to Policy RL2 (Scale and Location of Retail, Leisure and Cultural Development) identifies the centre of Reading as among the most accessible locations in the South East and therefore is the best location for major retail, leisure and cultural development. The proposed scheme would potentially deliver such uses in the exact location specified by this policy.
- 7.1.6 As such, in pure land use terms, the principle of removing the existing condition which prevents the sub-division of the units is considered to be appropriate.
- 7.1.7 With the principle of removing the existing condition considered to be established, the follow-up wider matter of consideration concerns the implications this could result in, and the need to appropriately manage this to ensure in practice that the vitality and viability of the town centre is indeed maintained and enhanced, and not inadvertently harmed as a consequence of the removal of the existing condition. The following sections therefore assess two distinctions made by the applicant as part of the scheme, in respect of the scope of the Class E uses applied to occupy the future floorspace and the proposed inclusion of a minimum floorspace threshold within the units.

Specific Class E uses

- 7.1.8 Focusing in more detail on the specific uses which could occupy the future sub-divided spaces, the applicant has specified a willingness for a condition to limit the uses to solely:
- Class E(a) Display or retail sale of goods, other than hot food
 - Class E(b) Sale of food and drink for consumption (mostly) on the premises
 - Class E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink)
 - Class E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- 7.1.9 Each of these uses are considered to be 'Centre uses' (as identified at paragraph 4.6.16 of the Local Plan), indicating in principle that such uses are compatible and appropriate. In its submissions the applicant has indicated that their vision is to introduce new uses but ensure the core shopping element is retained. The provision of retail or food and drink (mostly on-site consumption) uses align with that objective, with medical or health services included as a means of complementing this. In terms of Class E(d) leisure uses it is relevant that paragraph 5.2.10 of the Local Plan states that "*In the context of changes to retailing, in particular online shopping, the focus of town centres across the country is increasingly on leisure provision, and Reading town centre's leisure offer will need to expand to ensure that the centre can meet this changing role*". This is expanded on more

specifically at Policy CR4 (Leisure, Culture and Tourism in Central Reading), where the central core (which the site is within) is confirmed as the prime focus for leisure uses and confirms that uses that would attract a wide range of people into the centre will be encouraged. Obviously in this case the exact leisure use is not specified, but it is reasonable to suggest that future leisure uses would align with the policy objective. Accordingly, each of the four separate Class E uses, are considered appropriate in land use terms.

- 7.1.10 It is not considered appropriate (with particular regard to paragraph 86 of the NPPF) to impose condition(s) limiting an upper most amount of the floorspace at the units (23,390sqm in total) being permitted for use for one of the four uses over the others proposed. As such, in practice a maximum of 23,390sqm of Class E(a) retail, E(b) food and drink, E(d) leisure or E(e) medical/health could occur individually, or a combination of any amount of some (but not necessarily all) of these uses could occur too. This in itself, is not considered to raise any specific land use principle concern, as all are town centre uses in themselves.
- 7.1.11 The narrowing down of the proposed uses has assisted in the consideration of the implications of the proposed uses in wider amenity and transport terms. Had the proposal sought for all 11 parts of Class E to potentially operate from the site, this could have wider impacts which have not been required to be assessed as part of the proposals. Furthermore, from a purely land use perspective, it is questionable whether the entirety of the 23,390sqm floorspace involved in this proposal being occupied for creche, day nursery or day centre uses (Class E(f)) or office, research and development or industrial processes uses (Class E(g)) for example would have been considered to maintain and enhance the vitality and viability of the centre (with office uses being identified as a 'non-centre use' at paragraph 4.6.16 of the Local Plan). Whilst this is an extreme hypothetical scenario, it is one which could have been possible in the event of a blanket Class E proposal, which it is considered would have been harmful to the town centre as a whole. Hence, a condition will limit the future use of the floorspace to solely the 4 component parts of Class E applied for. This does not necessarily rule out other uses potentially occupying the floorspace in future, but enables the local planning authority to manage this process through assessing the impact as part of a future application.

Minimum floorspace condition

- 7.1.12 As part of the application submission the applicant has also explicitly specified a willingness to accept a new planning condition which sets a minimum unit size of 1,000 sqm within the former 'department store' floorspace. The applicant has outlined that this would provide comfort to officers that the spaces would continue to provide large floor plate units. As explained at paragraph 3.6 above, depending on whether the units are divided vertically or horizontally, it would result in a maximum of 11 separate units at the former Debenhams unit and 12 at House of Fraser. The provision of a minimum floorspace stipulation is considered to be a welcomed and necessary component part of the proposals. Such a size of unit is still fairly significant in the context of both the rest of the Oracle and the town centre as a whole. As such, the resultant units would still reasonably have the potential to play a smaller 'anchor' role at the shopping centre, in helping assist footfall and maintain and enhance the vitality and viability of the regional centre.
- 7.1.13 Without a minimum floorspace restriction it is considered that the 12,188sqm House of Fraser and 11,202sqm former Debenhams units (as per figure 4 above) could potentially be subdivided into a series of smaller units, which when introduced alongside internal circulation changes (which would not require planning permission), could result in a significant number of resultant units. For example, 233 units, each 100sqm in size could potentially be created (233 x 100 = 23,300, 90sqm below the combined existing floorspace total). In such a scenario neither the transport or the amenity impacts have been assessed as part of this application, which could be significantly more intensive and harmful than existing. Moreover, the impact on the vitality and viability of the rest of the town centre could be fundamentally changed forever, in a harmful manner. For example, should shops seek to relocate from existing primary frontages elsewhere in the centre to

the Oracle, this could be significantly harmful to the vitality and viability of the town centre as a whole, with a host of possible subsequent negative effects. Whilst the above is strictly hypothetical in nature, and could reasonably be suggested as a possible worst-case scenario, it is considered to underline the merit in including a minimum floorspace restriction in this specific instance.

- 7.1.14 The plans submitted with this application provide no indication as to how the units would be sub-divided, with this obviously dependent on the future requirements of specific operators. As a precautionary measure to ensure that the minimum 1000sqm floorspace condition is being adhered to, a further condition is recommended for the applicant to provide the local planning authority with an updated floor plan showing how all the floorspace is divided, prior to the first occupation of each future occupier. This is considered to be an active mechanism in monitoring the use and function of the spaces too.

Maximum floorspace limit

- 7.1.15 As a point of clarity it is not considered necessary to specify a maximum floorspace limit of a single future unit, at the other end of the spectrum to the minimum floorspace specified above. This is largely owing to the existing context, whereby at present either unit could wholly operate lawfully for any single Class E use, following the changes to the Use Class Order. Given this context, any condition including an upper floorspace limit would be unlikely to pass the reasonableness test required of any condition.

Impact on existing Riverside units within former Debenhams

- 7.1.16 Clarification has been sought by officers to the planning agent as to the implications of the intended minimum floorspace condition on the existing Franco Manca and The Real Greek units along the Riverside ('R30' and 'R31') level within the former Debenhams unit. This is as these units are included in the floorspace relevant to this application (see figure 3 above), but are evidently smaller than the 1000sqm minimum referenced in the proposal. As a consequence, the potential knock on implication of securing this condition would be that these units would thereafter immediately not be in compliance with the condition.
- 7.1.17 This is complicated by the fact that at the time of application 170850/ADV, which granted retrospective advertisement consent on 26/07/2017 for various signage at the units, the applicant was advised to explore whether separate planning permission should be sought for the two restaurant units operating from this site since 15/06/2017 (see planning history at paragraph 4.18 for details). No separate permission has subsequently been sought and the 10 year immunity period from enforcement has not expired.
- 7.1.18 Having been provided with this context the planning agent advised that both tenants are under short term leases and that both units are interdependent on the rest of the building. The agent also advised that once Next Home & Beauty vacate the space, both restaurants can no longer occupy the space as they have shared services and mechanical and electrical systems with Next Home & Beauty. The intention therefore is for the restaurants to vacate in September 2023 once Next Beauty leave.
- 7.1.19 In light of this response it would appear that that these units will cease trading in the near future, which in-turn would remove the identified possible future conflict with the intended condition. However, officers will keep a watching brief in this regard, with an informative included on the recommended decision notice to outline this context.

Limiting the inclusion of mezzanine floors

- 7.1.20 It is noted that the existing floor to ceiling heights within the units are fairly generous and the former Debenhams unit included a raised / mezzanine floor level. To guard against the possible significant increase in the floorspace within the units, which could intensify the use(s) (and such transport and amenity impacts have not been assessed as part of this application), a condition is recommended which effectively limits the inclusion of mezzanine floors. This would be the case unless a separate application is submitted and

considered appropriate in due course. In practice, this condition would be worded to permit only the proposed floor-by-floor floorspaces indicated at figure 4.

ii) Transport

7.2.1 As per the observations summarised at paragraph 5.2 above, the specific proposals as part of this application are considered appropriate, subject to various conditions included on the original permission being re-applied or altered to suit the current context. These are explained from a transport perspective at paragraph 5.2 above and, moreover, in full at Appendix 1. In particular, restrictions on delivery hours, access control measures, retention of cycle routes and recycling schemes will all continue to be maintained in order to ensure the site continues to function without conflict to the highway network and users/pedestrians. With specific regard to construction method statements, although the proposals may only entail internal fit outs, given there is presently no indication as to how the units would be divided (aside from being no less than 1000sqm in floorspace) it is considered reasonable and necessary to secure a construction method statement prior to works commencing in association with any future sub-divided unit. Ultimately this would protect the public highway, the on-going operation of existing nearby businesses during what could either be a short or long fit-out period (depending on the nature/extent of the works and the size of the unit, which would be likely to vary on a unit by unit basis) and the amenity of pedestrians and nearby residents. As such, this condition is justified and would meet all the required tests of any condition.

iii) Amenity

7.3.1 It is considered that the sub-division of the existing single House of Fraser unit into potentially up to 12 separate planning units, and the former Debenhams unit into possibly up to 11 separate planning units (see paragraph 3.6 above for details), has the potential to result in more intensive functions of the spaces than existing (or previously in the case of the former Debenhams unit). With the town centre becoming increasing mixed-use in nature, including a growing local residential population surrounding the site in recent years and potentially in the future too (see paragraphs 4.21 and 4.22 above for example), the need to protect the amenity of nearby occupiers and the area more generally is growing in importance.

7.3.2 Mindful of the range of proposed uses which could be permitted to operate at the units and the potentially considerable floorspaces involved, it is considered necessary to include an hours of use condition in respect of any future Class E(b) (food and drink - consumption mostly on the premises) or Class E(d) Indoor sport, recreation or fitness uses. Consistent with application 191841 (relating to solely the House of Fraser store but determined under the same local policy context as existing in 2020), it is considered that the following hours strike an appropriate balance between providing flexibility for any future occupiers, whilst simultaneously reasonably protecting the amenity of nearby occupiers:

- Monday to Saturday 08:00hours – 00:00 hours;
- Sunday, Bank Holidays 08:00 hours – 23:00 hours.

7.3.3 This is also mindful of there already being a degree of late-night noise/disturbance which can reasonably be expected in this Central Reading / primary shopping area / central core location. With this condition secured these impacts are not envisaged to substantially worsen. No hours of use restriction is considered to be necessary for any possible future Class E(a) retail or Class E (e) medical or health services uses, owing to the nature of these uses. This approach in relation to Class E(a) is consistent with the approach taken previously in relation to retail units (then Class A1) elsewhere at the Oracle.

7.3.4 With regard to Environmental Protection based amenity matters, as per the summarised officer comments at paragraph 5.3 above, some of the originally included conditions are still required (in an altered form), while others can be removed as they are no longer relevant. In respect of condition 48 (ventilation associated with now revoked Class A3 uses - restaurant and café, drinking establishment and hot food takeaway uses), the

wording of the original condition is no longer fit for purpose. As such, a replacement condition is recommended. This would provide an odour assessment/management plan/maintenance plan in association with an external kitchen extraction system at the site as a whole is considered to be required and reasonable, in order to protect nearby amenity from adverse smells/fumes/possible noise disturbance. This is explained in full at Appendix 1.

- 7.3.5 Further to the Environmental Protection comments, officers are also mindful that Class E(d) includes gym uses. It is considered necessary for a separate condition to secure a noise assessment prior to the first occupation of any future gym unit within any new unit created. This is because structural borne noise at low frequencies causing vibration is a known potential issue associated with gyms, impacting on the amenity of occupiers/users of other floors of the same building. As such, this safeguard will protect amenity should a gym use transpire to occur within the units created as a result of this proposal.
- 7.3.6 In terms of waste management, during the course of the application the applicant provided its site wide strategy on such matters, meaning condition 58 of the original permission can be updated to be a compliance condition. This is explained in full in Appendix 1.
- 7.3.7 With regard to crime and safety matters, no comments have yet been received from the Crime Prevention Design Advisor at Thames Valley Police. Notwithstanding this, a number of the conditions from the original 1997 permission encapsulate these matters. In terms of CCTV, original condition 49 shall be amended to maintain CCTV provision in the future. In terms of active frontages (which assists in dissuading crime, amongst other benefits), it is relevant that condition 18 of the original permission secured all windows on the external elevations of the department stores and the Riverside link block, shopfronts and the bridge over Minster Street to be glazed and thereafter maintained in clear glass and not obscured or obstructed in any way. As the applicant has referenced, this condition was varied in September 1999 (see paragraph 4.13 above) to allow obscure glazing of selected windows of the department stores. On this basis the applicant is seeking for this established position to continue in respect of the current application.
- 7.3.8 However, current Policy OU5e (Shopfronts and Cash Machines) seeks an active frontage to the street at all times and opaque coverings on shop windows, such as paints and films, will be minimised and will not obscure the window. Policy CR7 (Primary frontages in Central Reading) is also relevant, with the riverside elevation designated as a primary function. The policy details that alterations to existing uses that front onto any of the primary frontages will provide an active building frontage with a display window or glazed frontage at ground level, in order to contribute to the vibrancy of the town centre, and provide visual interest.
- 7.3.9 With this context in mind, it is not considered appropriate to continue with an approach approved in 1999 (as the applicant suggests), which was relevant to single occupiers at the time, rather than potentially a series of operators who could occupy the spaces in the future, depending on the footprint of the future units. Taking all of the above into account, it is considered reasonable and necessary to amend condition 18 further, specifically seeking shopfront details to be submitted/approved prior to the first occupation/re-occupation of any unit which includes an externally facing elevation (i.e. this does not apply to units within the Oracle). This means that the intended occupiers will be able to provide input into the process and this can be assessed on a case-by-case basis, cognisant of the previous context, the current policy context and the requirements of the future operator, to arrive at a mutually agreed position in each future instance.
- 7.3.10 With regard to privacy and overlooking, day/sunlight, visual dominance/overbearing effects, outlook, artificial lighting and wind matters, as specified at Policy CC8 (Safeguarding Amenity) the proposals, owing to their nature, are not anticipated to have any detrimental impact on any nearby occupier. As such, in overall terms, the proposals, subject to conditions, are considered appropriate in respect of all envisaged amenity matters.

iv) Other matters

- 7.4.1 As per the site description section above, it is noted that part of the red-line application site encompasses a Local Plan allocated site for development, namely under Policy CR14g – The Oracle Extension, Bridge Street and Letcombe Street. It is considered that these proposals do not impinge on the ability of this site, which in practice is not part of these proposals, coming forward in line with the intentions of the policy in due course.
- 7.4.2 The site description section above also identifies that the red-line application site includes a series of listed buildings/structures, a scheduled ancient monument, is partly within two separate conservation areas and is within a viewing corridor with heritage interest. There are also a series of heritage assets close to the application site too. The proposals, by their nature, are considered to protect the significance of heritage assets and their settings, both within and outside of the red-line boundary, with the two conservation areas conserved and there being no harm to the view of acknowledged heritage interest. This is primarily owing to no external works being proposed as part of this application and the uses not being significantly different in nature or character to those possible at the relevant parts of the site as existing. Accordingly, the proposals are considered to comply with Policies EN1, EN3, EN5 and EN6 of the Local Plan.
- 7.4.3 In relation to sustainability and energy considerations, the nature and context of the application and the proposals means it is not considered necessary in this instance to seek for details in respect of the sustainability and energy credentials of the resultant units being created, as per Policies CC2, CC3 and CC4 in particular.
- 7.4.4 With regard to other matters such as design and landscaping, ecology, flooding and sustainable urban drainage, archaeology and contaminated land (referencing back to the site constraints at paragraph 2.3 above), the proposals are not considered to have any impacts, owing to the nature and context of the proposals. In particular, no external works are proposed, thereby downplaying the potential impacts in these regards.
- 7.4.5 No advertisements are shown in respect of any external elevation at the site, with these signage matters presumably unconfirmed at this time until future occupiers are confirmed. In the circumstances an informative is recommended to be included on any future decision notice advising that separate advertisement consent is likely to be required in part in due course. In the future, if/when advertisement consent application(s) are sought, these will be judged on their own merits.

v) Impacts on other conditions of the original permission

- 7.5.1 The National Planning Practice Guidance (NPPG) specifies for s73 applications that the decision notice must refer to the permission as being granted under s73, the conditions attached to the new permission and restate the conditions imposed on earlier permissions that continue to have effect (Paragraph: 019 Reference ID: 17a-019-20140306). As a result, the original permission for the Oracle development has been required to be revisited and re-assessed. Each of the 74 other conditions as part of the original 1997 permission have been considered. The conditions have where relevant either been repeated, modified or removed (where they have already been discharged or are no longer relevant for example), in order to assist with future clarity and as the NPPG requires.
- 7.5.2 A number of these conditions have already been referenced in the earlier sections of this appraisal. In the remaining instances it is confirmed that these too have been assessed and updated accordingly, with this detailed in full at Appendix 1 and summarised under the 'conditions' heading at the outset of the report. More specifically, Appendix 1 details the originally worded conditions from the 1997 permission and the suggested wording as part of the future decision notice as part of this applicant. Furthermore, Appendix 1 also details the comments received from the applicant on 12/07/2023 and 15/08/2023 to assist in this process, together with officer notes explaining the changes and specifying any additional context too. In the interests of brevity, not all conditions are referenced within the assessment, with Appendix 1 explaining matters in full in respect of each condition instead.

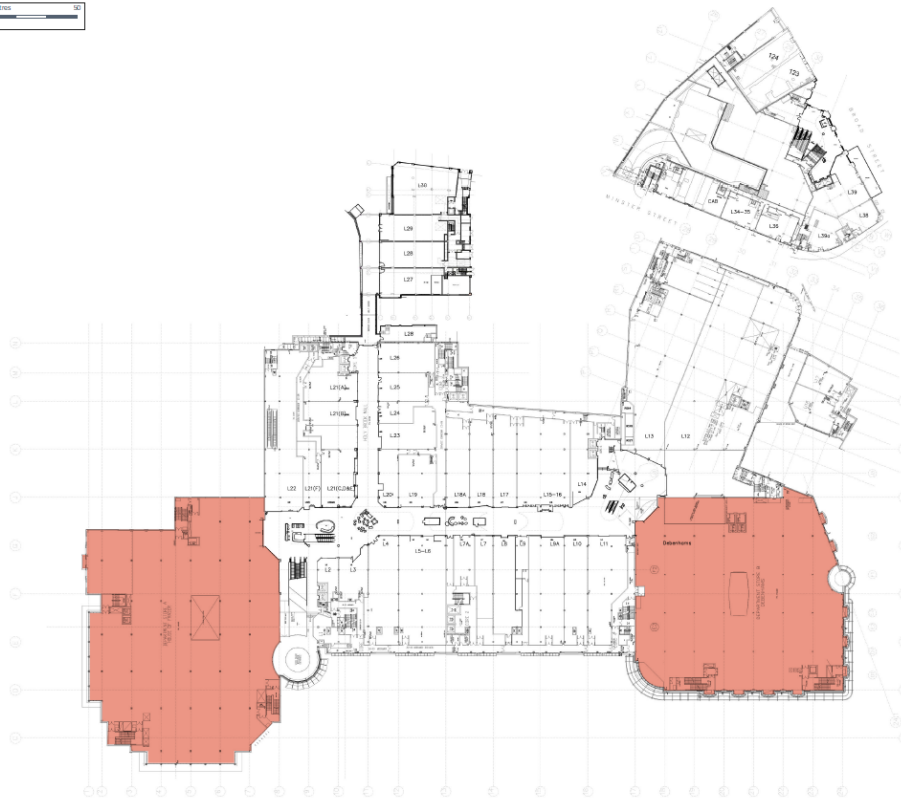
8. Equality implications

- 8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular application.

9. Conclusion & planning balance

- 9.1 As per the NPPG, s73 applications should be considered against the development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. The NPPG continues that local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.
- 9.2 With this in mind, it is accepted that the requirement to retain 'department store' floorspace has lessened since the original permission in 1997, with this evidenced by the applicant in this submission. However, the need to maintain and enhance the vitality and viability of the regional centre of Reading town centre remains. As such, whilst the removal of the original condition 62 limiting the subdivision of department stores is accepted, the imposition of new conditions are considered to be relevant and necessary to achieve this overarching objective.
- 9.3 Hence, new conditions including securing the future units to have a minimum floorspace of 1000sqm and restricting the possible uses within the future units to Class E(a) retail, E(b) food and drink on the premises, E(d) Indoor sport, recreation or fitness, or E(e) Provision of medical or health services uses only are recommended. With each of the recommended conditions secured, the proposals strike an appropriate balance in providing the applicant with the flexibility it is seeking to help make the centre more resilient to any future market shocks or changing trends, whilst not unduly harming the vitality and viability of the town centre as a whole. Officers have applied a suitable planning balance when reaching this overall conclusion on the proposals, with the benefits of the proposals, as detailed within the appraisal above, outweighing the also identified potential harmful impacts.

Other Plans, Photographs & Appendices



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KEY
 Application floor space

CLIENT:
 HAMMERSON

PROJECT:
 THE ORACLE SHOPPING CENTRE
 READING

DRAWING:
 LOWER MALL LEVEL
 EXISTING GA

PROJECT NUMBER:
 HAMS3038

DRAWING NUMBER: **CHECKED BY:**
 B212392-02 CW

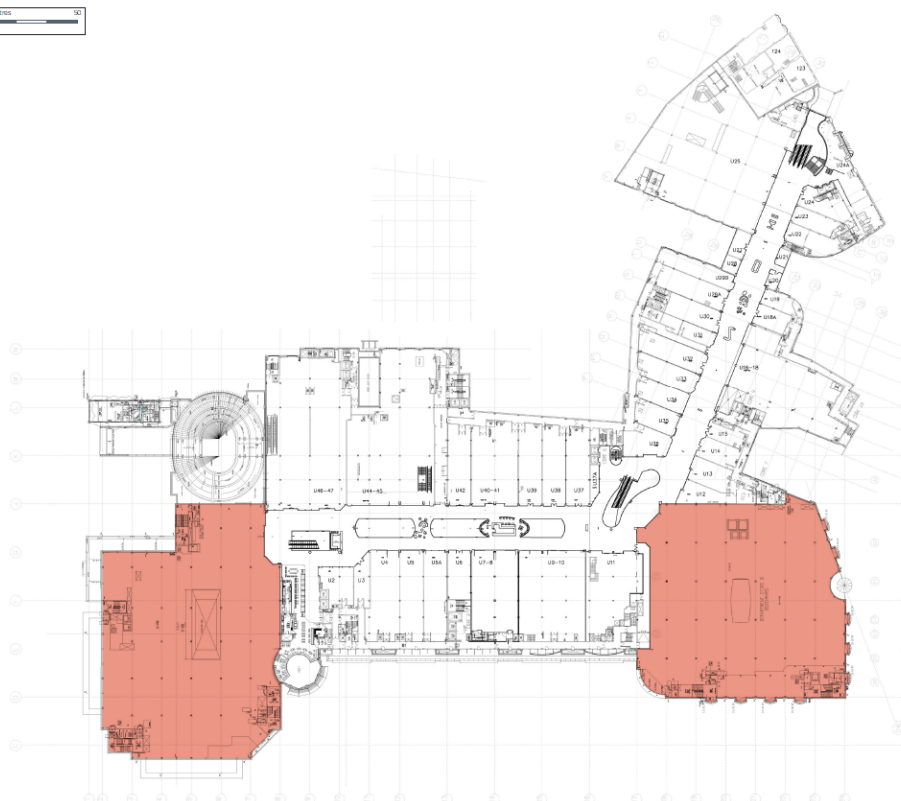
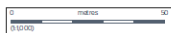
REVISION: **STATUS:**
 00 Final

DATE: **SCALE:**
 June 2023 1:1000 @ A3

Views shown are transcribed from unapproved Landlord's best-sell data and are intended as initial indicative drawings only, subject to feasibility including detailed measured survey

Turley

Proposed Lower Mall level floor plan submitted, showing the application floorspace at the existing House of Fraser (left) and former Debenhams (right).



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KEY
 Application floor space

CLIENT:
 HAMMERSON

PROJECT:
 THE ORACLE SHOPPING CENTRE
 READING

DRAWING:
 UPPER MALL LEVEL
 EXISTING GA

PROJECT NUMBER:
 HAMS3038

DRAWING NUMBER: **CHECKED BY:**
 B212392-03 CW

REVISION: **STATUS:**
 00 Final

DATE: **SCALE:**
 June 2023 1:1000 @ A3

Views shown are transcribed from unapproved Landlord's best-sell data and are intended as initial indicative drawings only, subject to feasibility including detailed measured survey

Turley

Proposed Upper Mall level floor plan submitted, showing the application floorspace at the existing House of Fraser (left) and former Debenhams (right).



The partial occupation of the former Debenhams unit by Next Home & Beauty ceased on Saturday 12th August 2023, with the upper mall floor now closed and the lower mall floor inaccessible. The Riverside floor level is also vacant, barring the Franco Manca and The Real Greek units fronting the riverside.



The Oracle, looking west from the Yield Hall Place (former Debenhams unit in the foreground)



The Bridge Street elevation (unit occupied by House of Fraser).



Above and below: The south elevation of the House of Fraser unit, fronting onto the north bank of the River Kennet.



Appendix 1

In line with Planning Practice Guidance (PPG), all of the original conditions (as part of 97/0017/FD / 970419) are reproduced below in blue. The now proposed altered wording of these conditions, as recommended by officers is detailed in red. To provide context, the viewpoint of the applicant, as submitted on 12/07/2023, is detailed in purple. The applicant subsequently provided further comments on 15/08/2023, with these specified (where contrasting to earlier comments on 12/07/2023) in purple too. Finally, officer notes explaining the changes and any additional context is detailed in green.

1.

The development to which this permission relates must be begin, not later than the expiration of five years beginning with the date on which the permission was granted.

Reason: To prevent an accumulation of unimplemented planning permissions, and in accordance with Section 9I(I) to the Town & Country Planning Act 1990.

Condition 1 of the original planning permission (5 years for implementation) is no longer relevant, as the permission has already been implemented.

Confirmed discharged – Does not need re-imposing on new permission.

Updated comments 15/08/2023: To be removed. Reason: Development has begun and finished. Oracle development now operational.

The altered condition is self-explanatory.

2.

The development to which this permission relates shall be carried out in accordance with the approved plans and details before the last building is occupied, except as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure the completion of the development in accordance with the approved plans and details.

Condition 2 of the original planning permission (development to be carried out in accordance with the approved plans and details) is no longer relevant, as the various buildings associated with the permission have been implemented.

Confirmed discharged – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development occupied and operational.

The 1997 permission was implemented in the subsequent years, meaning it would not be appropriate to re-state this, as all buildings associated with the original permission were built and occupied at some point in the historical past.

3.

This permission relates only to the plans and drawings listed in Schedule 1 attached.

Reason: As some were amended and to clarify which are approved.

This permission relates only to the plans and drawings included as Schedule 1 in 97/0017/FD / 970419 and the following plans hereby approved as part of this application: B212392-01 Rev 00 – Riverside Level Existing GA, B212392-02 Rev 00 – Lower Mall Level Existing GA and B212392-03 Rev 00 – Upper Mall Level Existing GA, as all received on 28/07/2023.

Reason: To clarify which plans have been approved and in the interests of proper planning.

To be reattached (with referenced to any approved plans approved by RBC pursuant to original consent)

Updated comments 15/08/2023: To be amended and reattached following subsequent amended plans since permission granted.

Schedule of Plans to refer also to following Drawing Numbers that highlight subdivided Department Store Areas submitted through this S.73 application:

B212392-01: RIVERSIDE LEVEL EXISTING GA

B212392-02: LOWER MALL LEVEL EXISTING GA

B212392-03: UPPER MALL LEVEL EXISTING GA

Procedurally, this application effectively seeks to vary/remove a condition from the original permission, so this condition should only reference the relevant plans as part of the original permission and this application. Whilst other s73 applications appear to have been approved in the intervening period, these are all considered as separate s73 applications in themselves; as such, it would not be appropriate to reference any plans approved in any separate s73 applications, as the applicant is seeking. Based on known historical records, it would appear that the original permission has already been subject to a series of previous section 73 applications, involving changes to the original condition 3. Not all of these appear to have been formalised with a separate application reference number and kept records are incomplete. Hence, even if it were considered appropriate to include reference to such plans (as suggested by the applicant, but not agreed by officers), it practically would not possible to explicitly specify each individual plan referenced by each separate variation to condition 3, as the historic records are incomplete and the required information is not available.

4.

Before any development (as defined in the Informative below), is commenced details, including, where appropriate, plans and a written schedule, showing any phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. Upon approval, the development of each phase shall be carried out in accordance with the approved plans and programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that development is carried out in an orderly manner and has the minimum impact on the surrounding area, and to ensure that the provision of necessary services, external works and community facilities keep pace with the development.

Condition 4 of the original planning permission (phasing of the proposed development) is no longer relevant, as the condition was confirmed as being satisfied through a letter from RBC dated 17/12/1997 (Ref BJC/KC/PD.5189) and the development was subsequently completed.

Confirmed discharged 17.12.97 – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Given the original development was completed and the phasing of this was agreed at the time, as confirmed in a letter sent by RBC to the agent of the applicant, this condition is no longer relevant and details to confirm this are specified.

5.

Notification of the commencement of any phase of the development shall be given to the Local Planning Authority not less than 28 days from the implementation date.

Reason: In the interests of ensuring appropriate conditions have been complied with at each phase of development.

Condition 5 of the original planning permission (notification of commencement of a phasing of development) is no longer relevant, as the condition has already been satisfied and relates to the construction stage of the original development.

Confirmed discharged 07.08.97 – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 07/08/1997. No official documentation to verify this (e.g. a decision notice or letter) has been located. As per the suggested re-wording of the condition, this is clarified as not being relevant, for the reasons specified above. It is not considered necessary for this to be re-applied in relation to the proposed application.

6.

None of the floorspace in any phase of the development shall be open for trading until all of the elements of that phase (by reference to the approved programme as shall be approved pursuant to condition 4 above), have been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the phasing of the commercial elements do not outpace the associated townscape or highway improvements and the other uses.

Condition 6 of the original planning permission (completion of phase prior to first trading of any floorspace) is no longer relevant, as the development has been completed and trading since 1999.

Phases completed - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

This was a compliance based condition to help ensure that all elements of the development were carried out in a timely manner. Given each phase has long been completed the condition is therefore now not considered to be relevant.

7.

Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place within the site until the applicant, their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning). The address of the relevant office is: County Archaeological Officer, Berkshire County Council, Shire Hall, READING, Berkshire

Condition 7 of the original planning permission (archaeology) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 04.03.97 – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 04/03/1997. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and included no long-term requirements which would still be relevant now.

8.

Except as may be approved under the archaeological scheme approved pursuant to condition 7, no development shall commence on any phase approved pursuant to condition 4 above until the scheme has been implemented. The developer shall give not less than 6 weeks notice to the Local Planning Authority's nominated archaeologist or archaeological body of its intention to commence development.

Reason: To ensure that the necessary observation and examination of the archaeological investigation can take place.

Condition 8 of the original planning permission (archaeology scheme implemented prior to commencement of development) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 04.03.97 - - Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 04/03/1997. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and included no long-term requirements which would still be relevant now.

9.

Unless otherwise agreed in writing by the Local Planning Authority the developer shall afford access at all reasonable times to any archaeologist or archaeological body nominated by the Local Planning Authority and shall allow him/her to observe the excavations and record items of interest and finds. The developer shall also provide a scheme for the public viewing/ interpretation of archaeological investigations in accordance with the details which shall first have been submitted to and approved in writing by the Local Planning Authority. No development shall take place until such a scheme has been secured unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the necessary observation and examination of the archaeological investigation can take place.

Condition 9 of the original planning permission (pre-commencement public viewing archaeology scheme and related compliance matters) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 07.08.97 – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 07/08/1997, which would align with the pre-commencement nature of the condition. No other official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and included no long-term requirements which would still be relevant now.

10.

Within 12 months of the notification of commencement of the first phase of development pursuant to condition 4, the applicant shall submit to the Local Planning Authority for approval in writing a master plan detailing phased provision for:

- i) public art and heritage, including where relevant the design of street furniture, hard surfaces, railings and the design of the pedestrian bridges and the landmark feature in the south bank car park;
- ii) the use of the public performance space on the south bank and opportunities for street entertainment at key points;
- iii) a waterways interpretation scheme;.
- iv) tourist information/interpretation;
- v) facilities for children and
- vi) street naming.

The shopping centre (phase 1) shall not open for trading until such provision has been made in accordance with the approved master plan or phasing programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: As such details have not been submitted and in the interests of the amenities of users and heritage of the town.

Condition 10 of the original planning permission (public art and related matters) is no longer relevant, as the condition was confirmed as being satisfied in full through a letter from RBC dated 10/10/2000 (Ref OR/Cond10/dis/KM). Previously, specific details associated with 'The Beacon' were approved under application 98/00144/RM on 17/04/1998. In addition, the pedestrian bridges details were approved under application 98/00138/RM on 17/04/1998.

05.1999. Works implemented and complete – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation confirms a letter from a RBC Senior Planning Officer to Montagu Evans dated 10/10/00 (Ref OR/Cond10/dis/KM), itself referring to a letter dated 25/07/2000 and confirming the condition is discharged as all requirements have been implemented. Whilst the Shopping Centre opened in September 1999 and the trigger point on the condition was for the provision of these details before the Shopping Centre opened for trading, it is likely that the

applicant agreed an alternative timeframe, as the wording of the condition allowed. Prior to this point in time specific details relating to 'The Beacon' and the pedestrian bridges were separately approved on 17/04/1998 under applications 98/00144/RM and 98/00138/RM. As such, the condition has been satisfied and is therefore no longer relevant, as this specific proposal does not in itself facilitate any further public art requirement.

11.

None of the floorspace in any phase of development shall be occupied until full details of the pedestrian bridges and the top of the Millennium Tower 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 and phasing programme (condition 4) unless otherwise agreed in writing by the Local Planning Authority.

Reason: As such details have either not been submitted or approved and in the interests of the integrated development of the scheme.

Condition 11 of the original planning permission (details of pedestrian bridges and the Millennium Tower) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 22.08.97 - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 22/08/1997. Although this does not tally with the specific details relating to 'The Beacon' (the tower on top of the south bank car park) and the pedestrian bridges that were separately approved on 17/04/1998 under applications 98/00144/RM and 98/00138/RM, it is reasonable in the circumstances to conclude that in any event these matters were satisfied prior to the opening of trading at the Oracle in September 1999 (the trigger point for the condition). As such, it is considered that the wording of the condition has been satisfied and included no long-term requirements which would still be relevant now, meaning it is no longer relevant.

12.

No development shall commence until details showing the means of enclosure (including entrance gates) and other security measures and associated works relating to those elements of the scheme adjoining or abutting the British Telecom buildings in Minster Street have been submitted to and approved in writing by the Local Planning Authority. Thereafter such security measures shall be provided before the shopping centre (phase I) opens for trading maintained in accordance with the approved details.

Reason: In the interests of security for adjoining sites and the public.

The security measures and associated works relating to those elements of the scheme adjoining or abutting the British Telecom buildings in Minster Street shall be maintained as implemented, as per the details previously approved, which facilitated the letter dated 13/10/1997 Ref BJC/1283.AN/PD.5289 by RBC which approved details associated with the original permission.

Reason: In the interests of protecting the amenity of nearby occupiers and the wider public, in accordance with Policies CC7, CC8 and CR2 of the Reading Borough Local Plan 2019.

Confirmed discharged 13.10.97 - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

There is a component part in the originally worded condition for the measures to be maintained in accordance with the approved details. As such, officers do not agree with the applicant that the condition does not need to be re-imposed. Instead, it is considered necessary to essentially retain the maintenance requirement of the condition, so that this can be managed by the Council in the future should issues arise. For context, Condition 12 was previously satisfied through a Letter from RBC Planning Team Leader dated 13/10/1997 Ref BJC/1283.AN/PD.5289, which confirmed at the time that, subject to security fencing being maintained throughout construction the condition had been met.

13.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details, including samples, of all external materials and finishes (to include bricks, roofing, cladding, colour and finish of mortar, glazing and joinery) to be used on the walls and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: As all such details have not been submitted and in the interests of ensuring that the finished buildings are in keeping with the character of the existing buildings or surrounding area.

Condition 13 of the original planning permission (material details) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 17.12.97 - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Historic documentation confirms a letter from a RBC Planning Officer to Montagu Evans dated 17/12/1997 – Ref BJC/KC/PD.5189 confirming materials being approved by members at various committee meetings. However, there was also a note that mortar for the south bank was still outstanding and required Members' approval. A schedule dated 12/06/2000 referencing the current status of Oracle Conditions suggests the condition had been discharged at this time. No other official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and included no long-term requirements which would still be relevant now. The proposed scheme does not include any external changes which require any material details to be submitted or approved in this application.

14.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, a lighting master plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the lighting of all public internal or external sites, including car parks, and shall include the means and extent of any decorative or security lighting; the size, design and location of any freestanding or building-mounted lights and their luminance.

Thereafter the development shall only be lit in accordance with the approved master plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of security and amenity in accordance with local plan policies.

The lighting and associated structures located within all public internal and external sites, including car parks, at the application site shall be maintained and operated as implemented and existing.

Reason: In order to protect the amenity of adjoining and future occupiers and maintain the on-going appearance of the development in accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.

20.03.98. Scheme implemented - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Condition 14 was discharged in full on 02/12/2008, with the remaining outstanding element (relating to external lighting on Mill Lane North) discharged as part of approval of details application 08/01140/APPCON / 081664. This contradicts the position specified by the applicant. It is however unclear what information was submitted prior to the 2008 details (unknown historic information), which only related to a relatively small part of the site. The originally worded condition included an on-going compliance requirement, to only be lit in accordance with the approved master plan. In the circumstances it is considered necessary to reference that the lighting at the site should be maintained as presently shown at the site (in the absence of information specifying approved details at all lighting at the site), so as to ensure should any lighting not be maintained in the future, or alternatively be altered to harmfully high luminance levels, the Local Planning Authority has a means of actively engaging with the landowner in this regard.

15.

The Tramways Generating Station shall not be demolished until details for the dismantling, salvage and re-siting of the Tramways Generating Station date plate and surround have been submitted to and approved in writing by the Local Planning Authority. The re-siting shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of industrial heritage.

The Tramways Generating Station date plate and surround, located on the south elevation of the existing cinema building fronting Mill Lane, shall be retained and maintained as existing.

Reason: In the interests of industrial heritage, in accordance with Policy EN1 of the Reading Borough Local Plan 2019.

Confirmed discharged 15.10.97 - – Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed

Reason: Development has commenced and is operational.

Note: Tramways Generating station date plate proposed to be relocated through application ref. 221917

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 15/10/1997. No other official documentation to verify this (e.g. a decision notice or letter) has been located, although in practice

the plate is still evident on the south elevation of the cinema (fronting Mill Lane). It is considered that the wording of the condition has been satisfied. The original wording, erroneously, did not include any maintenance and retention requirement. Whilst noting that the applicant has stated that the plate is proposed to be relocated as part of application 221917, that is a current application which is under consideration and no decision has been issued. In the circumstances, it is recommended to alter the wording of the condition to ensure that it is retained/maintained until any separate application permits otherwise.

16.

Within 6 months of the notification of commencement of the first phase of development pursuant to condition 4, full details shall be submitted to and approved in writing by the Local Planning Authority showing provision for:

- (i) a children's creche;
- (ii) public toilets, including those for the disabled;
- (iii) public recycling facilities.

The shopping centre (phase I) shall not open for trading until such facilities have been provided in accordance with the approved details and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: As no such details have been agreed and in the interests of users in accordance with local plan policies.

The public toilets, including fully accessible facilities, located at Riverside level as existing as shown on plan [to be provided by the applicant], shall be retained and maintained as existing.

Reason: In the interests of amenity, in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Confirmed discharged 19.03.1999 – Works implemented. – Does not need re-imposing on new permission

Updated comments 15/08/2023: The provision of (i) public toilets, including those for the disabled; (ii) public recycling facilities Are to remain in accordance with approved plans ref. XXXX. Loss of creche through 2004 / 2008 permission – officer to confirm. The client does not have a record of the plans submitted to discharge this condition. A plan could be provided identifying the existing public toilets and recycling facilities if required?

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests conditions 16(i) and 16(ii) were discharged, with condition 16(iii) specified as "£30,000 agreed via supplemental S106 Letter of commitment required by RBC. A subsequent separate letter from a RBC Senior Planning Officer to Montagu Evans dated 27/03/03, Ref Montagu Evans Cond 2, confirmed the discharge of condition 16.

At the current time, it is confirmed that there has been no creche at the site since 2004, as explained separately below in relation to condition 55. As such, there is no requirement to now reference the creche element of the condition being maintained.

In terms of the public toilets, including fully accessible facilities, these are evidently still in use at Riverside level within the Oracle. It is considered necessary and relevant for this part of the condition to be retained, with the wording altered for the current facilities to be retained and maintained.

In relation to public recycling facilities, based on the above it would appear that this was separately resolved with the applicant in 2000, meaning there is no requirement to reference this matter now.

17.

Each relevant phase of the development shall not be open for trading until a design guidance scheme for the installation of shop fronts along the riverside, signage, advertisements on all external elevations and advertisements visible from outside the buildings, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall comply with the principles set out in the Local Planning Authority's adopted policies for shopfronts and advertising.

Reason: In the interests of the final appearance of the scheme and its integration with its surrounding area.

Condition 17 of the original planning permission (shopfront and signage along the Riverside) is no longer necessary.

Confirmed discharged 05.07.99. Assume approved design guidance scheme is still valid and as such condition can be re-imposed but amended to state that 'Any shopfronts along the riverside, signage, advertisements on all external elevations and advertisements visible from outside the buildings' should adhere to approved design guidance scheme.

Updated comments 15/08/2023: To be removed

Reason: Insufficient details pertaining to shopfront design guide.

Hammerson to provide information regarding internal design standards for shopfronts but ultimately determined by separate planning application. The client does not have a record of the design guide submitted to discharge this condition. Could include informative on new consent that signage applications would be subject advertising consent.

Details pursuant to condition 17 of application 97/0017/FD, in relation to a design guidance scheme, were considered by the Planning Committee on 10/02/1999. It was resolved by the Committee to delegate to officers approval of the Shop Front Strategy. Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 05/07/1999. No other official documentation to verify this (e.g. a decision notice or letter) has been located, including the approved design guidance scheme. Given the time which has passed, it is considered more relevant that any future application should be considered against the most recently adopted local policies on shopfronts and advertisements (the 2019 Reading Borough Local Plan), and other material considerations such as the 2022 adopted Design Guide to Shopfronts Supplementary Planning Document. Such policies and guidance has been applied in the numerous individual applications considered in recent years, without reliance upon the historic design guidance scheme. In the circumstances it is not considered necessary to re-impose an altered version of the condition (as the applicant originally suggested) and therefore it is recommended that the condition is no removed as it is no longer necessary, having been superseded by more recent policy and guidance.

18.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 1995 (or any order revoking and re-enacting that Order with or without modification) all windows on the external elevations of the department stores and the Riverside link block, shopfronts and the bridge over Minster Street shall be glazed and thereafter maintained in clear glass and shall not be obscured or obstructed in any way unless agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting the vitality of the centre as viewed from the exterior and to integrate the development into its surrounding area.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) or the

provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), prior to the first occupation, or re-occupation as appropriate, of any unit including an externally facing elevation, details of the window displays and glazing associated with that unit shall be submitted to and approved in writing by the Local Planning Authority. The displays and glazing shall be carried out in accordance with the approved details prior to first occupation/re-occupation and be retained and maintained as such thereafter.

Reason: In the interests of retaining a vibrant and attractive streetscene, maintaining and enhancing the character and appearance of the area and improving active surveillance, in line with Policies CC7, OU5 and CR7 of the Reading Borough Local Plan 2019.

To be retained, although it is noted this condition was amended in September 1999 (app. ref. 991435). Reference to 'department store' needs to be removed, suggest it is replaced with reference to 'Riverside external elevations of former department store floorspace identified on plan ref XXX'

Further comments on 15/08/2023: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 2015 (or any order revoking and re-enacting that Order with or without modification) all windows on the external elevations of the former department store floorspace (as identified on plan ref. B212392-01: RIVERSIDE LEVEL EXISTING GA; B212392-02: LOWER MALL LEVEL EXISTING GA; B212392-03: UPPER MALL LEVEL EXISTING GA) shall be maintained either in accordance with the details on plan refs. 239.GR.001; 239.GR.002; 239.GR.004; and 160748-120 associated with application ref.991435 or maintained in clear glass and not be obscured or obstructed in any way.

Furthermore, the following paragraphs within the submitted Planning Statement are considered to be relevant too:

Active Frontages

6.40 The principle of retaining ground floor active town centre uses and the vitality and viability of the overall retail experience within the shopping centre is integral to the proposals and reflective of the sites positioning within the Central Core and primary shopping frontage.

6.41 Whilst the application proposals relate directly to the sub-division of the unit, it is recognised that condition no. 18 of the original Oracle planning permission required all windows on the external elevations of the departments stores and the Riverside link block, shopfronts and the bridge over Minster Street shall be glazed and thereafter maintained in clear glass and shall not be obscured or obstructed unless agreed in writing by the Local Planning Authority. The reason given for the imposition of this condition was to protect the vitality of the centre as viewed from the exterior and to integrate the development into its surrounding area. 6.42 It is identified that in Section 3 above that permission was granted in 1999 to modify Condition 18 and 19 (under ref. 97/0017/FD) to obscure glazing on the House of Fraser and Debenhams frontage at street level. The importance of active frontages is recognised at para 5.3.28 of the Local Plan which states that "Active frontages at ground floor level are key in creating the impression of a healthy centre".

6.43 In accordance with Local Plan Policy CR7 and condition no. 18, the proposed uses with the 'department store' floorspace will facilitating permeability and legibility along the Riverside and within the mall through active frontages and appropriate levels of glazing. Indeed, the removal of condition 62, thereby facilitating the sub-division of the floorspace and successful reoccupation of the units will ensure active frontages at street level. The alternative is ongoing vacant floorspace along the riverside frontage and approaches to The Oracle, such as that experienced at the eastern end with the vacant Debenhams floorspace. This does not create the impression of a healthy centre, and is detrimental to the general character of the riverside and wider shopping centre.

6.44 As mentioned above, condition no. 18 was previously amended to enable the use of obscure glazing on identified areas of the external elevations to respond to retailer requirements. As the occupiers develop their internal configurations of the sub-divided units there may be a need for further amendment to this condition to respond to the occupiers requirements, whilst still ensuring appropriate activation. It is considered that any future changes could potentially be secured by a non-material amendment application under Section 96A, subject to the nature of the proposed

amendments. The Applicant is working closely with potential occupiers to ensure that appropriate levels of activation are created on the external elevations.

6.45 The proposed development is therefore considered to create active frontages and will create activity within a primary frontage in compliance with the requirements and uses stipulated in Policy CR7. The proposed development is therefore in accordance with Policy CR7.

As the applicant has referenced, this condition was varied in September 1999 (99/00764/VARIAT / 991435 - Variation of conditions 18 and 19 of planning permission 97/0017/FD to allow obscure glazing of selected windows of the department stores. Granted 22/09/99). That was considered acceptable at that point in time, in the context of the department store occupiers at the time. However, the division of units as proposed, leads to a potential change in nature of the spaces, which therefore need to be considered on the basis of the current policy climate. Current Policy OU5e (Shopfronts and Cash Machines) seeks an active frontage to the street at all times... opaque coverings on shop windows, such as paints and films, will be minimised and will not obscure the window... the supporting text at paragraph 4.7.34 states "In recent years, there have also been a number of cases where shop windows have been obscured by opaque material, which can have a negative effect on the vitality of the whole street and is not appropriate. Shopfronts should remain active during both the day and night". Also relevant is Policy CR7, which details that alterations to existing uses that front onto any of the primary frontages will provide an active building frontage with a display window or glazed frontage at ground level, in order to contribute to the vibrancy of the town centre, and provide visual interest.

With this context in mind, it is not considered appropriate to continue with an approach approved in 1999 (as the applicant suggests), which was relevant to single occupiers at the time, rather than potentially a series of operators who could occupy the spaces in the future, depending on the footprint of the future units. Taking all of the above into account, it is considered reasonable and necessary to amend condition 18 further, specifically seeking shopfront details to be submitted/approved prior to the first occupation/re-occupation of any unit which includes an externally facing elevation (i.e. this does not apply to units within the Oracle). This means that the intended occupiers will be able to provide input into the process and this can be assessed on a case-by-case basis, cognisant of the previous context, the current policy context and the requirements of the future operator, to arrive at a mutually agreed position in each future instance.

Taking this context into account, it is considered necessary to essentially retain the original condition, with subtle refinements to ensure it remains relevant to the now altered scheme (i.e. without reference to 'department stores'). If future individual occupiers wish to deviate from clear glazing they can submit separate applications which would be considered on their own merits. The wording of the altered condition also references the latest version of the GPDO and separate Advertisement regulations. The original condition also included a 'tailpiece' of 'unless agreed in writing by the Local Planning Authority', which is not proposed to be repeated given that tailpieces are now generally avoided in line with best practice.

19.

A window display shall be maintained at all times in all retail display windows and shopfronts on external pedestrian routes unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of vitality and amenity.

An active window display shall be maintained at all times in all retail display windows and shopfronts on external pedestrian routes.

Reason: In the interests of retaining a vibrant and attractive streetscene and improving active surveillance, in line with Policies CC7, OU5 and CR7 of the Reading Borough Local Plan 2019.

To be re-imposed.

Further comments on 15/08/2023: A window display shall be maintained at all times in all retail display windows and shopfronts on external pedestrian routes.

Note: Tailpiece removed

There is a degree of overlap between this condition and condition 18. Consistent with the commentary above in relation to the previous condition, the tailpiece on the originally worded condition is omitted. In light of the current policy context, there will be a reference to the window display being 'active' in nature. It is acknowledged that condition 19 was varied under application 99/00764/VARIAT / 991435 in September 1999 to allow obscure glazing of selected windows of the department stores. However, these proposals add a new chapter in the life of the site and hence a reversion to the original condition, without accommodating the 1999 changes, is considered appropriate and aligns with the requirements recommended for condition 18.

20.

Within 12 months of the notification of commencement of the first phase of development pursuant to condition 4, a phased landscaping scheme shall be submitted to and agreed in writing with the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the submitted details shall relate to all hard and soft landscaping, surface treatment of public areas including walkways, access and service roads and all external works and shall include:

- (i) railings, walls and all other means of enclosure;
- (ii) planting of trees, shrubs and grass;
- (iii) formation of banks, terraces and other earthworks;
- (iv) laying of hard surfaces;
- (v) related signage and, lighting, refuse bins, public works of art and street furniture;
- (vi) all other works to the channel and banks of the river Kennet, the Holy Brook and any other exposed water courses within the site;
- (vii) details of outdoor cafe spaces;
- (viii) a full programme and timetable of works of implementation;
- (ix) planting in the car parks where relevant.

In particular the scheme shall make provision for:

- (a) a landscaped walkway along the northern bank of the River Kennet from London Street to Bridge Street, as shown on the approved drawings;
- (b) a landscaped walkway incorporating a cycleway along the southern bank of the River Kennet from London Street including the provision of a link to the tow path on the adjoining land, as shown on the approved drawings;
- (c) two pedestrian bridges, and one pedestrian/vehicular bridge for access to Yield Ball Place, over the River Kennet, as shown on the approved drawings;
- (d) a landscaped walkway and pedestrian bridge over the Holy Brook in the areas leading from Gun street to the entrance leading to the Mall, as shown on the approved drawings;
- (e) landscaping/hard surfaces along Mill Lane/London St/Bridge St
- (f) hard surfaces and landscaping of Yield Hall Lane;
- (g) landscaping in the curtilages of the listed buildings.

The landscaping works for each phase shall be carried out in accordance with the approved details. All planting, seeding or turfing shall be carried out in the first planting season following the occupation of the relevant buildings or the completion of each phase of the development, whichever is the sooner.

Reason: In the interests of ensuring the redevelopment enhances the visual local environment and in particular the integration of the scheme into its waterway site and adjacent built up areas of the town centre.

Condition 20 of the original planning permission (landscaping, surface treatments and all external works) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 05.07.99 – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 20 was discharged on 05/07/1999, with (presumably in terms of compliance in accordance with the approved details) the only outstanding item at that time being referenced as 'Alders replacing Planes'. Other documentation located reveals condition 20 was considered at Planning Committee on 10/12/1997 (no official reference number). It was resolved that officers be authorised to discharge the condition subject to further details being submitted and negotiations to increase the size of planters. Condition 20 was later resolved to be discharged by Planning Committee on 10/02/1999 [no official reference number]. Subsequent to this amended drawings to add safety railings to the riverside performance area and additional horizontal wires to existing railings were resolved to be approved by Planning Committee on 8/3/2000 [no official reference number]. Accordingly, it is considered to be evident that the condition was satisfied and there was no on-going maintenance requirement included in the wording of the condition. These matters are not particular relevant to the current application (there is no increase in floorspace or external works, so no reasonable requirement for the need for additional landscaping to be provided) and have previously been satisfied, meaning the condition is no longer relevant.

21.

No development shall take place until details showing the access to and design of the service area turning head rear of Gun Street have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented prior to the opening of phase I for trading in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the integration of the Conservation Area with the shopping centre.

The access to and design of the service area turning head to the rear of Gun Street shall be kept free of obstructions at all times.

Reason: In the interests of pedestrian and road safety and to maintain the character and appearance of the area, in accordance with Policies CC7, CC8, TR1, TR3 and CR2 of the Reading Borough Local Plan 2019.

Confirmed discharged – Does not need re-imposing on new permission

Further comments on 15/08/2023: The service area turning head rear of Gun Street shall remain unobstructed at all times. Reason: In the interests of the integration of the conservation Area with the shopping centre

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 21 was discharged on 22/08/1997. Notes on the file also specify

that the condition has been approved and implemented, and therefore discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. although in practice the plate is still evident on the south elevation of the cinema block. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application has no implications to this condition. As such, it is no longer relevant.

22.

Phase I of the development shall not open for trading until the approved plans for the re-alignment of the River Kennet upstream of High Bridge and associated works have been implemented.

Reason: In the interests of improving recreational navigation in accordance with Policy WAT 10 of the local plan.

Condition 22 of the original planning permission (realignment of the River Kennet) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 22 was discharged on 14/04/1998. Notes on the file specify the condition has been discharged by the Environment Agency. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application has no implications to this condition. As such, it is no longer relevant.

23.

Prior to the commencement of any development details showing the finished levels of the banks of the River Kennet, including any raised or lowered areas, shall be submitted to, and approved in writing by the Local Planning Authority. The levels shall be finished in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: As no such details have been approved and in the interests of flood protection and maintenance.

Condition 23 of the original planning permission (finished levels of the River Kennet banks) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 23 was discharged in 1997. Notes on the file specify the condition has been discharged by the Environment Agency. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has

been satisfied and the wording included no long-term maintenance requirements. The current application has no implications to this condition. As such, it is no longer relevant.

24.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details of the railings and other safety measures along the River Kennet and Holy Brook banks will be submitted to and approved in writing by the Local Planning Authority. The approved works/measures shall be implemented before the shopping centre (phase I) opens for trading and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: As no such details have been agreed and in the interests of public safety.

The railings and other safety measures along the River Kennet and Holy Brook banks, as implemented following the approval of details agreed by Planning Committee on 10/12/1997 and 8/3/2000 and as existing, shall be maintained at the site.

Reason: To protect the amenity of users of the both the pedestrian routes and the River Kennet and Holy Brook, in accordance with Policies CC7, CC8, EN11, TR1, CR2 and CR3 of the Reading Borough Local Plan 2019.

Confirmed discharged but requires ongoing retention. Condition can be re-imposed but amended to state that 'Implemented railings and safety measures along the River Kennet and Holy Brook banks will be maintained unless otherwise agreed with Local Planning Authority.

The railings and safety measures along the River Kennet and Holy Brook banks will be retained and maintained in accordance with approved plans XXXX

Note: Take plans from Schedule 1 of approved permission unless otherwise amended. The client does not have a copy of the plan approved for discharge of this condition to reference in the condition

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 24 was discharged in December 1997. This aligns with minutes from the 10/12/1997 Planning Committee, where conditions 20 and 24 were considered (no official reference number). It was resolved that officers be authorised to discharge these two conditions subject to further details being submitted and negotiations to increase the size of planters. It is also noted that amended drawings in respect of condition 20 were resolved to be approved by Planning Committee on 8/3/2000 [no official reference number]. This specifically related that adding safety railings to the riverside performance area and additional horizontal wires to existing railings. Based on file notes these appear to have introduced following input from the Health and Safety Executive. No official documentation to verify these matters (e.g. a decision notice or letter) have been located. It is considered that the wording of the condition has been satisfied, with railings / safety measures still evident today. The condition does however include a requirement for these to be maintained. Accordingly, the condition has been amended to reflect the approved works and the continued maintenance of these. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

25.

Prior to the commencement of any development the following details shall be submitted to and approved in writing by the Local Planning Authority:

(a) any works affecting the bed, banks or flow of the River Kennet, including any outfall structures discharging into the watercourse;

(b) any proposed culverts or control structures affecting the bed, banks or flow of the non-main rivers;

(c) the erection of any fence, post, pylon, wall or any other building or structure within 8 metres measured horizontally from the foot of any bank of the River Kennet on the landward side or, where there is no such bank, within 8 metres measured horizontally from the top edge of the batter enclosing the river.

Unless otherwise agreed in writing by the Local Planning Authority the approved works shall be completed before the shopping centre opens for trading.

Reason: To ensure that proper land drainage measures are taken.

Condition 25 of the original planning permission (River works) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged - Do not need to re-impose condition

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 25 was discharged in 22/08/1997. Notes on the file specify the condition has been discharged by the Environment Agency. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application has no implications to this condition and the Lead Local Flood Authority is not aware of any on-going issues. As such, it is no longer relevant.

26.

Before any development is commenced details of the method of disposal of foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The sewerage works shall be completed in accordance with the approved scheme before each relevant phase of the development is occupied.

Reason: To ensure adequate sewerage is provided in the interests of pollution prevention.

Condition 26 of the original planning permission (Sewerage works) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 07.08.97 - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 26 was discharged in 07/08/1997. Notes on the file specify the condition has been discharged by the Environment Agency. No official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements.

The current application is not considered to result in any significant increases in the creation of foul sewerage which would require further details to be submitted. As such, it is no longer relevant.

27.

Before any development is commenced details of the means of disposal of surface water shall be submitted to and approved in writing, by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details before each relevant phase of the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate surface water drainage is provided in the interests of flood protection.

Condition 27 of the original planning permission (surface water) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 13.10.97 - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

A letter from RBC Planning Team Leader dated 13/10/1997 Ref BJC/1283.AN/PD.5289 confirmed that this condition had been met. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application is not considered to result in any significant increases in the disposal of surface water which would require further details to be submitted. As such, it is no longer relevant.

28.

Surface water from the car parking area shall be passed through a suitable type of oil/grit interceptor that provides at least six minutes retention to the maximum flow prior to any discharge. Details of such provision shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and implemented prior to the first occupation or use of each relevant phase of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that proper pollution control measures are taken.

Condition 28 of the original planning permission (oil/grit interceptor) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 13.10.97 - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

A letter from RBC Planning Team Leader dated 13/10/1997 Ref BJC/1283.AN/PD.5289 confirmed that this condition could be discharged. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application is not considered to result in any significant oil/grit interceptor implications which would require further details to be submitted. As such, it is no longer relevant.

29.

The shopping centre (phase I) shall not open for trading until details of off-site highway works have been submitted to and agreed in writing by the Local Planning Authority and have been carried out, as confirmed, or otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety.

Condition 29 of the original planning permission (Off-site highway works) is no longer relevant, as the condition has already been satisfied.

Works completed - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Condition 29 was discharged in full on 02/12/2008, with the remaining outstanding element (relating to external lighting on Mill Lane North) discharged as part of approval of details application 08/01140/APPCON / 081664. This was discharged retrospectively in light of the Oracle being open for trading from September 1999. The wording included no long-term maintenance requirements. The current application is not considered to result in any significant off-site highways works requirements (as confirmed in RBC Transport comments) which would require further details to be submitted. As such, it is no longer relevant.

30.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, a schedule of directional signs, sign locations and surface markings in the car parks shall be submitted to and approved in writing by the Local Planning Authority and such schedule as may be- agreed -shall be implemented before the car parks (phase land 2) open for use.

Reason: To ensure that pedestrians, cyclists and drivers are not inconvenienced or endangered by the erection of inappropriately designed or sited signage.

Condition 30 of the original planning permission (car park signage) is no longer relevant, as the condition has already been satisfied.

Works completed - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Condition 30 was discharged via a letter from an RBC Planning Officer to Montagu Evans dated 14/12/2000 (Ref OR/Cond30/Dis/KM). The wording included no long-term maintenance requirements. The current application is not considered to result in any significant car park signage matters which would require further details to be submitted. As such, it is no longer relevant.

31.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, a scheme indicating the provision for servicing and deliveries to all the premises within the development shall be submitted to and approved in writing by the Local Planning Authority. The relevant and approved service/delivery arrangements shall be implemented before each phase unless otherwise agreed in writing by the Local Planning

Authority and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and integration with servicing for the town centre as a whole.

All deliveries and servicing will be carried out in accordance with the Delivery and Servicing Plan details within '9 Deliveries and Servicing', as received 15/08/2023.

Reason: In the interests of safety and convenience of all highway users, in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

To be reimposed but amended

The service / delivery arrangements will be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Further comments on 15/08/2023: The provision for servicing and deliveries to all the premises within the development shall be maintained in accordance with servicing and delivery plan ref. Deliveries and Servicing (RHB 2022) and thereafter maintained as such.

Reason: In the interests of highway and pedestrian safety and integration with servicing for the town centre as a whole

Condition 31 was previously discharged via a letter from a RBC Planning Officer to Montagu Evans dated 20/07/1998 (Ref BJC/KC/PD.5189). Since that point in time the arrangements the Oracle have agreed with tenants have been under regular review. The latest document as part of this has been submitted during the course of the application. This is considered to suitably outline measures which enable servicing and deliveries to take place in a safe and efficient manner. Accordingly, the condition will be altered to include reference to the document submitted and for servicing and deliveries to be carried out in accordance with this, thereby making this is an on-going compliance condition.

32.

There shall be no access for delivery vehicles between the hours of 11am to 4pm on Saturdays and Sundays both into Yield Hall Place from the approved service yard unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian safety and to be consistent with other pedestrianised areas of the town.

There shall be no delivery vehicles servicing the site between the hours of 11am and 4pm on Saturdays and Sundays.

Reason: In the interests of highway and pedestrian safety and to be consistent with other pedestrianised areas of the town centre, in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: There shall be no access for delivery vehicles between the hours of 11am to 4pm on Saturdays and Sundays both into Yield Hall Place from the approved service yard.

Reason: In the interests of pedestrian safety and to be consistent with other pedestrianised areas of the town.

The original condition is worded as an on-going compliance condition, albeit the wording is somewhat unclear and it is unknown why this was only limited to the main servicing area rather than applying to all parts of the Oracle application site. RBC Transport advise that the condition should be retained, as it remains relevant and would be consistent with the remainder of the town centre. The applicant is also in agreement with this approach, as indicated above. The wording of the condition is altered in the interests of clarity to reflect that no deliveries / servicing should take part at any part of the site (not just relevant to the service yard which exits onto Yield Hall Place, as per the current wording), but the essence of the condition remains unchanged.

33.

No development shall take place until details where relevant have been submitted to and approved in writing by the Local Planning Authority for temporary shoppers parking to be provided during the construction period unless otherwise agreed in writing with the Local Planning Authority. Such parking shall be provided in accordance with approved details.

Reason: To protect the viability and vitality of the town centre between the demolition of the existing car parks and re-provision on site in the new scheme.

Condition 33 of the original planning permission (temporary parking during construction) is no longer relevant, as construction has taken place and permanent parking is now provided.

Confirmed discharged 22.08.97 - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 33 was discharged in 22/08/1997. Notes on the file specify the condition had been discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and given it related to the construction stage of the original development, it is no longer relevant.

34.

Within 3 months of the notification of the commencement of the first phase of development pursuant to Condition 4 and notwithstanding any plans approved under condition 3/Schedule 1, details shall be submitted to and approved in writing by the Local Planning Authority for the following:

- (i) the elevations for the link block between the department stores;
- (ii) the elevations of the north side of the South Bank car park;
- (iii) the elevations of the Minster Street overpass;
- (iv) the elevations of the flank wall facing the BT car park on Minster Street
- (v) the canopies for the car park and over the Holy Brook; and
- (vi) Minster Street and rotunda entrances.

Reason: As the submitted plans failed to satisfy aesthetic criteria and/ or levels of detail necessary to meet council requirements for good design.

Condition 34 of the original planning permission (various design details) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged under condition 3 05.07.99 - Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed Reason: Development has commenced and is operational.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 34 was discharged in 05/07/1999. It is also confirmed that condition 34 in respect of "The Holy Brook Canopy" was resolved to be discharged at Planning Committee on 29/07/1998. Furthermore, condition 34v was discharged via letter from RBC Planning Officer to Montagu Evans dated 24/09/1998 (Ref OR/Cond10;30;60/KM). Notes on the file specify the condition has been discharged, although no official documentation to verify all parts of this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and the wording included no long-term maintenance requirements. The current application involves no external alterations. As such, it is no longer relevant.

35.

The areas shown on the approved drawings reserved for the parking of cars and cycles by occupiers of the adjoining residential units south of Minster Street shall be maintained as such and shall not be used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: As the lack of on-site parking would lead to hazardous or inappropriate use of adjacent streets for parking purposes.

The areas shown on the approved drawings [plan(s) to be provided by the applicant] reserved for the parking of cars and cycles by occupiers of the adjoining residential units south of Minster Street shall be maintained as such and shall not be used for any other purpose.

Reason: As the lack of on-site parking would lead to hazardous or inappropriate use of adjacent streets for parking purposes, in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: Areas shown on the approved drawings reserved for the parking of cars and cycles by occupiers of the adjoining residential units south of Minster Street shall be maintained as such and shall not be used for any other purpose.

This is a compliance condition with an on-going maintenance requirement. There is nothing to suggest that these parking areas are no longer required for the purposes originally stated. RBC Transport concur that the condition should be retained and should refer to a plan for future clarity. As such, the condition will be reimposed (as also suggested by the applicant), although the wording will be updated to remove reference to the tailpiece wording originally included.

36.

Unless otherwise agreed in writing by the Local Planning Authority all parking for motor cars, service and other vehicles, motorcycles, cycles and for disabled people shall be constructed, surfaced and marked out and kept available or used for parking at all times. No development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) shall be carried out on such areas or in such a position as to restrict access to these reserved parking areas.

Reason: As the development without these facilities would be likely to lead to vehicles being parked on the public highway to the detriment of road safety and to ensure the development is accessible for all types of transport and to all potential visitors in accordance with the relevant approved standards.

All parking for motor cars, service and other vehicles, motorcycles, cycles, including accessible spaces, shall be constructed, surfaced and marked out and kept available or used for parking at all times. No development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) shall be carried out on such areas or in such a position as to restrict access to these reserved parking areas.

Reason: As the development without these facilities would be likely to lead to vehicles being parked on the public highway to the detriment of road safety and to ensure the development is accessible for all types of transport and to all potential visitors in accordance with the relevant approved standards within Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: All parking for motor cars, service and other vehicles, motorcycles, cycles, including accessible bays shall be kept available and unobstructed or used for parking at all times. No development, whether or not permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) shall be carried out on such areas or in such a position as to restrict access to these reserved parking areas.

This is a compliance condition with an on-going maintenance requirement. There is nothing to suggest that these parking areas are no longer required for the purposes originally stated. As such, the condition will be reimposed (as also suggested by the applicant), although the wording will be updated, including removing reference to the tailpiece wording originally included and referencing the latest version of the GPDO.

37.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details of measures to control access to and from the public highway and circulation within areas of the car parks shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority. The approved measures shall be installed before each car park is brought into public use and thereafter maintained as such.

Reason: In the interests of pedestrian and vehicular health and safety.

The measures to control access to and from the public highway and circulation within areas of the car parks shall be maintained as specified on [applicant to submit relevant plan(s)]

Reason: In the interests of safety and convenience of all highway users and general amenity, in accordance with Policies CC8, TR3 and TR5 of the Reading Borough Local Plan 2019.

To be reimposed but amended:

Measures to control access to and from the public highways and circulation within areas of the car parks shall be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Further comments on 15/08/2023: The applicant does not have a copy of the plan approved as part of the condition but can prepare a plan to reference in this condition showing existing routes.

Historic documentation shows that condition 37 was discharged via a letter from a RBC Planning Officer to Montagu Evans dated 14/12/2000 (Ref OR/Cond30/Dis/KM). Accordingly, the condition could be reworded into a compliance condition to be maintained in line with the details approved at that time. However, advice from RBC Transport, and subsequently suggested by the applicant too, is for a fresh plan to be prepared to clarify and confirm matters based on the current arrangements (which are likely to align closely with those originally approved). Accordingly, the condition is to be reworded to reflect this, which effectively updates the condition. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

38.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details showing defined pedestrian routes into and within the car parks shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian routes shall make full provision for disabled access and shall be provided before each car park is brought into use. Thereafter they shall be retained as such and kept clear of permanent obstruction unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian safety.

The pedestrian routes into and within the car parks shall be retained and maintained as specified on [applicant to submit relevant plan(s)] and kept clear of permanent obstruction at all times.

Reason: In the interests of road and pedestrian safety in accordance with Policies TR3 and TR5 of the Reading Local Plan 2019.

To be reimposed but amended:

The pedestrian routes into and within the car parks shall be retained and kept clear of permanent obstruction in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: The pedestrian routes into and within the car parks should be maintained in accordance with details on plan ref XXXX. Access for those with mobility impairments from each car park should be provided.

Note: The applicant does not have a copy of the plan approved as part of the condition but can prepare a plan to reference in this condition showing existing routes.

Historic documentation shows that condition 38 was discharged via a letter from a RBC Planning Officer to Montagu Evans dated 14/12/2000 (Ref OR/Cond30/Dis/KM). Accordingly, the condition could be reworded into a compliance condition to be maintained in line with the details approved at that time. However, advice from RBC Transport, and subsequently suggested by the applicant too, is for a fresh plan to be prepared to clarify and confirm matters based on the current arrangements (which are likely to align closely with those originally approved). Accordingly, the condition is to be reworded to reflect this, which effectively updates the condition. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

39.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details of pedestrian access through the malls in the shopping centre for eighteen hours a day between the hours of 7.00am and 1.00am throughout the year shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and such access shall be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality and viability of the town centre and pedestrian convenience.

Pedestrian access shall be maintained through the malls in the shopping centre between the Riverside entrance (adjacent to unit R16 on approved plan B212392-01 Rev 00 – Level 1 Existing GA received on 28/07/2023) and the junction of Gun Street, Minster Street and Chain Street (adjacent to unit L30 on approved plan B212392-02 Rev 00 – Level 2 Existing GA received on 28/07/2023) for eighteen hours a day between the hours of 7.00am and 1.00am throughout the year.

Reason: In the interests of the vitality and viability of the town centre and pedestrian convenience, in accordance with Policies TR1, RL1, CR3 and CR4 of the Reading Borough Local Plan 2019.

To be reimposed but amended:

Pedestrian access through the malls between the hours of 7.00am to 1.00am throughout the year shall be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: Pedestrian access through the malls in the shopping centre be maintained for eighteen hours a day between the hours of 7.00am and 1.00am.

Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. Whilst no official documentation to verify this (e.g. a decision notice or letter) has been located, it is assumed that details were approved. Case file notes suggest the route was between the Rotunda on the Riverside (adjacent to YO! Sushi / House of Fraser) through to the Holy Brook pedestrian access (adjacent to Gun Street / Minster Street and Buenasado Argentine Steakhouse). There is a requirement for access to be maintained (as accepted by the applicant) for similar reasons as originally stated. Accordingly, the condition will be reimposed, albeit the wording will be altered. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

40.

The cycle routes as shown on the approved drawings shall be retained unless otherwise agreed in writing by the Local Planning Authority and kept open and clear of obstruction at all times.

Reason: In the interests of protecting cycle routes through the scheme that link with other town centre or waterway cycle routes.

The approved cycle routes [as shown on plans to be submitted by the applicant] shall be retained and kept open and clear of obstruction at all times.

Reason: In the interests of protecting cycle routes through the scheme that link with other town centre or waterway cycle routes, in accordance with Policies TR1 and TR4 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: The cycle routes as shown on the approved drawings shall be retained and kept open and clear of obstruction at all times

Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. Whilst no official documentation to verify this (e.g. a decision notice or letter) has been located, it is assumed that details in respect of condition 40 were therefore approved. The south side of the River Kennet through the Oracle is part of the designated National Cycle Route 4. Within Reading's Joint Local Cycling and Walking Infrastructure Plan (LCWIP) this is part of a leisure route. In addition, the LCWIP identifies Broad St, Minster Street, Gun Street, Bridge Street and Duke Street as part of town centre routes, the Inner Distributor Road as part of the orbital route and London Street as part of a strategic route. There is a requirement for access to be maintained (as accepted by the applicant) for similar reasons as originally stated. RBC Transport agrees that this condition should be retained and would suggest that a plan is provided for agreement/inclusion into a revised condition. In addition to the routes detailed above, RBC Transport advise Yield Hall Place also allows for cycling, so this should also be referenced on the plan. Accordingly, the condition will be reimposed, albeit the wording will be altered. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

41.

The approved details for external pedestrian routes around the scheme shall be implemented before the shopping centre (phase I) opens for trading and thereafter remain open and unimpeded for use by the general public for no less than 24 hours a day throughout the year unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality and viability of the town centre and pedestrian safety.

The approved external pedestrian routes around the scheme [as shown on plans to be submitted by the applicant] shall remain open and unimpeded for use by the general public for no less than 24 hours a day throughout the year.

Reason: In the interests of the vitality and viability of the town centre and pedestrian safety, in accordance with Policies TR1, RL1, CR3 and CR4 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: The approved details for external pedestrian routes around the scheme shall remain open and unimpeded for use by the general public for no less than 24 hours a day throughout the year.

Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. Whilst no official documentation to verify this (e.g. a decision notice or letter) has been located, case file notes from the original permission state that condition 41 was discharged. There is a requirement for pedestrian routes around the scheme to remain open (as accepted by the applicant) for similar reasons as originally stated. RBC Transport agrees that this condition should be retained and would suggest that a plan is provided for agreement/inclusion into a revised condition. Accordingly, the condition will be reimposed, albeit the wording will be altered. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

42.

All public entrances to the department stores, as shown on the approved drawings shall remain open for use by customers at all times when the stores are open for trading unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality and viability of the town centre and pedestrian convenience.

Condition 42 of the original planning permission (All public entrances to department stores to remain open when trading) is no longer necessary or relevant.

To be reimposed but amended to remove reference to 'department store' or reference plan:

All public entrances to the units identified on plan ref. [DEPARTMENT STORE PLAN'] shall remain open for use by customers at all times when the stores are open for trading unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: All public entrances to the units identified on plan ref.

B212392-01: RIVERSIDE LEVEL EXISTING GA

B212392-02: LOWER MALL LEVEL EXISTING GA

B212392-03: UPPER MALL LEVEL EXISTING GA

shall remain open for use by customers at all times when the stores are open for trading unless otherwise agreed in writing by the Local Planning Authority.

Note: The applicant is willing to accept an opening hours condition for any leisure uses consistent with that attached to the 2020 consent if considered necessary.

The applicant has proposed for this condition to effectively continue as originally worded, but altered to delete the no longer relevant reference to 'department stores', owing to the nature of the application. However, in practice, the submitted plans only specify floor by floor layouts, whereas the nature of the proposals means this is likely to change in time with potential for multiple occupiers per floor, which may facilitate alternative entrance arrangements. Moreover, the purpose of the original condition was specific to the department stores; the context and nature of this application creates a different arrangement and, furthermore, the need for all accesses to be open during trading, is not necessary to be managed by condition (operators will judge for themselves which entrances [should there be multiple entrances] are required in practice. As such, the condition is no longer considered to be necessary or relevant.

43.

All parts of the development, including the car parks, shall be designed to be fully accessible to people with disabilities in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4. Such details shall include:

(i) how the layouts, including internal and external circulation spaces, entrances, toilet accommodation and other relevant facilities can be made fully accessible for those with mobility difficulties;

(ii) how the interior surface treatments of the lifts, directional signs, entrances, toilets and lighting levels are suited to those with visual impairments; and

(iii) how the internal predicted sound levels and circulation patterns are suited to those with hearing disabilities.

Such provision for those with disabilities shall be carried out in accordance with the approved details and made available before each phase of the development opens for trading and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of future occupants, employees and visitors and in accordance with the council's policies and practice in respect of access for disabled persons.

All parts of the development, including the car parks, shall be maintained to be designed to be fully accessible.

Reason: In the interests of the amenities of future occupants, employees and visitors and in accordance with Policies CC7, CC8, TR1, CR2 and CR3 of the Reading Borough Local Plan 2019.

To be reimposed but worded amended:

The provision for those with disabilities shall be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: The development shall be kept open and accessible for those with mobility impairments or whom are differently abled and shall be maintained in accordance with the approved details

Condition 43 was discharged via a letter from a RBC Planning Officer to Montagu Evans dated 18/02/1998 (Ref or/C74-5.43.4/km/BJC/MMB). The wording of the condition requires the measures to be maintained as approved. However, since that point in time standards have moved on and the Oracle as a whole has provided a range of facilities to adhere to more recent standards (e.g. a Changing Places facility, disabled parking spaces, accessible toilets, lift access to all shopping levels and a series of guides to services provided in collaboration with AccessAble). As such, there is little value in the condition referencing details approved in 1998. There are no known fundamental accessibility issues at the Oracle, so instead the condition will be re-worded to simply require the development to be maintained to be designed to be fully accessible, which provides a suitable means for enforcement should issues arise in the future, notwithstanding that in practice such matters would be likely to be separately secured under Part M (Access to and use of Buildings) of the Building Regulations.

44.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details showing the design of any mall, pedestrian walkway, or bridge where the gradient exceeds 1:20 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: As any slope greater than 1:20 can create difficulties for those with disabilities and to ensure the development is accessible to all potential visitors.

Condition 44 of the original planning permission (areas with gradients exceeding 1:20) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 18.02.98 - Does not need re-imposing on new permission

Updated comments 15/08/2023: To be removed. Reason: Development has commenced and is operational.

Condition 44 was discharged via a letter from a RBC Planning Officer to Montagu Evans dated 18/02/1998 (Ref or/C74-5.43.4/km/BJC/MMB). These matters are not particular relevant to the current application and have previously been satisfied, meaning the condition is no longer relevant.

45.

Shop mobility units identified on the approved drawings and their associated signage which shall be submitted to and agreed in writing by the Local Planning Authority shall be provided before the shopping centre (phase 1) opens for trading and shall be used for those purposes only and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development caters for all potential visitors in accordance with local plan policies.

Condition 45 of the original permission (Shopmobility units) is no longer relevant, as the condition is no longer necessary.

To be reimposed but wording amended: The approved shop mobility units and their associated signage shall be used for that purpose only unless agreed in writing by the Local Planning Authority

Further comments on 15/08/2023: The Shop mobility units identified on plan ref XXX shall be kept open for trading and maintained in accordance with approved plans for that use.

The condition was previously discharged on 13/10/1997, via a letter from the RBC Planning Team Leader Ref BJC/1283.AN/PD.5289. Within the Section 106 Legal Agreement clause 7.6.1.11 secured the shop mobility unit for a period of 5 years – that period has therefore long expired. As part of separate details submitted in relation to condition 73, it appears from documentation submitted as part of application 081664 in 2008 that at that time a Shopmobility suite was located at Level 1 of the Holy Brook car park (towards Debenhams) There are no longer any front facing existing shop mobility units at the Oracle, with services booked online or via phone (with the Oracle working in collaboration with AccessAble). The application(s) which permitted the alternative use of the historic shop mobility unit(s) has not been located. Given the current context and lack of enforceability via the s106 legal agreement, it is considered that in practice this condition is no longer required, as it is not necessary given the alternative arrangements now available which provide suitable facilities without the need for a specific unit within the site.

46.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order with or without modifications no external telecommunications equipment, incorporating distribution poles or overhead cables, aerials or satellite dishes shall be erected unless otherwise agreed in writing with the Local Planning Authority.

Reason: As the site is between a significant waterway and two conservation areas and such facilities need to be judged in that context.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external telecommunications equipment, incorporating distribution poles or overhead cables, aerials or satellite dishes shall be erected.

Reason: As the site is between a significant waterway and two conservation areas and such facilities need to be judged in that context, in accordance with Policies CC7, EN1, EN3, EN5, EN11 and CR2 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking or re-

enacting that Order with or without modifications no external telecommunications equipment, incorporating distribution poles or overhead cables, aerials or satellite dishes shall be erected

This condition remains relevant and the applicant accepts it should be reimposed. The proposed condition has been reworded to update the reference to the latest GDPO. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

47.

Measures shall be taken to ventilate the basement and south bank car parks to remove vehicle exhaust fumes and/or enable the control of fumes in periods of high concentrations in the adjacent areas. Details of proposed measures shall be submitted to and approved by the Local Planning Authority in writing within 12 months of the notification of the first phase of development pursuant to condition 4. The approved measures shall be installed and in full working order prior to the commencement of use and thereafter shall be operated and maintained for as long as the basement car park remains in use.

Reason: To ensure that vehicle emissions are controlled in the interests of public health and safety.

The approved measures to ventilate the basement and south bank car parks to remove vehicle exhaust fumes and enable the control of fumes in periods of high concentrations shall be maintained in accordance with the approved details for as long as the basement and car parks remain in use.

Reason: To ensure that vehicle emissions are controlled in the interests of public health and safety, in accordance with Policies EN15 and CC8 of the Reading Borough Local Plan 2019.

Condition to be reimposed but amended

Further comments on 15/08/2023: The measures to ventilate the basement and south bank car parks to remove vehicle exhaust fumes . and are enable the control of fumes in periods of high concentrations should be operated and maintained in accordance with the approved details for as long as the basement car park remains in use

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests condition 47 was discharged. Notes on the file specify the condition was discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. The wording of the condition has an on-going maintenance requirement and therefore the condition will be reimposed, with relevant wording to reflect this now being a compliance condition. The Council's Environmental Protection officer agrees that the condition is still required, although it is primarily a health and safety matter (to prevent fume build up in the car park so that car park users were not affected) rather than a specific Environmental Protection matter.

48.

In the case of any unit in Class A3 use, suitable ventilation and filtration equipment shall be installed and maintained to suppress and disperse fumes and/or smell created from the cooking operations on the premises.

Reason: To ensure that the use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use.

No external terminating kitchen extraction system shall be installed until an odour assessment has been carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. Thereafter, the development shall not be carried out other than in accordance with the approved scheme and be maintained as such thereafter.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policies CC8, EN15 and EN16 of the Reading Borough Local Plan 2019.

To be reimposed

Further comments on 15/08/2023: To be removed / Update to Class E - from discussions consider it should apply to external units only

At the time of the original permission Class A3 comprised all restaurant and café, drinking establishment and hot food takeaway uses. There are now, as per the 2020 update to the Use Classes Order, Class E(b) (sale of food and drink for consumption (mostly) on the premises) and Sui Generis (public houses, wine bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises)) uses. Moreover, other uses could also include kitchen extraction equipment as part of an ancillary function within a separate use (e.g. Class E(a) or E(d)). The existing condition is no longer considered to be fit-for-purpose and it is considered necessary to update this, requiring a submission of details prior to the installation of any future external kitchen extraction system, irrespective of the exact use of the unit. This is also recommended to apply not just to the confines of the House of Fraser and former Debenhams units, but the site as a whole, in order to protect amenity.

49.

Details showing the number, location, size, siting, and design of any Closed Circuit Television cameras covering the interior or exterior of the development shall be submitted to and approved in writing by the Local Planning Authority before the relevant phase of the development opens for trading. Such provision shall be made in accordance with the approved details and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public security and safety.

The Closed Circuit Television cameras covering the interior and exterior of the development [as shown on plans to be submitted by the applicant] shall be maintained and be in use at all times at the site.

Reason: To safeguard the amenities of the site and the area generally, in accordance with Policies CC7, CC8 and CR2 of the Reading Borough Local Plan 2019.

Condition to be reimposed but amended:

The closed circuit television camera arrangements covering the interior and exterior of the development should be maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Further comments on 15/08/2023: The closed circuit television camera arrangements covering the interior and exterior of the development should be maintained in accordance with the approved details as approved in 2008.

Historic documentation, specifically case notes on the file specify the condition was discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located.

Separate documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. Accordingly, the condition appears to have been discharged, but includes an on-going maintenance requirement. Accordingly, the condition will be reimposed, with updated wording to reflect this now being a compliance condition. It is suggested that a plan be provided to specify locations to assist with any possible future enforceability issues. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

50.

No more than 10 shop units in the interior of the shopping mall shall be used for class A2 purposes, as defined by the Town and Country Planning Use Classes order 1987, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the mall retains its vitality in the interests of the future of the town centre as a whole.

Condition 50 of the original planning permission (no more than 10 Class A2 units) is no longer relevant.

To be reimposed but needs updating to remove reference to Class A2.

No more than 10 shop units in the interior of the shopping mall shall be used for Class E(c) purposes, as defined by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: Discussion with officers suggests it can be deleted.

Based on current policies (e.g. Policy CR7 – Primary Frontages in Central Reading) Class A2 uses (financial and professional services, now Class E(c), as per the 2020 Use Classes Order) are a town centre use and, alongside Class A1 (now Class E(a), as per the 2020 Use Classes Order), are a use which help maintain the overall retail character of the centre. As such, to actively manage a limit on the number of these units, as the originally worded condition effectively does, would be in conflict with current policy. Accordingly, this condition is no longer considered to be relevant or necessary, so is proposed to be removed.

51.

Details of the siting of the units to be used for Class A2 (financial and Professional services) in the interior of the shopping mall shall be submitted within 12 months of the notification of commencement of the first phase of development pursuant to condition 4 and approved in writing by the Local Planning Authority.

Reason: In the interests of vitality of the mall.

Condition 51 of the original planning permission (siting of Class A2 units) is no longer relevant.

Confirmed discharged no date – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed – or likewise be controlled via above

A letter from a RBC Senior Planning Officer to Montagu Evans (Ref OR/Cond51/A2/KM) advised that no Class A2 units were present at that time (10/10/2000) and therefore the requirements of Condition 51 did not apply. This was essentially a compliance/monitoring condition at the time of the original permission to presumably ensure that an over concentration of Class A2 uses did not

occur. Consistent with the intended approach regarding condition 50 above, this condition is no longer relevant or necessary either.

52.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 or any order revoking or re-enacting that Order, with or without modifications, no development consisting of change of use to a use falling within Class A2 (Financial and Professional Services) of the Town and Country Planning (Use classes) Order 1987 from a use falling within Class A3 (Food and Drink) of that Order shall take place without the prior written approval of the Local Planning Authority.

Reason: To ensure the mall retains its vitality in the interests of the future of the town centre as a whole.

Condition 52 of the original planning permission (removal of permitted change of any unit from Class A3 to Class A2) is no longer relevant.

To be reimposed but needs updating to remove reference to A2 and A3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 or any order revoking or re-enacting that Order, with or without modifications, no development consisting of change of use to a use falling within class E(c) (Financial and Professional Services) of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 from a use falling within class E(b) (Food and Drink) of that Order shall take place without the prior written approval of the Local Planning Authority.

Further comments on 15/08/2023: Discussion with officers suggests it can be deleted.

The original condition essentially removed a permitted change of use from Class A3 to Class A2 to protect the vitality of the mall and wider town centre (presumably from an over-provision of Class A2 use). On the basis of the current local policy position in respect of Class A2 (financial and professional services, now Class E(c), as per the 2020 Use Classes Order) being a town centre use and café/restaurants being within the same Class E use class (albeit a separate subsection – Class E(b)), this condition is no longer considered to be relevant or necessary. Furthermore, any of the following Class A3 uses at the time of the original permission - public houses, wine bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways - are now Sui Generis uses (as per the 2020 Use Classes Order), meaning they would automatically require a change of use application for any alternative use. Again, this means the originally worded condition is no longer relevant or necessary.

53.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 1995 or any Order revoking or re-enacting that order, with or without modifications none of the units fronting the River Kennet or the proposed public house on the Kennet River to be used for Class A3 (Food and Drink) purposes, as defined by the Town and Country Planning (Use Classes) Order 1987 shall be used solely for the sale of hot food for consumption off the premises unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and cleanliness of the riverside area.

Condition 53 of the original planning permission (removal of permitted development right for any riverside unit be used solely for the sale of hot food for consumption off the premises) is no longer relevant, given the now lawful Sui Generis hot food takeaway use, as per The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

To be reimposed but needs updated to remove reference to A3.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) order 1995 or any Order revoking or re-enacting that order, with or without modifications none of the units fronting the River Kennet or the proposed public house on the Kennet River to be used for Class E(b) (Food and Drink) purposes, as defined by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 shall be used solely for the sale of hot food for consumption off the premises unless otherwise agreed in writing by the Local Planning Authority.

Further comments on 15/08/2023: Discussion with officers suggests it can be deleted.

This condition essentially removed the permitted development right for any Class A3 riverside unit to function for solely for the sale of hot food for consumption off the premises (also a Class A3 use at the time), unless separate permission were to be granted. Subsequently, the Class A3 Use Class was divided into Class A3, A4 and A5, with hot-food takeaways being Class A5. Since the 2020 Use Classes Order this use is now a Sui Generis use (under the 2019 Local Plan this was a Class A5 use). As such, typically any unit seeking a use solely for the sale of hot food for consumption off the premises will necessitate an application for planning permission. Within the 2019 Local Plan Class A5 uses, which units solely for the sale of hot food for consumption off the premises were at the time, were identified as a town centre use and an in-principle appropriate use along primary frontages in Central Reading (which the northern riverside is), as per Policy CR7. Accordingly, as per the current policy climate, it is no longer considered relevant or necessary to specifically include the original restriction, due to permission automatically being required for this proposed use under the current Use Classes Order, at which point the use would be considered in accordance with local policies (at which point the use and its effects would be judged against the development plan policies and any other material considerations).

54.

The cinema identified on the approved plans shall be used for that purpose only and for no other purpose, including any other purpose in the same Use Class as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality of the scheme after shopping hours and in accordance with local plan policies on town centre leisure uses.

Condition 54 of the original planning permission (cinema used for that purpose only unless otherwise agreed) is no longer relevant given the now lawful Sui Generis cinema use, as per The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Note – to be reimposed

Further comments on 15/08/2023: To be deleted.

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 define cinemas as a Sui Generis use, having previously been a Class D2(a) use. The lawful use of this unit is therefore Sui Generis (in a class of its own). As a result, in practice, any future proposal seeking the change of use of the cinema unit from its Sui Generis use would require an application for planning permission. Consequently, the condition is no longer necessary, as it effectively has its own layer of protection that the condition originally provided through its now lawful use.

55.

Unless otherwise agreed in writing by the Local Planning Authority the Citizens Advice Bureau and creche identified on the approved drawings shall be used for those purposes only and for no other purpose, including any other purpose in the same Use Class as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification.

Reason: In the interests of the vitality of the town centre, to ensure town centre community facilities are appropriately located and to ensure that development is accessible to all potential visitors.

The Citizens Advice Bureau identified as 'CAB' on approved drawing B212392-02 Rev 00 – Level 2 Existing GA, as received on 28/07/2023, shall be used for those purposes only and for no other purpose, including any other purpose in the same Use Class as defined by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification.

Reason: In the interests of the vitality of the town centre, to ensure town centre community facilities are appropriately located, in accordance with Policies RL1 and OU1 of the Reading Borough Local Plan 2019.

Note – to be reimposed but amended as there is not a creche within the shopping centre and reference to superseded Act. Can the condition be amended to remove reference to creche.

Further comments on 15/08/2023: Unless otherwise agreed in writing by the Local Planning Authority the citizens Advice Bureau identified on the approved drawings shall be used for those purposes only and for no other purpose, including any other purpose in the same Use Class as defined by the Town and Country Planning (Use Classes) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification.

Considering first the creche, based on historic documentation it is first established that separate planning permission 030563 granted at unit R22 the change of use from D1(creche) to Class A3 (food and drink). This was granted following the completion of a legal agreement on 22/01/2004. More specifically, the Legal Agreement related to modifying clause 7.6.1.6 of the original s106 to enable the unit to be used for a purpose other than as a creche. The legal agreement also secured the presence of a creche elsewhere within the development, with no break in provision and at a location to be first agreed by the local planning authority for the remainder of the five year specified period within the s106 for a creche to be provided. The minimum 5 year period expired later in 2004, meaning this was no longer a requirement of the s106 at that point in time. As the applicant outlines, there is no creche as existing at the site and, based on the 5 year period expiring, there is no requirement via the s106 for a creche to be provided. Set within this context the continued reference to the creche within the condition is not considered to be relevant or necessary.

In terms of the Citizens Advice Bureau, this is still in use along Minster Street. It is considered that the condition remains relevant and necessary, for the same reasons as originally included. The wording is altered to align with the current arrangement. The suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

The South Bank gallery/display unit identified on the approved plans shall be used for that purpose only and for no other purpose, including any other purpose in the same Use Class as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision

equivalent to that class in any statutory instrument revoking or re-enacting that order with or without modification unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality of the riverside area and the town centre as a whole.

Condition 56 of the original planning permission (retention of south bank gallery) is no longer relevant.

Note – to be reimposed but amended as whilst there has been a gallery in the centre it has in different spaces. The last gallery use was within a unit on Minister Street but they vacated approx. 12 months ago, however discussions are underway with a pop up gallery in that space. Additionally, it is questioned whether this condition is still considered necessary or whether it can be deleted.

Further comments on 15/08/2023: To be deleted.

Since the original permission, planning 04/00689/FUL / 040987 granted the change of use of unit R20 from Class D1 (gallery) to Class A3 on 27/08/2004. Informative 3 on the decision notice stated that the use could not commence until after 23 September 2004, to accord with the original s106 legal agreement whereby a south bank gallery space was required to be provided for 5 years after completion of phase I. Based on the 5 year period expiring, there is no requirement via the s106 for a south bank gallery to be provided. Set within this context and the absence of a gallery at this part of the site (noting the riverside location was specifically referenced in the reason for the original condition) in the subsequent 19 years, the original condition is no longer considered to be relevant or necessary.

57.

Prior to development commencing, details of an action plan to implement and monitor the approved Construction Ecology Report shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the action plan shall be implemented and monitored in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of development on the environment in accordance with the council's overall environmental aims and local plan policies.

Condition 57 of the original planning permission (Construction Ecology action plan) is no longer relevant, as the condition has already been satisfied.

Confirmed discharged 07.08.97 – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be deleted.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged subject to implementation on 07/08/1997. Separate case notes suggest the condition has been discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has been satisfied and the wording included no reference to retention or maintenance of measures, relating instead to the construction stage. The current application has no implications to this condition. As such, it is no longer relevant.

58.

Within 12 months of the notification of the commencement of the first phase of development pursuant to condition 4, details of a scheme for recycling waste resulting from the operation of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be secured before the relevant phase of the development opens for

trading and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of development on the environment in accordance with the Council's overall environmental aims and local plan policies.

The waste recycling facilities and strategy referenced in the Site Specific Waste Management Plan The Oracle Shopping Centre By Mitie Version 06 dated 27/04/2023, as received 15/08/2023, shall be maintained at the site.

Reason: In the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC7, CC8 and TR3 of the Reading Borough Local Plan 2019.

Condition should be reimposed but wording amended:

The approved scheme for recycling waste resulting from the operation of the development shall be adhered to unless otherwise agreed in writing by the Local Planning Authority

Updated comments 15/08/2023: The approved scheme for recycling waste identified in Hammerson operational document SSWMP Mitie Oracle shall be implemented and maintained thereafter.

Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. Whilst no official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 58, case file notes also specify that the condition was discharged. Details are therefore assumed to have been approved. The wording of the condition included a requirement for a recycling waste strategy to be maintained. This is accepted by the applicant, with the original reasons still relevant. During the course of the application the applicant has submitted the Site Specific Waste Management Plan for the Oracle Shopping Centre, which was last updated on 27/04/2023 and is applied at the site. This document suitably addresses this matter by detailing the approach the site takes to waste management. Accordingly, the condition will be reimposed, albeit the wording will be altered to be a compliance condition, as also suggested by the applicant in comments received on 15/08/2023. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

59.

Before any development is commenced on each relevant phase, details shall be submitted to and approved in writing by the Local Planning Authority making provision for a construction method statement for each relevant phase. The construction method statement shall show details of:

- (i) parking of vehicles of site personnel, operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) treatment of all relevant pedestrian routes and highways within and around the relevant site throughout the course of construction and their reinstatement where necessary;
- (v) times, routes and means of access into the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway);
- (vi) the hours of the day during which construction or other works is intended (normally between 8am and 6pm);

- (vii) the siting, design and size of any temporary buildings;
- (viii) a scheme for security hoardings including decorative displays and facilities for public viewing;
- (ix) a scheme for recycling waste resulting from the construction programme;
- (x) the method of demolition of the existing structures and concrete hard standing (normally to be by hand or hydraulic machinery);
- (xi) measures for the suppression of dust shall be used whilst demolition and construction are in progress. (These measures to include the provision of a water supply at all areas of demolition), and
- (xii) the method of piling (either sheet or loadbearing) on site (normally restricted to auger bored or hydraulic press.)

Thereafter the construction method statement shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and convenience, residential amenity, amenity and town centre vitality and in accordance with the agreed construction Ecology Report.

Prior to any sub-division of any part of the 'application floor space' (as per approved plans B212392-01 Rev 00 – Riverside Level Existing GA, B212392-02 Rev 00 – Lower Mall Level Existing GA and B212392-03 Rev 00 – Upper Mall Level Existing GA, as all received on 28/07/2023) to create a new planning unit, a future unit specific Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for where required:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC8, EN15, EN16 and TR3 of the Reading Borough Local Plan 2019.

Confirmed discharged – Does not need re-imposing on new permission

Further comments on 15/08/2023: To be removed (subject to highways input), although the application is happy to accept construction management statement if required.

Condition 59 was resolved at Planning Committee on 07/03/2001 to be approved, having previously been regularly reviewed and temporarily agreed at Committee since 1999. The earlier phase 2 of the scheme was discharged via a letter from a RBC Planning Officer to Montagu Evans dated 26/10/1998 (Ref OR/Cond59/Phs2/KM). In respect of the current proposals, the Highway Authority suggests that this condition is reimposed to ensure that suitable storage and access is maintained, so as to not impact the Public Highway. The works may ultimately be an internal fit out, but the units are considerable in size and therefore could require extensive works to create the smaller units and access to service areas. Ultimately, officers consider that works to occupy either one unit at a time (involving a minimum 1,000sqm) or all the floorspace simultaneously (a floorspace of 23,390sqm) could impact on the nearby highways, nearby operators and residents, therefore meaning a CMS is considered to be necessary prior to works commencing in respect of the occupation of any future sub-divided space. This is either on a unit-by-unit basis if they come forward individually, or cumulatively if works to sub-divide different parts of the 'department store' floorspace occur simultaneously. The level / nature of information required will vary depending on the amount of works required in each specific instance. The applicant has indicated an in-principle acceptance to a CMS being required. The exact wording has been altered to reflect current best practice.

60.

No development shall commence until programmes and schedules of works for Nos 2/4 London Street and 19 Bridge Street (Seven Bridges Bouse) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these works shall be carried out in accordance with the approved details and programme prior to the opening of the first phase of the development for trading unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality of the town centre and the enhancement of the listed buildings which form part of the development site.

Condition 60 of the original planning permission (programmes and schedules of works for Nos 2/4 London Street and 19 Bridge Street) is no longer relevant, as the condition has already been satisfied.

Does not need to be reimposed

Further comments on 15/08/2023: To be removed.

A letter from a RBC Senior Planning Officer to Montagu Evans dated 10/10/2000 (Ref OR/Cond60/Listed Buildings/Dis/KM) confirmed the discharge of this condition. It is considered that the wording of the condition has been satisfied and the wording included no reference to retention or maintenance of measures. The current application has no implications to this condition. As such, it is no longer relevant.

61.

Other than enabling works, no development shall take place on the land currently occupied by buildings used by Reading Transport Ltd until such time as Reading Transport has vacated its Mill Lane depot, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the public transport facilities integral to the town centre transport network.

Condition 61 of the original planning permission (no development until Reading Transport vacates its depot) is no longer relevant.

Does not need to be reimposed

Further comments on 15/08/2023: To be removed

Historic case notes suggest the condition has been discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of the condition has evidently been satisfied. The current application has no implications to this condition. As such, it is no longer relevant.

62.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, with or without modifications there shall be no subdivision of the department stores shown on the approved drawings into separate shop units unless agreed in writing by the Local Planning Authority.

Reason: As the balance between shop units and department store retail floor space has a critical effect on the vitality and viability of the rest of the town centre and the impact of any shift needs to be evaluated by the Local Planning Authority.

Condition 62 is hereby granted to be removed.

Condition to be deleted and imposition of new condition (wording to be agreed)

Further comments on 15/08/2023: The former department store floorspace as shown on proposed drawings shall be occupied by uses within Use Class E(a),(b),(d) or (e), of the Town and Country Planning (Use Classes) (England) Regulations 2020

This is the primary subject matter of the application. This is duly assessed as being acceptable as per the main report. Replacement conditions to reflect the knock on implications of the condition being removed are separately referenced at the outset of the main report (condition 76 onwards).

63.

The building envelope of all dwellings shall be so constructed so as to provide sound attenuation against external noise of not less than 40 dB(A), with windows shut and adequate other means of ventilation provided.

Reason: In the interests of future residents' amenity.

Condition 63 of the original planning permission (residential sound attenuation) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

Historic documentation submitted in 2008 as part of application 08/01140/APP/CON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. No official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 63, with case file notes suggest issues arose regarding meeting this condition once residents were occupying the units. In light of the 2008 context, this is assumed to have been resolved. The current application has no implications to this condition. As such, it is no longer relevant. In addition, the Council's

Environmental Protection officer notes that the original wording of the condition contained no on-going requirement to maintain the level of mitigation and there are no known issues with the accommodation in question.

64.

Before the development commences the applicant is required to submit a report, prepared in accordance with the provisions of BS4142/BS522b/DoT Calculation of Road Traffic Noise/other, to predict noise levels at the nearest residential boundary, the nearest residential facade or the nearest noise sensitive location. The report should include:

- a large scale plan of the proposed development
- noise sources and measurement/prediction points marked on plan
- a list of noise sources
- a list of assumed noise emission levels
- details of noise mitigation measures
- description of noise calculation procedure
- noise levels at a representative sample of sensitive points
- comparison of noise levels with appropriate criteria.

Where criteria are exceeded at any location the applicant should explain why that excess is immaterial or what further mitigation will be undertaken to ensure that criteria will be met.

Reason: In the interests of protecting existing or future residents and other noise sensitive sites from unreasonable disturbance from noise likely to be caused by the development.

Condition 64 of the original planning permission (noise report) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

Historic documentation submitted in 2008 as part of application 08/01140/APP/CON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. No official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 64, with case file notes suggesting it was being dealt with by Environmental Health and had been discharged in part, with other elements on-going. In light of the 2008 context, this is assumed to have been subsequently discharged in full. The current application has no specific implications to this condition. As such, it is no longer relevant. In addition, the Council's Environmental Protection officer notes that the original wording of the condition contained no on-going requirement for the plant to be maintained or contain a limit, so although it could still be relevant as it relates to plant noise and the Oracle site obviously contains plant, there is no real means of altering this condition given the context noted above. Finally, in practice, if any externally located mechanical plant is proposed in the future, it is likely to require separate permission.

65.

No open storage of materials, products, plant or equipment shall be carried out on the land following completion of each phase of the development.

Reason In the interests of protecting the appearance of the area and local residents from unreasonable noise and smells.

Condition 65 of the original planning permission (open storage of materials, products, plant or equipment) is no longer relevant.

Note – to be reimposed

Updated comments 15/08/2023: To be removed.

This is considered to be a construction stage compliance condition, ensuring the appearance of the area is maintained during the phased redevelopment of the site. It is not considered to fulfil a continued purpose based on the current context of the site. As such, it is no longer considered to be necessary or relevant.

66.

The number of A3 uses within the proposed covered area of the mall shall not fall below four units unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide a balance of uses in the interior of the mall to ensure its vitality.

Condition 66 of the original planning permission (Minimum of 4 Class A3 uses within the covered mall) is no longer relevant.

Note – to be reimposed but wording to be amended to reference updated Use Class.

The number of Class E(b) uses within the proposed covered area of the mall shall not fall below four units unless otherwise agreed in writing by the Local Planning Authority.

Updated comments 15/08/2023: Discussions with officers suggest the condition can be deleted.

It is considered that the original condition would now fail the necessity and reasonableness tests of a condition if it were to be re-applied now. Given the wide variety of 'centre uses' and the thrust of the NPPG about a mix of uses and allowing growth and diversity in town centres, to include a minimum number of Class A3 (which later became Class A3, A4 and A5 uses, and are now Class E(b), Sui Generis and Sui Generis respectively) is not considered to be compatible to those aims. As such the condition is no longer considered to be necessary or relevant.

67.

Within 6 months of the notification of the commencement of the first phase of development pursuant to condition 4, details of the entrance area from Minster Street south to the proposed department store, shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the main entrance from Minster Street is lively and welcoming, in the interests of amenity and vitality.

Condition 67 of the original planning permission (details of entrance area from Minster Street south to the proposed department store) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged under condition 3 on 05/07/1997. Separate case notes suggest the condition has been discharged, although no official documentation to verify this (e.g. a decision notice or letter) has been located. It is considered that the wording of

the condition has been satisfied and the wording included no reference to retention or maintenance requirements. The current application has no specific implications to this condition, given the application includes no external works and relates solely to use matters. As such, it is no longer relevant.

68.

The number of cycle parking spaces on the development site provided for the public shall not fall below 230 spaces and for the staff below 30 spaces. Details of devices for securing the cycles/motorcycles into place shall be submitted to and agreed in writing by the Local Planning Authority and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the council's transport strategy to support motorcycle and cycle trips to the town centre.

The number of cycle parking spaces on the development site provided for the public shall not fall below 230 spaces and for the staff below 30 spaces. The cycles/motorcycles spaces provided at the site shall be maintained.

Reason: To encourage travel by sustainable alternatives to driving a motorcar, in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

Note – to be reimposed

Further comments on 15/08/2023: The number of cycle parking spaces on the development site provided for the public shall not fall below 230 spaces and for the staff below 30 spaces. Provision should be maintained in accordance with approved plans.

Note: The applicant is keen to reiterate that they are committed to ensuring good quality cycle parking for staff and visitors. Occupiers will be encouraged to adhere with the centres adopted travel plan and the applicant will review cycle parking provision as part of their general estate management.

Historic documentation submitted in 2008 as part of application 08/01140/APP/081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. No official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 68, with case file notes not being clear as to whether such details were approved. In light of the 2008 context, this is assumed to have been discharged at some point in time. The current application has no specific implications to this condition, nor generates any additional provision, as confirmed by RBC Transport.

However, the wording of the condition includes a requirement for the level of cycle parking to remain above a minimum level, which is considered relevant and necessary to continue to be secured at this time (and on-going in the future too). As noted in the transport comment in the main report, there are some concerns with the quality and under-use of the current facilities, but there is considered to be limited scope to incorporate that into this application. As such, the condition will be reimposed, with the wording altered to reflect its solely compliance based nature. The original suggestion of the applicant to continue to include a 'tailpiece' in the condition ('unless otherwise agreed with Local Planning Authority') is not agreed. This is given that tailpieces are now generally avoided in line with best practice.

69.

Notwithstanding the details as shown in the approved plans listed in schedule I and prior to the commencement of development, further details of the design of the replacement Bailey Bridge shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: As these details have yet to be agreed and in the interests of heritage and amenity.

Condition 69 of the original planning permission (Bailey Bridge details) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 13/03/1997, subject to the approval of heritage plaques at a later date. Separate case notes do not confirm whether this remaining element of the condition had been met at the time of writing. Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. In light of the 2008 context, condition 69 is assumed to have been discharged in full at some point in time. The wording of the condition included no reference to retention or maintenance requirements. The current application has no specific implications to this condition. As such, it is no longer relevant.

70.

Prior to the commencement of any development, the decontamination works pursuant to the investigation and proposed remediation report shall be carried out to the written satisfaction of the Local Planning Authority.

Reason: In the interests of environmental protection, with particular regard to the watercourses.

Condition 70 of the original planning permission (decontamination works and proposed remediation) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 22/08/1997. No official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 70. Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. In light of the 2008 context, condition 70 is assumed to have been formally discharged. The wording of the condition included no reference to retention or maintenance requirements. The current application has no specific implications to this condition. As such, it is no longer relevant.

71.

There shall be no contract parking in the proposed North and south bank car parks unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the vitality of the town centre and the Council's transport strategy.

There shall be no contract parking in the North (Holy Brook) and south bank (The Riverside) car parks.

Reason: In the interests of the vitality of the town centre and the Council's transport strategy, in accordance with Policies TR1, TR5 and RL1 of the Reading Borough Local Plan 2019.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

This is a compliance based condition, restricting contact parking in the main car parks. Case file notes from circa 2000 state that "there is an agreement to allow 128 contract spaces (120 on the upper floor of the South Bank car park and 8 within the curtilage of 7 Bridges House. This condition is on-going". Furthermore, the case file for 08/01140/APPCON / 081664 (for the separate discharge of conditions 14, 29, 73 and 74) includes a letter from the Planning Manager to the General Manager of the Oracle Shopping Centre stating the original Section 106 Legal Agreement prohibits contract parking in a similar manner to condition 71 stated above. The letter continues that, given the overall number of spaces in the South Bank car park, the Council agrees to the introduction of contract parking for use by hotel guests of Premier Inn in connection with its, at the time, new hotel at Mill Lane (to the south of the site) between the hours of 6pm and 10am the following day for a period of five years from the date of this letter (23 April 2008 = expiry on 23 April 2013). It is unclear whether there are any current arrangements in place regarding contract parking at either car park at the present time, in respect of Premier Inn or any other organisation.

RBC Transport recommends the original condition to be retained to ensure that the car park is retained solely for customers /visitors of the Oracle/town centre. Accordingly, officers do not concur with the suggested approach of the applicant and recommend for an amended version of the originally worded condition to be included. This would remove the tailpiece, but maintain the essence of the condition. If contract parking is subsequently sought, this condition could be sought to be removed or varied, as supported by evidence at the time to enable this to be considered further by the Local Planning Authority.

72.

If within a period of three years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, is removed, uprooted or destroyed or dies or becomes in any way defective in the opinion of the Local Planning Authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

Condition 72 of the original planning permission (replacement planting for three years) is no longer relevant.

Does not need to be reimposed

Updated comments 15/08/2023: To be removed.

This was an on-going condition, but only for a period of three years from planting. That time period has long expired and the current application has no specific implications to this condition. As such, it is no longer relevant.

73.

Prior to opening of phase I for trading, details of the following management plans shall be submitted to and approved in writing by the Local Planning Authority:

- (i) landscape management plan;
- (ii) open space management plan;
- (iii) car park management plans;
- (iv) shop mobility management plan.

Reason: In the interests of the transport strategy and the vitality and viability of the town centre through sensitive management of the proposed development.

The landscape areas around the application site shall be maintained in accordance with the Grounds Maintenance Specification report by Mulberry Grounds Maintenance, contract letter dated 02/04/2007 by Mulberry and email from Ciaran Kiely at RPS dated 24th November confirming that trees that are dead, diseased or vandalised will be replaced and plants and trees will be watered as necessary (all approved as part of 08/01140/APPCON / 081664 on 02/12/2008).

Reason: In order to ensure the satisfactory maintenance of the approved landscaping scheme, in accordance with Policies CC7, EN12, EN14, CR2 and CR3 of the Reading Borough Local Plan 2019.

Does not need to be reimposed

Further comments on 15/08/2023: The management of landscape, open space, car park and shop mobility will be undertaken in accordance with the details contained in the approved 2008 Oracle Management Plan.

Condition 73 was discharged in full on 02/12/2008, with the remaining outstanding elements (relating to the landscape management plan and the shop mobility management plan) discharged as part of approval of details application 08/01140/APPCON / 081664. It is unclear what information was submitted prior to the 2008 details (unknown historic information). While the originally worded condition did not include an on-going compliance requirement, the decision notice associated with 08/01140/APPCON / 081664 referenced maintenance elements in both regards considered. In the circumstances, given the lack of information remaining in relation to the open space and car park management plans, it is not possible to repeat those conditions now, as this would fail the reasonableness/enforceability tests of a condition. In terms of the shop mobility management plan, this in practice is no longer necessary, given the current arrangements explained in respect of condition 45 above. Sufficient documentation has however been retained in relation to landscape matters, so these details will be referenced in a reworded compliance based condition. It is considered necessary to reference that the management plans are to continue to be maintained, so as to ensure should any of these matters not be maintained in the future (for whatever reason), the Local Planning Authority has a means of actively engaging with the landowner in these regards.

74.

Notwithstanding any plans approved under condition 3 schedule 1, within 6 months of the notification of the commencement of the first phase of development pursuant to condition 4, a revised ground floor layout for the car park shall be submitted and approved in writing by the Local Planning Authority to include consideration of provision of toilets, cycle parking, drop off/pick up for cinema users and highway layout details.

Reason: The details submitted are not fully acceptable on grounds of the safety and convenience of future users.

Condition 74 of the original planning permission (ground floor parking layout) is no longer relevant.

Does not need to be reimposed

Further comments on 15/08/2023: The provision of toilets, cycle parking, drop off/pick up for cinema users and highway layout detail shall remain in accordance with approved plans

Note: The applicant does not have a copy of the plans approved as part of discharge of this condition. It is questioned whether a plan highlighting the location of these details is required, as these are covered in previous conditions.

Condition 74 was discharged in full on 02/12/2008, with the remaining outstanding elements (relating to a revised ground floor layout for the car park) discharged as part of approval of details application 08/01140/APPCON / 081664. Earlier records on the case file suggested that condition 74 was previously discharged via a letter from a RBC Planning Officer to Montagu Evans dated 18/02/1998 (Ref or/C74-5.43.4/km/BJC/MMB), although later case file notes indicated on-going discussions regarding the cinema drop-off point were continuing. In light of the 2008 context, condition 74 has been formally discharged in full. The current application has no specific implications to this condition. The details approved as part of the 2008 permission do not relate to the ground floor layout, with a Level 3 plan having been approved. As such, it is not considered necessary to retain this condition (also bearing in mind various other conditions involve the parking areas) and it is longer relevant.

75.

Notwithstanding any approval under condition 3/schedule 1, within 6 months of the notification of the commencement of the first phase of development pursuant to condition 4, revised massing and layout for the east end of the leisure development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: As the submitted plans did not meet conservation. area or highway layout concerns.

Condition 75 of the original planning permission (details of the east end leisure development) is no longer relevant.

Does not need to be reimposed

Further comments on 15/08/2023: To be removed

Reason: Development has commenced and is operational.

Condition 75 was discharged on 18/02/1998 subject to the approval of the mortar for the South Bank, via a letter from a RBC Planning Officer to Montagu Evans (Ref or/C74-5.43.4/km/BJC/MMB). Historic documentation (a schedule dated 12/06/2000 referencing the current status of Oracle Conditions) suggests the condition was discharged on 20/11/1998. No official documentation to verify this (e.g. a decision notice or letter) has been located in respect of condition 75. Historic documentation submitted in 2008 as part of application 08/01140/APPCON / 081664 (for the discharge of conditions 14, 29, 73 and 74) suggested that these were the last remaining conditions associated with the original permission. In light of the 2008 context, condition 75 is assumed to have been formally discharged in full in the intervening time. The wording of the condition included no reference to retention or maintenance requirements. The current application has no specific implications to this condition. As such, it is no longer relevant.
