

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT CULTURE & SPORT
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 21 July 2010

ITEM NO.

Ward: Abbey
App No.: 10/00902/EXT
Address: 29-35 Station Road, Reading
Proposal: Application for an extension of the time limit for implementation of permission 04/01395/FUL for the demolition of existing building and the erection of a 22 storey building comprising 103 residential units, two ground floor Class A1 retail and/or Class A3 restaurant units, with a basement level providing car/cycle parking spaces and refuse storage
Applicant: Imperial Properties (Reading)
Date received: 10 May 2010
Major Application: 13 week target decision date: 9 August 2010

RECOMMENDATION:

Subject to the receipt of a Code for Sustainable Homes pre-assessment estimator report and energy report which are considered to be acceptable in terms of Policy CS1 (Sustainable Construction and Design) and the Council's Sustainable Design and Construction SPD (March 2007), delegate to the Head of Planning and Building Control to GRANT permission subject to the completion of a S.106 agreement to secure the following:

- (i) **No less than 50% of the housing units (52 flats) to be affordable housing units**, to be disposed of to either a Housing Association or a Registered Social Landlord and the Council has been notified, before first occupation of the private housing units. None of the private housing units shall be occupied until a sale agreement for the disposal of all of the affordable housing units comprised in the development as have been approved has been entered into between the applicant and an HA/RSL and the Council has been notified. Provision in accordance with Policy CS16 (Affordable Housing) of the adopted Reading Borough Local Development Framework Core Strategy(2008);
- (ii) **£110,149 contribution towards Integrated Transport (RUAP)**, to be used in the Central Reading Action Plan areas of the Transport Plan, payable on first occupation of the residential units, in accordance with policies CS9 (Infrastructure, Services, Resources and Amenities) and CS20 (Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011)) of the adopted Reading Borough Local Development Framework Core Strategy (2008);
- (iii) **£100,838 contribution towards Education infrastructure**, to increase space and capacity across town centre schools, payable on first occupation of the residential units, in accordance with Core Strategy Policy CS9;
- (iv) **£157,500 contribution towards Leisure/Open Spaces**, for the implementation of the Thames Parks Plan, payable on first occupation of the residential units; in accordance with Core Strategy Policy CS9 and CS29 (Provision of Open Space);
- (v) **£9,000 contribution per A3 retail unit towards CCTV/CitySafe Initiatives**, each payable on first occupation of the relevant retail unit by an A3 (or mixed A3/other) use, in accordance with Core Strategy Policy CS9;
- (vi) **A contribution of 1% of total construction costs towards Public Art**, payable on first occupation of the development, in accordance with Core Strategy

- Policy CS9;
- (vii) **The re-paving of areas adjacent to the site** in Marshalls Ashbourne Red Multi Clay paviments, in accordance with RCAAP Policy RC5 (Design in the Centre) and Core Strategy Policy CS7 (Design and the Public Realm);
 - (viii) **Five wheelchair-compliant units/retention of five dedicated disabled parking spaces**, in accordance with Core Strategy policies CS4 (Accessibility and the Intensity of Development) and CS5 (Inclusive Access).

If the agreement is not completed by 6 August 2010, delegate to the Head of Planning and Building Control to **REFUSE** planning permission, unless otherwise agreed by the Head of Planning and Building Control.

Conditions to include:

1. 3 years
2. Plans approved
3. Samples of materials to be submitted in full
4. No external vents or ducting on road frontages
5. Details of the ground floor glass canopy to be submitted
6. No alterations to existing site levels
7. No alterations from finished floor levels
8. No telecoms equipment
9. Details of any external lighting to be submitted and approved
10. No demolition or construction works outside of 8am to 6pm Mondays to Fridays or 8am to 1pm on Saturdays. No works on Sundays or Bank Holidays
11. Details of refuse storage facilities to be submitted and approved
12. Construction Method Statement to be submitted and approved
13. Details of extraction, ventilation and filtration equipment to be submitted and approved before occupation of any A3 (restaurant/café) unit
14. Details of mechanical ventilation systems to the flats to be submitted and approved
15. Any external windows to bathrooms/WCs to be obscure glazed
16. No fires on site
17. Security management plan, to include anti-terrorism design (anti-ram bollards/planters, laminated glass throughout the building, to be submitted and approved
18. Details of internal circulation spaces to be provided to demonstrate five wheelchair-compliant flats on First Floor, 20th. and 21st. floors
19. Retention of five disabled persons' parking spaces
20. Provision and retention of lifts
21. Provision of parking/turning areas before occupation
22. Provision of cycle storage before occupation
23. Provision of vehicular access before occupation
24. Main doors to basement parking area and bin stores to be roller shutters
25. Service vehicle deliveries management plan to be submitted and approved
26. Ramp to basement parking area to have a maximum gradient of 1 in 8 (or 12%)
27. No parking permits
28. No demolition/construction before a programme of archaeological work, in accordance with a written scheme of investigation, has been submitted and approved
29. No development before contaminated land report has been submitted and approved
30. The A1 and or A3 uses to be for a limited period of 10 years from the date of this permission, thereafter, the prevailing use at that time shall be the lawful use

31. No A3 use to have a bar area exceeding 10% of the unit's floorspace
32. No permitted change of A1/A3 units to A2 (Financial and Professional Services) use
33. Retention of active frontages on Station Road and Garrard Street
34. No construction before water supply impact study has been submitted and approved
35. No construction until details of 'green'/'brown' roofs submitted and approved
36. Confirmation of achievement of pre-estimator sustainability levels through a post-completion review, to confirm that a minimum of 50% of the flats meet CSH Level 4 and the remainder achieve CSH Level 3
37. Submission of take-away arrangements for any A3 uses

Informatives:

1. Reasons for grant
2. Terms and conditions
3. Conditions precedent, charges for conditions discharge
4. Building Regulations application required
5. S.106 agreement
6. Section 59 of the Highways Act
7. No residents' parking permits to be issued
8. Works affecting the Highway

1. INTRODUCTION

- 1.1 The application site is a 1950s five storey brick-built building at the end of Station Road, next to its junction with Garrard Street, near to Thames Tower, to the north. The site is also opposite the Malmaison hotel (Great Western House, Grade II Listed), diagonally opposite the entrance to Reading Station and to the north-east of the Novotel/Ibis Hotel on Friar Street, which has residential flats to the rear. It is immediately flanked by Garrard House (a 1980s six-storey office block, currently vacant, but with planning permission as an apart-hotel) to the west and Brunel House (a 1960s six storey office building). Apart from the Malmaison, other Listed buildings nearby are the Three Guineas (former station ticket office), statue of Edward VII on the roundabout and 13/15 Station Road. The nearest part of the site is approximately 100 metres from the edge of the Market Place/London Street Conservation Area's northern extent on Blagrove Street.
- 1.2 Since the original permission was issued in 2005, several other tall buildings have since been constructed in Central Reading, for instance The Blade (formerly Abbey Mill House), One Reading Central and the Novotel/Ibis hotel. It is also anticipated that planning permission will formally be issued shortly on the Station Hill 2 redevelopment, which includes five buildings which are taller than this proposal. There are also extant planning permissions for two additional storeys on Garrard House and two additional storeys on Thames Tower.

2. PROPOSAL

- 2.1 The application relates to the erection of a residential building of up to 22 storeys of 103 units, with retail units and entrance foyer at ground floor level. There would be a 'double-height' entrance area, which would house

the residential foyer/lobby and the retail units and basement servicing (including car parking for disabled people). See Section 3 of Appendix 1 for fuller details.

- 2.2 The extant planning permission which was granted in 2005 has not been implemented and lapses on 18 August 2010. The applicant is therefore seeking an extension of time under the provisions introduced by the Town and Country Planning (General Development Procedure)(Amendment No 3)(England) Order 2009. If granted this would create a new planning permission. The legislation requires the application to be for the same development as the previous permission. However, it is open to the Local Planning Authority to request additional information and to address any changes in policy or other material considerations which may have occurred since the grant of planning permission.
- 2.3 The original committee reports which assessed the original application in 2005 are attached at Appendix 1. Where issues are examined in detail in that assessment and there has been no change in policy considerations since, this report will not re-examine such issues.
- 2.4 The previous planning permission was based on the following drawing numbers:

Drawings received on 15th February 2005:

- (03) 10 Revision A - Proposed 1st Floor Plans
- (03) 11 Revision A - Proposed 2nd - 5th Floor Plans
- (03) 12 Revision A - Proposed 6th - 9th Floor Plans
- (03) 13 Revision A - Proposed 10th Floor Plans
- (03) 14 Revision A - Proposed 11th - 18th Floor Plans
- (03) 15 Revision A - Proposed 19th Floor Plans
- 05 (01) Revision B - Proposed East Elevation
- 05 (02) Revision B - Proposed North Elevation
- 05 (03) Revision B - Proposed West Elevation
- 05 (04) Revision B - Proposed South Elevation
- (02) 101 - Site Layout overlaid with Friar Street development

Drawings received on 25th February 2005:

- (03) 0B Revision C - Proposed Basement Floor Plans
- (03) 00 Revision B - Proposed Ground Floor Plans
- (03) 17 Revision B - Proposed 20th Floor Plans
- (03) 16 Revision B - Proposed 21st Floor Plans
- 05 (05) - Proposed West Elevation Through Service Road
- 04 (02) - Proposed Cross Section Through Vehicular Entrance to Basement

- 2.5 Information supplied with the application consists of the application forms and a (Planning) Supporting Statement only. Applications for an extension of time do not require full application submissions, unless supplementary information is requested by the Local Planning Authority, in order to respond to changes in circumstances since the original approval of planning permission.
- 2.6 On the ground floor of the existing building there are some retail units which are currently in use as a café, a camera shop and a newsagents.

There are four floors of offices above, which have been vacant for a number of years. Vehicular access is from the rear, via Garrard Street.

3. PLANNING HISTORY

3.1 The site has a long history, mostly for proposals involving complete demolition and redevelopment. However, none of the approvals below have involved any subsequent "development" taking place:

01/00132/FUL	Demolition of existing buildings and redevelopment to provide new office building with retail or A3 restaurant use at ground floor level plus service area and car parking at basement/lower ground floor level.	PERMISSION with legal agreement 17 January 2002
04/01395/FUL	Demolition of existing building and the erection of a 22 storey building comprising 103 residential units, two ground floor Class A1 retail and/or Class A3	PERMISSION with legal agreement 19 August 2005. Due to lapse in August 2010 and is now the subject of this current Extension of Time (EXT) application.
06/00366/VARIAT	Variation of Condition 1 (The development must be started not later than the expiration of five years) of Planning Permission 01/00132/FUL which relates to the 'Demolition of existing buildings and redevelopment to provide new office building with retail or A3 restaurant use at ground floor level plus service area and car parking at basement/lower ground floor level' for a further three years.	27 June 2006
07/01323/SCR	Request for a Screening Opinion for re-development of land for a 29 storey hotel with ancillary facilities	Opinion is that this is EIA Development, 31 October 2007.
07/01551/SCO	Request for a scoping opinion relating to the redevelopment of the site for a 29-storey hotel incorporating conference facilities, bar and restaurant.	Opinion supplied 8 January 2008
08/00150/FUL	Redevelopment to provide a 29 storey hotel with ancillary facilities, including a restaurant, bar, meeting rooms and conferencing facilities	WITHDRAWN. This application was to be refused for x reasons and was withdrawn at your committee meeting.
09/00122/PREAPP	Erection of 23 storey (116.9M AOD), hotel with associated facilities,	Observations sent 23 April 2009.

	including restaurant, bars, meeting rooms and conferencing facilities.	
09/01044/FUL	In-fill existing open redundant space to create new retail unit for A1 use	PERMISSION.

4. CONSULTATIONS

4.1 Statutory

RBC Transport Strategy

4.2 Non-statutory

RBC Environmental Protection
RBC Planning Support Team (Trees and Landscaping)
RBC Housing Development
RBC Leisure Services
RBC Education
RBC Disabled Access Officer
Berkshire Archaeology
CABE (Commission for Architecture and the Built Environment)
English Heritage
Royal Berkshire Fire and Rescue Service:
Thames Water
Southern Gas Networks

No comments/objections have been received from:

RBC Arts Manager
RBC Town Centre Manager
RBC Building Control
RBC Environmental Protection (Contaminated Land)
Crime Prevention Design Advisor (Thames Valley Police)

Any further responses received will be reported to your meeting.

4.3 Public consultation

Letters were sent to the following addresses:

Friar Street: 12, 12a, 13-14, 15, 16, 18, 22, 23, 24, 24a, 25, 26, 26a, 27, 28, 30-3, 32, 33, 34, Flat A 34, Flat B 34, 35, 35-38, 39, 39a.
Station Hill: 6, 18, 20-24, 26, 28-34, 36, 38, 40, 42, 44, 46, 48, 52, 5456, 58, Phoenix House, Flat at Western Tower, Mecca Bingo.
Merchants Place: 1, 2, 3b, 3d, 3e, 5, 6a, 7, 8, 9, 9a, 5-9.
Garrard Street: Garrard House (30)
Station Road: Malmaison Hotel and Brunel House (17-27)
Reading Station
Three Guineas PH
Abbey Ward Councillors were sent letters.

No responses have been received, any that are received will be reported.

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 National

PPS1	(Delivering Sustainable Development)
PPS3	(Housing) (2010)
PPS5	(Planning for the Historic Environment) (2010)
PPG13	(Transport)
PPS22	(Renewable Energy)
PPG24	(Planning and Noise)

5.2 Reading Borough Local Plan (1998) (saved policies)

HSG5	Residential Design Standards
HSG9	Location of Residential Development
TRN6	Pedestrians
TRN11B	Development and Traffic
TRN13	Off-Street Parking
TRN15	Parking for People With Disabilities
CUD4	Setting of Listed Buildings
CUD7	New Development in Conservation Areas
CUD10	Historic Parks and Gardens
CUD11	Ancient Monuments and Other Important Archaeological Remains
CUD12	Development Impact on Archaeological Remains
CUD13	Preservation of Archaeological Sites
CUD14	Standards of Design in Development
CUD16	Shop Fronts
NE7	Creative Nature Conservation
NE10	Surface Water Run-Off and Development

5.3 Reading Borough Local Development Framework - Adopted Core Strategy (2008)

CS1	Sustainable Construction and Design
CS2	Waste Minimisation
CS4	Accessibility and the Intensity of Development
CS5	Inclusive Access
CS7	Design and the Public Realm
CS9	Infrastructure, Services, Resources and Amenities
CS14	Provision of Housing
CS15	Location, Accessibility, Density and Housing Mix
CS16	Affordable Housing
CS24	Car/Cycle Parking
CS33	Protection and Enhancement of the Historic Environment.
CS34	Pollution and Water Resources
CS36	Biodiversity and Ecology

5.4 Reading Central Area Action Plan (2009)

RC1	Development in the Station/River Major Opportunity Area
RC5	Design in the Centre
RC9	Living in the Centre
RC10	Active Frontages
RC13	Tall Buildings

5.5 Reading Borough Council Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (1994)
Planning Obligations Under Section 106 of the Town and Country Planning Act 1990 SPG (2004)
Sustainable Design and Construction SPD (2007)
Parking Standards and Design SPD (2009)

5.6 Other relevant guidance

Communities and Local Government: Greater Flexibility for Planning Permissions guidance (2009)

CABE/English Heritage: Guidance on Tall Buildings (2007)

HM Government: Crowded Places-the planning system and counter-terrorism (2010)

6. APPRAISAL

Main issues

6.1 The main issues are:

- i. Whether the proposal is still in accordance with planning Policy
- ii. Design and the visual effect of the proposal
- iii. The proposed housing provision
- iv. Transport and parking
- v. Sustainability
- vi. Other considerations

i. Whether the proposal is still in accordance with planning policy

6.2 This is clearly an urban 'brownfield' site which has had a succession of permissions for high-density redevelopment. PPS3 (2010) includes several changes of emphasis, but continues to support high-density mixed use developments in accessible locations such as this.

6.3 At the time of the original scheme's consideration by the Committee in 2005, the application was principally assessed against policies of the Reading Borough Local Plan (1998) and National policy, including the (original 2004) Guidance on Tall Buildings (produced by CABE and English Heritage).

6.4 There have been significant advancements in planning policy since 2005 - the Station Hill South Planning and Urban Design Brief (2007), the Core Strategy (2008) and the Reading Central Area Action Plan (RCAAP)(2009) - but the main aims of planning policy are still supportive of the original 22-storey development.

6.5 The planning brief (2007) indicates (in summary) that this is a gateway site, that the Garrard Street eastern end is to be a strong entrance point and in terms of overall building heights, the site is at the overlap of areas marked, "Potential location of tall buildings (exceeding 39m absolute)" and "Buildings respected local scale". It should also be noted that the 2005 permission was noted as an extant permission when the brief was being formulated. The Core Strategy's policies (2008) take forward the general design, disabled access, sustainability, etc. policies for the borough and supersede the relevant Local Plan policies. The RCAAP's policies (2009) are concerned with central Reading only.

6.6 The policies above encourage mixed-use, high-density development, high-quality design and high-quality tall buildings. The site is within one of the Major Opportunity Areas and the Station Area Cluster, one of the identified areas where tall buildings will be appropriate. The RCAAP includes a silhouetted profile of the Station Area Cluster and it is considered that the proposal is in accordance with this, being a contributory tall building to this

cluster, whilst the tallest buildings in the cluster would accord with the Station Hill 2 redevelopment (whose planning application this committee has agreed to approve, subject to the satisfactory completion of a S.106 agreement, which is being finalised at the time of writing).

- 6.7 In terms of general planning policy, no notable policy conflicts are identified and officers advise that the proposal remains in accordance with the Development Plan.

ii. Design and the visual effect of the proposal

- 6.8 The design is “as approved” in 2005 and the report at Appendix 1 describes this in detail in the Appraisal section, in terms of scale, height, massing and design. In summary, the scheme consists of three elements:
- A corner tower of 22 storeys (71 metres in height above ground level)
 - A smaller linking element towards 17-27 Station Road; and
 - A bridge link to the west between the tower and Garrard House.
- 6.9 It is debatable and perhaps a subjective matter whether the design, with its strong vertical emphasis, has dated since its original submission (in 2004). On this point, officers would advise that the design is still contemporary and relevant. The design would clearly produce a striking building at one of the key gateways to Reading and it is important to ensure that the materials used are of the highest quality. The materials proposed are glass and metal panels for the tower and bridge link. The tower itself would also have metal ‘fins’ which run up the sides of the building and over the roof. Towards 17-27 Station Road, a more traditional materials palette will be produced. The applicant has agreed to re-provide the materials palette and other display material in time for your meeting, to demonstrate the quality of development. Further information and commentary on the nature of those samples and details will be supplied in the Update Report.
- 6.10 Both CABE and English Heritage have confirmed that they do not wish to comment on this application. However, a notable change in planning policy pertinent to the assessment of this application is the introduction of PPS5 (Planning and the Historic Environment) in March this year. This puts increased emphasis on the concept of ‘heritage assets’ and their value, which includes historic buildings and structures which are not listed or in a conservation area. Whilst there are such buildings within the vicinity of the site, officers consider that given the effect on the setting of Listed Buildings, the Conservation Area and Forbury Gardens was considered to be acceptable in 2005, no additional issues are raised for non-designated heritage assets as a result of this PPS.
- 6.11 The original reports discussed the height and visual impact of the proposal in some detail and the suitability of this site for a tall building (in terms of Policy CUD14, which has been ‘saved’ and still applies to this assessment), however, on this latter point, the policies above now confirm that this is an appropriate location for one of the tallest buildings in Reading, although parts of the site should also respect the local scale of buildings (which is typically around six storeys). Although planning policy has evolved in terms of the criteria for the assessment of tall buildings, officers consider that providing that the materials are of high quality, the proposal would continue to be acceptable in terms of the more recent policies, including the updated guidance on tall buildings by CABE/English Heritage.

- 6.12 The technical matters of effects on skylines, long-range views and micro-climate were tested in the original application and there are considered to have been no significant material changes in circumstances since.
- 6.13 The original report discusses the relationship with surrounding buildings and there is only one change which requires further discussion and that is the effect of the 2008 permission for the change of use to apart-hotel on Garrard House (07/01393/FUL). The principal sensitive receptors are the flats on Merchants Place, to the rear of the Novotel hotel. The apart-hotel proposal included a two-storey roof extension, however, that application included a sunlight and daylighting assessment which involved a cumulative assessment of the two-storey extension and the application which was pending determination at the time for a 29-storey hotel on the 29-35 Station Road site. The relevant committee report remarks: *“The applicant’s light report showed that for the Merchants Place windows that are affected by Garrard House, the new scheme for 29-35 Station Road did not make a lot of different on the relative impact of Garrard House”*. That proposal also had tall structures towards the immediately adjoining buildings. It is therefore concluded that the impact of this proposed 22-storey scheme would have a lesser impact than the 29 storey scheme and cumulatively, the impact on the Merchants Place flats would be acceptable.
- 6.14 Policy RC5 (Design in the Centre) of the RCAAP puts greater emphasis on improving the public realm. The Planning Support Team (Trees and Landscaping) agrees that soft landscaping is not appropriate, given the site coverage of the proposal. Good-quality paving would be provided in the immediate vicinity of the site. However, of increased importance in recent years has been awareness of counter-terrorism measures and the range of design advice from Central Government, including ‘Crowded Places’ has reinforced this. The Police’s Crime Prevention Design Advisor has advised on other occasions that Reading is a potential terrorist target and a tall building with glass atrium is a possible risk. Officers are therefore re-examining measures which may need to be put in place around the base of the building to deter vehicle attack/entry, such as raised planters, bollards, or similar items. An update on this matter will be provided for in your meeting.

iii. The proposed housing provision

- 6.15 Policy RC9 (Living in the Centre) of the RCAAP gives a guide for the residential mix which should be achieved in developments of 15 dwellings or more in central Reading and this would indicate that there should also be a provision of three-bed flats. However, having regard for the nature of the development (high-rise, small balconies, restricted floorplate), officers consider that the original mix of 54x one-bedroom flats and 49x two-bedroom flats, whilst conflicting with Policy RC9, is nevertheless acceptable in this instance.
- 6.16 The original permission included 26 out of the total 103 flats as affordable units (25%), which was agreed as compliant with (the then applicable) Policy HSG2 (Affordable Housing), on the basis of a viability assessment. In this application, 52 of the flats (50%) are now proposed as affordable housing and this is in accordance with Core Strategy Policy CS16 (Affordable Housing) and the Council’s S.106 SPG. The Council’s Housing Development Team is supportive of this provision.

- 6.17 In relation to provision for disabled persons, Local Plan Policy KEY3 (The Role of Development in Improving the Town) has now been superseded by Policy CS5 (Inclusive Access) of the Core Strategy, however, their aims are similar and officers would suggest that the on-site provision of approximately 5% of the units as wheelchair-compliant, each with their own dedicated car parking space, continues to be acceptable in this scheme. The Council's Disabled Access Officer: no objections, provided accessible rooms meet the relevant British Standards for internal dimensions.
- 6.18 Ventilation systems for the flats would be controlled by conditions, as previously, to comply with PPG24 (Planning and Noise). Amenity space is provided for with balconies.
- 6.19 Overall, Officers consider that the mix, type and quality of housing proposed continues to be acceptable and complies with the Development Plan, and inter alia, policies CS34 (Pollution and Water Resources) and CS7 (Design and the Public Realm).

iv. Transport and parking

- 6.20 This is a highly sustainable location near to the central rail and bus interchanges and the minimal level of car parking provided (only for disabled people) is acceptable and is in accordance with the SPD's concept of maximum parking standards, where this site is located within the Zone 1 Central Core Area. Transport Strategy (the Highway Authority) raises no objections. Servicing is off-street and integrated for the ground-floor retail units. Cycle parking is now technically below the standards in the Council's recently adopted SPD on Parking and Design (2009), but officers would take the view that there would be residents here who may choose not to cycle and in this location, would not have to. The provision is that about 70% of units would have a cycle parking space. Officers therefore agree with the advice received from Transport Strategy that in terms of the type of proposal (high-rise, constrained floor areas) when combined with the accessibility of the site, the level of cycle parking to be provided continues to be acceptable. The previous conditions relating to retention of spaces, proper provision of accesses, etc., should continue to apply.
- 6.21 Subject to securing the S.106 contribution towards integrated transport (the level is discussed below), officers advise that the transport and parking arrangements are satisfactory and comply with the relevant policies above.
- 6.22 Sustainability
- 6.23 This is an area of planning policy which has been strengthened in National and local policy since 2005. The applicant previously offered works which were (at the time) 'best practice' in terms of sustainability, which included the Building Research Establishment's "Green Guide to Specification" (for use of low environmental impact/renewable materials), but such measures were not secured by conditions of the permission.
- 6.24 Sustainability standards are now set by BREEAM in relation to commercial developments and the Code for Sustainable Homes (CSH) in relation to residential developments. This is a 'mixed use' scheme, so elements of both standards would normally apply, however, officers advise that the

commercial (A3) elements are too small to be applicable under the BREEAM scheme and only the residential element can be considered under CSH.

- 6.25 The applicant is aware of the Council's 2007 SPD and the requirements of CS1 for a minimum of 50% of the dwellings meeting CSH Code Level 4, the rest to be Code Level 3. The applicant's planning supporting statement indicates ways in which they are would go about this, however, the Council will require details of exactly how these levels will be achieved, so there is confidence that it can be done. Therefore, the applicant has been asked to produce a pre-assessment estimator report and a comprehensive energy statement.
- 6.26 Upon receipt of these documents, officers will consult the Council's specialist sustainability advisors at Thames Valley Energy (TVE) who will advise whether the stated targets are indeed achievable and whether these reports should be accepted in terms of meeting the Council's policies. Once these documents are supplied and providing they fulfil the aims of the policy, conditions would be applied to secure compliance, including the requirement for a post-completion review. A further response on this matter will be supplied in the Update Report.

6.27 Other considerations

Planning obligations

- 6.28 The 2005 permission included a package of contributions and obligations, which were considered to be in accordance with the previous requirements of local plan Policy HSG2 (Affordable Housing) and the Council's SPG on Planning Obligations. The initial offer for this application (in the planning Supporting Statement) was to enter into the same obligation as the original permission, via a simple Deed of Variation. However, on the basis of officer advice, the applicant has now adjusted that offer such that it now complies with the Council's SPG on planning obligations. A new S.106 agreement will need to be prepared. Officers therefore recommend that the application is in accordance with Policy CS9 (Infrastructure, Services, Resources and Amenities) of the Core Strategy.
- 6.29 In summary, the contributions/obligations are as follows:
- 52 Affordable housing units, as discussed above. If there are any further details on the implementation or triggers for this, this will be included in the Update Report.
 - The request from the Council's Transport Strategy section is for £110,149, to be used in the Central Reading Action Plan areas of the Transport Plan. (The original level (£33,775) appears to have been incorrectly calculated in 2004.)
 - The Council's Education Service requests an enhanced contribution of £157,500 towards school infrastructure, on the basis of increased pressure on central Reading schools, to be used to increase space and capacity.
 - The Council's Leisure Services Department requests a contribution of £157,500 towards the continued implementation of the Thames Parks Plan, as a result of increased pressure on these facilities by future occupants.

- A CitySafe contribution of £9,000 per A3 use was applied to the previous approval, as a result of the increased disturbance - particularly at night-time - that A3 restaurant/café uses can cause. Officers are still checking whether camera coverage has improved in the last five years, which may negate this contribution, however, it may be necessary to divert (some of) this contribution towards anti-terrorism measures. The Update Report will discuss these matters further, but for now, the present request is considered to be in accordance with the SPG and Circular 5/2005.
 - The standard contribution towards public art is "1% of the scheme's construction cost", however, without a viability appraisal, the construction cost is not known at the time of writing. Discussions are continuing with the Arts Manager as to how this should be computed for inclusion in the S.106.
 - The paved area is still relevant to the improvement of the public realm in the vicinity of the site; and
 - Discussion above confirms that the original level of disabled-accessible flats and dedicated car parking spaces continues to be acceptable and appropriate now.
- 6.30 Generally, the triggers for the above contributions are as applied in the 2005 permission. The applicant has indicated that he will agree to these contributions and obligations and therefore officers recommend that this is in full accordance with the S.106 SPG and policies of the Development Plan, including Policy CS9 (Infrastructure, Services, Resources and Amenities).
- 6.31 Officers consider that the obligations meet the three statutory tests set out in the Community Infrastructure (CIL) Regulations 2010.

Conditions

- 6.32 The following paragraphs summarise the adjustments which need to be made to the conditions. These are generally comparatively minor and refer to changes which have been made to the Council's standard conditions and other material changes in circumstances or updates, as indicated:
- Condition 14 - Mechanical ventilation: RBC Environmental Protection raises no objections as there have been no significant changes to environmental protection policy. Therefore this condition can be re-applied and is still in accordance with Policy CS34 (Pollution and Water Resources).
 - Condition 17 - Security Management Plan: this should be extended to include laminated glass to the whole of the relevant external faces of the building, in accordance with RCAAP Policy RC5 (Design in the Centre) and its increased emphasis on safety and security in the public realm.
 - Condition 25 - Servicing: This is an additional condition recommended by Transport Strategy and would have appeared to have been pertinent to the original permission, but was omitted and is required, in accordance with 'saved' Local Plan Policy TRN11B (Development and Traffic).
 - Condition 28 - Archaeology: Berkshire Archaeology requires an updated condition for archaeology, to secure compliance with 'saved' Local Plan policies CUD11-13 and new PPS5.

- Condition 29 - Contaminated land: no response from the Environmental Protection Officer on this matter as yet, but this condition (or a variation) is likely to still be required, in accordance with Policy CS34 (Pollution and Water Resources).
- Condition 33 - Active frontages: to ensure, as far as possible, that the development contributes to the vitality of central Reading, in accordance with RCAAP Policy RC10 (Active Frontages).
- Condition 34 - Water supply: Thames Water requests a condition that development should not commence until impact studies have been submitted and approved in relation to water supply. This is considered to be acceptable in this instance, given the particular issues caused by tall buildings and maintaining water pressures, in accordance with Policy CS34 (Pollution and Water Resources).
- Condition 35 - Green/brown roofs: these matters are likely to be identified in the BREEAM details (which will be forthcoming), however, officers are aware of the advantages of rainwater harvesting via green roofs and high-level spaces for birds (via brown roofs) and both are likely to be applicable to this development, in accordance with policies CS34 (Pollution and Water Resources), CS35 (Flooding) and CS36 (Biodiversity and Geology).
- Condition 36 - Sustainability: as discussed in the section above, this is required to secure compliance with Policy CS1 (Sustainable Construction and Design) and the Council's SPD.
- Condition 37 - Takeaways: whilst it is not reasonable to prevent any A3 uses from having ancillary take-away facilities, officers recognise the negative impacts which take-aways can have, particularly in this part of central Reading, hence arrangements for take-aways should be submitted to the Council.
- The previous condition regarding satellite dishes has been removed, due to changes to the General Permitted Development Order which do not allow any dishes on a building comprising flats anyway.

Informatives

- 6.33 Transport Strategy has requested an additional informative regarding works affecting the Highway and reference to the Council's guidance.
- 6.34 Southern Gas Networks provided a response to the consultation, but rather than add an informative about their equipment near the site, officers forwarded this direct to the applicant
- 6.35 The Royal Berkshire Fire and Rescue Service provided a response, but those matters are covered under the Building Regulations and officers forwarded this direct to the applicant.

7. CONCLUSION

- 7.1 Overall, providing that the applicant supplies information to demonstrate compliance with the Council's recently-adopted SPD on Sustainable Design

and Construction, officers advise that this proposal would be in accordance with current planning policy and subject to satisfactory completion of a new S.106 agreement, and recommend that permission be granted for a further period of three years.

Case Officer:
Richard Eatough

Appendix 1: previous Planning Applications Committee reports for permission
04/01395/FUL