

To: Councillor Lovelock (Chair)
Councillors Yeo, Cresswell, Davies,
Emberson, Ennis, Gavin, Goss, Hornsby-
Smith, Leng, Moore, Robinson, Rowland
and Williams

Direct ☎ : 0118 9372303

19 March 2024

Your contact is: **Simon Hill - Committee Services (simon.hill@reading.gov.uk)**

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 27 MARCH 2024

A meeting of the Planning Applications Committee will be held on Wednesday, 27 March 2024 at 6.30 pm in the Reception Area, Civic Offices, Bridge Street, Reading RG1 2LU. The Agenda for the meeting is set out below.

AGENDA	ACTION	WARDS AFFECTED	PAGE NO
1. MINUTES	-		9 - 14
2. DECLARATIONS OF INTEREST	-		
3. QUESTIONS	-		
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision	BOROUGHWIDE	15 - 18
5. PLANNING APPEALS	Information	BOROUGHWIDE	19 - 22
6. APPLICATIONS FOR PRIOR APPROVAL	Information	BOROUGHWIDE	23 - 28

PLANNING APPLICATIONS TO BE CONSIDERED

7. 240063/REG3 - THE HEXAGON, QUEENS WALK	Decision	ABBEY	29 - 50
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Proposal Demolition of some of the existing back of house areas and erection of an extension of the existing Hexagon Theatre to provide a new studio auditorium, flexible rehearsal space, community studio with workshop space and back of house space, along with improved public realm by providing a new podium connection between the new proposed extension and Queens Walk, along with other associated works.

Recommendation Application Permitted

8. 231673/VAR - 55 VASTERN ROAD Decision THAMES 51 - 178

Proposal Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 2 (approved drawings), 24 (unit mix), 33 (roof terrace enclosures), 35 (parking provision) and 47 (Block B glazing and ventilation) of permission 200188 (allowed on appeal under APP/E0345/W/21/3276463 on 17/03/2022 for Demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road), including an increase from 4 to 5 storeys of the western wing of Block B, amendments to the top two floors of Blocks D & E, changes to the unit mix and various other associated alterations (amended description).

Recommendation Application Permitted

9. 231607/FUL - 40 BENNET ROAD Decision WHITLEY 179 - 188

Proposal Application for change of use from B1/B2, to sui generis car servicing and MOT garage and/or B1/B2, with two proposed extensions on the Northern frontage and associated alterations.

Recommendation Application Permitted

10. 240226/FUL - WHITLEY WOOD Decision WHITLEY 189 - 194
MODULAR BUILDING, 29-35
LEXINGTON GROVE

Proposal Erection of Temporary Modular Community Centre for a period of three years.

Recommendation Application Permitted

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Agenda Annex

GUIDE TO PLANNING APPLICATIONS

1. There are many different types of applications processed by the Planning Service and the following codes are used to abbreviate the more common types of permission sought:

FUL - Full detailed planning permission for development or change of use
OUT - Principal of developing a site or changing a use
REM - Detailed matters “reserved matters” - for permission following approval of an outline planning application.
HOU - Applications for works to domestic houses
ADV - Advertisement consent
APC - Approval of details required by planning conditions
VAR - Significant change to a planning permission previously granted
NMA - Insignificant change to a planning permission previously granted
ADJ - Consultation from neighbouring authority on application in their area
LBC - Works to or around a Listed Building
CLE - A certificate to confirm what the existing use of a property is
CLP - A certificate to confirm that a proposed use or development does not require planning permission to be applied for.
REG3 - Indicates that the application has been submitted by the Local Authority.

2. Officer reports often refer to a matter or situation as being “a material consideration”. The following list tries to explain what these might include:

Material planning considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of daylight/sunlight or overshadowing
- Scale and dominance
- Layout and density of buildings
- Appearance and design of development and materials proposed
- Disabled persons' access
- Highway safety
- Traffic and parking issues
- Drainage and flood risk
- Noise, dust, fumes etc
- Impact on character or appearance of area
- Effect on listed buildings and conservation areas
- Effect on trees and wildlife/nature conservation
- Impact on the community and other services
- Economic impact and sustainability
- Government policy
- Proposals in the Local Plan
- Previous planning decisions (including appeal decisions)
- Archaeology

There are also concerns that regulations or case law has established cannot be taken into account. These include:

- Who the applicant is/the applicant's background
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Strength or volume of local opposition
- Construction noise/disturbance during development
- Fears of damage to property
- Maintenance of property
- Boundary disputes, covenants or other property rights
- Rights of way and ownerships disputes over rights of way
- Personal circumstances

Glossary of usual terms

Affordable housing - Housing provided below market price to meet identified needs.

Air Quality Management Area (AQMA) - Area where air quality levels need to be managed.

Apartment-hotel - A use providing basic facilities for self-sufficient living with the amenities of a hotel. Generally classed as C1 (hotels) for planning purposes.

Article 4 Direction - A direction which can be made by the Council to remove normal permitted development rights.

BREEAM - A widely used means of reviewing and improving the environmental performance of generally commercial developments (industrial, retail etc).

Brownfield Land - previously developed land.

Brown roof - A roof surfaced with a broken substrate, e.g. broken bricks.

Building line - The general line along a street beyond which no buildings project.

Bulky goods - Large products requiring shopping trips to be made by car: e.g. DIY or furniture.

CIL - Community Infrastructure Levy. Local authorities in England and Wales levy a charge on new development to be spent on infrastructure to support the development of the area.

Classified Highway Network - The network of main roads, consisting of A, B and C roads.

Conservation Area - areas of special architectural or historic interest designated by the local authority. As designated heritage assets the preservation and enhancement of the area carries great weight in planning permission decisions.

Control of Major Accident Hazards (COMAH) Competent Authority - The Control of Major Accident Hazards Regulations 1999 (COMAH) and their amendments 2005, are the enforcing regulations within the United Kingdom. They are applicable to any establishment storing or otherwise handling large quantities of industrial chemicals of a hazardous nature. Types of establishments include chemical warehousing, chemical production facilities and some distributors.

Dormer Window - Located in the roof of a building, it projects or extends out through the roof, often providing space internally.

Dwelling - A single housing unit - a house, flat, maisonette etc.

Evening Economy A term for the business activities, particularly those used by the public, which take place in the evening such as pubs, clubs, restaurants and arts/cultural uses.

Flood Risk Assessment - A requirement at planning application stage to demonstrate how flood risk will be managed.

Flood Zones - The Environment Agency designates flood zones to reflect the differing risks of flooding. Flood Zone 1 is low probability, Flood Zone 2 is medium probability, Flood Zone 3a is high probability and Flood Zone 3b is functional floodplain.

Granny annexe - A self-contained area within a dwelling house/ the curtilage of a dwelling house but without all the facilities to be self contained and is therefore dependent on the main house for some functions. It will usually be occupied by a relative.

Green roof - A roof with vegetation on top of an impermeable membrane.

Gross floor area - Total floor area of the house, including all floors and garage, measured externally.

Hazardous Substances Consent - Consent required for the presence on, over, or under land of any hazardous substance in excess of controlled quantity.

Historic Parks and Gardens - Parks and gardens of special historic interest, designated by English Heritage.

Housing Association - An independent not-for-profit body that provides low-cost "affordable housing" to meet specific housing needs.

Infrastructure - The basic services and facilities needed for the smooth running of a community.

Lifetime Home - A home which is sufficiently adaptable to allow people to remain in the home despite changing circumstances such as age or disability.

Listed building - Buildings of special architectural or historic interest. Consent is required before works that might affect their character or appearance can be undertaken. They are divided into Grades I, II and II*, with I being of exceptional interest.

Local Plan - The main planning document for a District or Borough.

Luminance - A measure of the luminous intensity of light, usually measured in candelas per square metre.

Major Landscape Feature - these are identified and protected in the Local Plan for being of local significance for their visual and amenity value

Public realm - the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces whether publicly or privately owned.

Scheduled Ancient Monument - Specified nationally important archaeological sites.

Section 106 agreement - A legally binding agreement or obligation entered into by the local authority and a land developer over an issue related to a planning application, under Section 106 of the Town and Country Planning Act 1990.

Sequential approach A method of considering and ranking the suitability of sites for development, so that one type of site is considered before another. Different sequential approaches are applied to different uses.

Sui Generis - A use not specifically defined in the use classes order (2004) - planning permission is always needed to change from a sui generis use.

Sustainable development - Development to improve quality of life and protect the environment in balance with the local economy, for now and future generations.

Sustainable Drainage Systems (SUDS) - This term is taken to cover the whole range of sustainable approaches to surface water drainage management.

Tree Preservation Order (TPO) - An order made by a local planning authority in respect of trees and woodlands. The principal effect of a TPO is to prohibit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of trees without the LPA's consent.

Guide to changes to the Use Classes Order in England.

Changes of use within the same class are not development.

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop - not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial & professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub, wine bar or drinking establishment	A4	Sui generis
Takeaway	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research & development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8
Hotels, boarding & guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Small house in multiple occupation 3-6 residents	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education & training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, theatres, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Present: Councillor Lovelock (Chair);
Councillors Yeo (Vice-Chair), Cresswell, Davies, Emberson,
Hornsby-Smith, Leng, Moore, Robinson, Rowland and Williams

Apologies: Councillors Ennis, Gavin and Goss

RESOLVED ITEMS

97. MINUTES

The Minutes of the meeting held on 31 January 2024 were agreed as a correct record and signed by the Chair.

98. DECLARATIONS OF INTEREST

Councillor Moore declared a pecuniary interest in Item 105 as his partner had carried out the ecological survey on the site.

99. QUESTIONS

Councillor Josh Williams asked the following question of the Chair of the Planning Applications Committee:

Climate Emergency Declaration

Is a Climate Emergency Declaration a material consideration in Planning decisions?

REPLY by the Chair of the Planning Applications Committee (Councillor Lovelock):

There are effectively two considerations in determining planning applications:

1. Whether something is a material consideration;
2. If it is, what weight it is to be given in the overall planning balance?

Material considerations

In determining planning applications, priority is to be given to the development plan, in that applications must be determined in accordance with it, unless material considerations indicate otherwise.

Climate change (and mitigating for its effects) can be a material consideration. For example, a recent case in Medway*, in determining an application for a house extension, the council did not consider it material that the extension would 'overshadow' a neighbour's solar panels. The Court held that this was incorrect; the solar panels made a contribution to the reduction in reliance on non-renewable energy and the effect on them (even minimal) was therefore a material planning consideration which should have been taken into account.

However, the fact that the Council has made a Climate Emergency Declaration is not a material consideration, in that the declaration itself does not have any effect in legal or policy terms, being essentially a statement of belief and intent and a call for government action.

It is likely that issues relating to climate change (and mitigation for it) will already be covered by relevant policies in the development plan, and so will already be material, as part of the plan. For example:

- Policy CC2, Sustainable Design and Construction, supports development “where the design of buildings and site layouts use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change”
- Policy CC3, Adaptation to Climate Change, requires development to “demonstrate how they have been designed to incorporate measures to adapt to climate change”

It is relevant to note that this Council carried out a [review of the Local Plan](#) in March 2023, which identified changes to a number of current policies to better reflect the climate emergency. The Council is currently consulting on a [Local Plan Partial Update](#) as a step to achieve this.

It is also relevant that The Levelling-up and Regeneration Act 2023 includes provisions which will strengthen the current primacy of the development plan. Planning applications will need to be determined in accordance with the development plan, unless material considerations strongly indicate otherwise. These provisions are not yet active but are expected to start later this year.

Weight

Once it has been determined that a factor *is* a material consideration, whether part of the development plan or otherwise, a planning judgment is then required. The decision-makers must determine the weight to be given to all material considerations, to reach an overall conclusion as to the planning balance.

Although it is not a material consideration in its own right, the Climate Emergency Declaration can affect the weight which decision makers decide to give relevant policies. For example, the Declaration would justify placing more weight on policies which relate to climate change to address the climate emergency.

Summary

- Climate change itself is a material consideration, but the Council’s Climate Emergency Declaration is not a material consideration in planning decisions.
- The Council already has policies which are intended to address climate change and mitigation for it. Those policies are currently under review with one aim being to better reflect the Declaration.
- However, the Declaration is relevant in determining the weight which is to be given to material considerations in making planning decisions, in that it can be a justification for giving more weight to climate change issues.

*[McLennan v Medway Council \[2019\] EWHC 1738 \(Admin\)](#)

100. **POTENTIAL SITE VISITS FOR COMMITTEE ITEMS**

The Committee considered a report setting out a schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications. The report also listed previously agreed site visits which were yet to take place.

Resolved -

That the following application be the subject of an unaccompanied site visit:

240063 – The Hexagon Queens Walk

Demolition of some of the existing back of house areas and erection of an extension of the existing Hexagon Theatre to provide a new studio auditorium, flexible rehearsal space, community studio with workshop space and back of house space, along with improved public realm by providing a new podium connection between the new proposed extension and Queens Walk, along with other associated works.

101. **PLANNING APPEALS**

The Committee received a report on notifications received from the Planning Inspectorate on planning appeals registered with them or decisions made and providing summary reports on appeal decisions of interest to the Committee.

Appendix 1 to the report set out details of one new appeal lodged since the last Committee. Appendix 2 to the report set out details of six appeals decided since the last Committee. Appendix 3 to the report set out reports on the following appeal decisions:

221399 – 2 ADELAIDE ROAD

Application for the Demolition of buildings and construction of new dwellinghouses in their place. To construct a one bedroom detached dwelling 64sqm GIA over two storeys. Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class ZA.

Written representations.

Appeal dismissed.

221038/FUL– 37 HILCOT ROAD

Demolition of existing building and erection of three new residential dwellings (C3 Use Class).

Written representations.

Appeal dismissed.

230011/FUL – HONEY END LANE STREET WORKS, HONEY END LANE
5G telecoms installation: H3G 15m street pole and additional equipment cabinets.

Written representations.

Appeal dismissed.

Resolved –

- (1) That the new appeal, as set out in Appendix 1, be noted;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted;
- (3) That the reports on the appeal decisions in Appendix 3 be noted.

102. APPLICATIONS FOR PRIOR APPROVAL

The Committee received a report on the types of development that could be submitted for Prior Approval and providing a summary of applications received and decisions taken in accordance with the prior approval process as set out in the Town and Country Planning (General Permitted Development) Order (GPDO 2015) as amended. Table 1 set out five prior approval applications received, and Table 2 set out three applications for prior approval decided, between 18 January and 14 February 2024.

Resolved – That the report be noted.

103. 231708/CLP - 38 STUART CLOSE, EMMER GREEN

Certificate of Lawful Proposed Development for Hip to gable at the rear of the property with a loft conversion including a rear dormer and ground floor rear extension

The Committee received a report on the above application.

Resolved –

That a Certificate of Lawfulness for the proposed development 231708/CLP be granted subject to the conditions and informatives set out in the report.

104. 231306/VAR - LAND ADJACENT HILLS MEADOW CAR PARK, GEORGE STREET, CAVERSHAM

Proposed development of un-used land adjacent to Hills Meadow Car Park to provide a hand carwash and valeting operation with associated public toilet facilities, refreshment

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 28 FEBRUARY 2024

servery, and waiting area, as originally granted on 30 March 2015, without complying with Condition 2 (temporary 3 year permission) or 3 (Approved plans) of planning permission 141841 and subsequently allowed variation of condition 180869 (temporary 5 year permission and approved plans). This application seeks a further 5 year temporary extension period of time to the original permission 141841 until 30 March 2028, with large awning. [Amended description].

The Committee considered a report on the above application. An update report was tabled at the meeting which set out additional landscaping proposals and plan submitted by the applicant.

Comments and objections were received and considered.

Resolved –

That planning permission for application 231306/VAR be granted, subject to the conditions and informatives as set out in the original report.

105. 230613/REG3 - AMETHYST LANE

In accordance with Section 100B (4) (b) of the Local Government Act 1972, the Chair agreed that this Item be considered as a matter of urgency, to avoid delay to the completion of the S106 legal agreement to allow works to commence on site in 2024 in order to provide affordable housing to meet the critical need that exists in the Borough.

Demolition and redevelopment of the Site at Amethyst Lane to deliver a new respite care facility alongside 17 new houses, soft and hard landscaping, parking and ancillary works.

Further to Minute 72 of the meeting held on 6 December 2023, the Committee considered a report on the above application. The report recommended an amendment to the terms of the proposed s106 agreement for the application, due to an incorrect reference to the proposed tenure of the affordable housing in the report submitted to the meeting on 6 December 2023.

Resolved –

- (1) That the proposed terms of the s106 legal agreement relating to application 230613/REG3 be amended to secure all dwellings as affordable housing, Social Rent tenure, in perpetuity;
- (2) That all other terms of the s106 legal agreement be as agreed at the meeting held on 6 December 2023.

(Councillor Moore declared a pecuniary interest in this item as his partner had carried out the ecological survey on the site. He left the meeting and took no part in the debate or decision).

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 28 FEBRUARY 2024

(The meeting started at 6.30 pm and closed at 6.56 pm)

Planning Applications Committee

27 March 2024



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Title	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS
Purpose of the report	To make a decision
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Not applicable, but still requires a decision
Recommendations	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> 1. note this report and confirm if the site(s) indicated on the appended list are to be visited by Councillors. 2. confirm if there are other sites Councillors wish to visit before reaching a decision on an application. 3. confirm if the site(s) agreed to be visited will be arranged and accompanied by officers or unaccompanied with a briefing note provided by the case officer.

1. Executive Summary

- 1.1. To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit would be appropriate before the matter is presented at Committee and to confirm how the visit will be arranged. A list of potential sites is appended with a note added to say if recommended for a site visit or not.

2. The Proposal

- 2.1. A site visit helps if a proposed development and context is difficult to visualise from the plans and supporting material or to better understand concerns or questions raised by a proposal.
- 2.2. Appendix 1 of this report provides a list of applications received that may be presented to Committee for a decision in due course. Officers will try to indicate in advance if visiting a site to inform your decision making is recommended. Also, Councillors can request that a site is visited by Committee in advance of consideration of the proposal.
- 2.3. However, on occasion, it is only during consideration of a report on a planning application that it becomes apparent that Councillors would benefit from visiting a site to assist in reaching the correct decision. In these instances, Officers or Councillors may request a deferral to allow a visit to be carried out.
- 2.4. Accompanied site visits are appropriate when access to private land is necessary to appreciate matters raised. These visits will be arranged and attended by officers on the designated date and time. Applicants and objectors may observe the process and answer questions when asked but lobbying is discouraged. A site visit is an information gathering opportunity to inform decision making.
- 2.5. Unaccompanied site visits are appropriate when the site can be easily seen from public areas and allow Councillors to visit when convenient to them. In these instances, the

case officer will provide a briefing note on the application and the main issues to assist when visiting the site.

2.6. It is also possible for officers to suggest, or Councillors to request, a visit to a completed development to assess its quality.

2.7. Appendix 2 sets out a list of application sites that have been agreed to be visited at previous committee meetings but are still to be arranged.

3. Contribution to Strategic Aims

4.1 The processing of planning applications contributes to creating a healthy environment with thriving communities and helping the economy within the Borough, identified as the themes of the Council's Corporate Plan.

4. Environmental and Climate Implications

4.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

4.2. The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods.

5. Community Engagement

5.1. Statutory neighbour consultation takes place on planning applications.

6. Equality Implications

6.1. 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.

6.2. It is considered that an Equality Impact Assessment (EIA) is not relevant to the decision on whether sites need to be visited by Planning Application Committee. The decision will not have a differential impact on people with the protected characteristics of; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

7. Legal Implications

7.1. None arising from this report.

8. Financial Implications

8.1. The cost of site visits is met through the normal planning service budget and Councillor costs.

9. Timetable for Implementation

9.1. Site visits are normally scheduled for the Thursday prior to committee. Planning Administration team sends out notification emails when a site visit is arranged.

10. Background Papers

10.1. There are none.

Appendices

1. Potential Site Visit List:

No relevant applications since last PAC

2. Previously Agreed Site Visits with date requested:

- 230745 - "Great Brighams Mead", Vastern Road – accompanied agreed by PAC 06.09.23
- 231041 - Portman Road – unaccompanied agreed by PAC 06.09.23

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Planning Applications Committee

27 March 2024



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Title	PLANNING APPEALS
Purpose of the report	To note the report for information
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Inclusive Economy
Recommendations	The Committee is asked: 1. To note the report.

1. Executive Summary

- 1.1. To advise Committee on notifications received from the Planning Inspectorate on planning appeals registered with them or decision made and to provide summary reports on appeal decisions of interest the Planning Applications Committee.

2. Information provided

- 2.1. Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 2.2. Please see Appendix 2 of this report for appeals decided since the last committee.
- 2.3. Please see Appendix 3 of this report for new Planning Officers reports on those appeal decisions of interest to this committee.

3. Contribution to Strategic Aims

- 3.1. Defending planning appeals made against planning decisions contributes to creating a sustainable environment with active communities and helping the economy within the Borough as identified as the themes of the Council's Corporate Plan.

4. Environmental and Climate Implications

- 4.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 4.2. The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods

5. Community Engagement

- 5.1. Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals, and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. Equality Implications

6.1. 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.

6.2. It is considered that an Equality Impact Assessment (EIA) is not relevant to the decision on whether sites need to be visited by Planning Application Committee. The decision will not have a differential impact on people with the protected characteristics of; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) or sexual orientation.

7. Legal Implications

7.1. Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. Financial Implications

8.1. Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

9. Timetable for Implementation

9.1. Not applicable.

10. Background Papers

10.1. There are none.

APPENDIX 1

Appeals Lodged:

WARD: KATESGROVE
APPEAL NO: APP/E0345/W/23/3334782
CASE NO: 220385
ADDRESS: "Trinity Hall", South Street, Reading
PROPOSAL: Demolition of existing buildings and erection of 22 apartments
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 29.02.2024

APPENDIX 2

Appeals Decided:

WARD: KATESGROVE
APPEAL NO: APP/E0345/W/23/3324763
CASE NO: 221905
ADDRESS: 73 Mount Pleasant, Reading
PROPOSAL: Change of use from dwellinghouse (Class C3) to 5 bedroom small HMO (Class C4) including a single storey rear extension
CASE OFFICER: Marcie Rejwerska
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 26.02.2024

APPENDIX 3

Planning Officers reports on appeal decisions.

- None available at this time.

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Planning Applications Committee

27 March 2024



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Title	APPLICATIONS FOR PRIOR APPROVAL
Purpose of the report	To note the report for information
Report status	Public report
Report author	Julie Williams, Development Manager (Planning & Building Control)
Lead Councillor	Councillor Micky Leng, Lead Councillor for Planning and Assets
Corporate priority	Inclusive Economy
Recommendations	The Committee is asked: 1. To note the report.

1. Executive Summary

- 1.1. To advise Committee of the types of development that can be submitted for Prior Approval and to provide a summary of the applications received and decisions taken in accordance with the prior-approval process as set out in the Town and Country Planning (General Permitted Development) Order (GPDO 2015) as amended.

2. Prior Approval

- 2.1. There are a range of development types and changes of use that can be carried out as permitted development but are subject to the developer first notifying the planning authority of the proposal, for it to confirm that “prior approval” is not needed before exercising the permitted development rights. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.
- 2.2. If the decision is that approval is required, further information may be requested by the planning authority in order for it to determine whether approval should be given. The granting of prior approval can result in conditions being attached to the approval. Prior approval can also be refused, in which case an appeal can be made.
- 2.3. The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is because seeking prior approval is designed to be a light-touch process given that the principle of the development has already been established in the General Permitted Development Order. The government is clear that a local planning authority should not impose unnecessarily onerous requirements on developers should not seek to replicate the planning application system.
- 2.4. However, this means that large development schemes, often involving changes of use to residential, can proceed without meeting many of the adopted planning policies; such as contributing towards affordable housing, and the application fees for these “light touch” applications are significantly less than the equivalent planning application fee.
- 2.5. For this reason, at the Planning Applications Committee meeting on 29 May 2013, it was agreed that a report be brought to future meetings to provide details of applications received for prior approval, those pending a decision and those applications which have

been decided since the last Committee date. It was also requested that a rolling estimate be provided for the possible loss in planning fee income.

3. Types of Prior Approval Applications

- 4.1 The categories of development requiring prior approval appear in different parts of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or amended by the Town and Country Planning (General Permitted Development) (England)(Amendment) Order. Those that are of most relevance to Reading Borough are summarised as follows:

SCHEDULE 2 - Permitted development rights

PART 1 – Development within the curtilage of a dwelling house

- **Householder development – larger home extensions.** Part 2 Class A1.
- **Householder development – upwards extensions.** Part 2 Class AA.

PART 3 — Changes of use

- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes.** Class C.
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure.** Class J.
- **Change of use from A1 shops or A2 financial and professional or a mixed use of A1 or A2 with dwellinghouse to Class C3 dwellinghouse.** Class M
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works.** Class N
- **Change of use from B1 office to C3 dwellinghouse** Class O*.
- **Change of use from B8 storage or distribution to C3 dwellinghouse** Class P
- **Change of use from B1(c) light industrial use to C3 dwellinghouse** Class PA*
- **Change of use from agricultural buildings and land to Class C3 dwellinghouses and building operations reasonably necessary to convert the building to the C3 use.** Class Q.
- **Change of use of 150 sq m or more of an agricultural building (and any land within its curtilage) to flexible use within classes A1, A2, A3, B1, B8, C1 and D2.** Class R.
- **Change of use from Agricultural buildings and land to state funded school or registered nursery D1.** Class S.
- **Change of use from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions) and D2 (assembly and leisure) to state funded school D1.** Class T.

PART 4 - Temporary buildings and uses

- **Temporary use of buildings for film making for up to 9 months in any 27 month period.** Class E

PART 11 – Heritage & Demolition

- **Demolition of buildings.** Class B.

PART 16 - Communications

- **Development by telecommunications code system operators.** Class A
- GPDO Part 11.

PART 20 - Construction of New Dwellinghouses

- **New dwellinghouses on detached blocks of flats** Class A
- **Demolition of buildings and construction of new dwellinghouses in their place.** Class ZA

- 4.2 Those applications for Prior Approval received and yet to be decided are set out in the appended Table 1 and those applications which have been decided are set out in the appended Table 2. The applications are grouped by type of prior approval application. Estimates of the equivalent planning application fees are provided.
- 4.3 The planning considerations to be taken into account when deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA first needs to confirm whether or not prior approval is required before going on to decide the application on its planning merits where prior approval is required.
- 4.4 Details of appeals on prior-approval decisions will be included elsewhere in the agenda.

4. Contribution to strategic aims

- 4.1. Changes of use brought about through the prior approval process are beyond the control or influence of the Council's adopted policies and Supplementary Planning Documents. Therefore, it is not possible to confirm how or if these schemes contribute to the strategic aims of the Council.
- 4.2. However, the permitted development prior approval process allows the LPA to consider a limited range of matters in determination of the application. These are: transport and highways impacts of the development, contamination risks on the site, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development and the provision of adequate natural light in all habitable rooms of the dwellinghouses. Officers will refuse to grant approval or will seek conditions in those cases where a proposal fails to satisfy on these matters thereby contributing to the themes of the Corporate Plan.

5. Environmental and Climate Implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. The Planning Service encourages developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. The Prior Approval process facilitates the re-use of existing buildings and in most cases the refurbishment will be required to comply with current building regulations which seek improved thermal performance of buildings.

6. Community Engagement

- 6.1. Statutory consultation takes place in connection with applications for prior-approval as specified in the Order discussed above

7. Equality Implications

- 7.1. 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.
- 7.2. There are no direct implications arising from the proposals.

8. Legal Implications

- 8.1. None arising from this Report.

9. Financial Implications

- 9.1. Since additional prior notifications were introduced in May 2013, in place of applications for full planning permission, the loss in fee income is now estimated to be £1,887,421, made up of the following:

(Class E (formally office) Prior Approvals - £ 1,702,714

Householder Prior Approvals - £92,820

Retail Prior Approvals - £16,840:

Demolition Prior Approval - £6,623

Storage Prior Approvals - £5716:

Shop to Restaurant/Leisure Prior Approval - £6331;

Light Industrial to Residential - £20,022:

Dwellings on detached block of flats - £2048:

Additional storey on dwellings - £206:

New dwellinghouses on terrace/detached buildings - £17,483.

Demolition of buildings and construction of new dwelling - £128;

Prior approval to mixed use including flats - £2942

Figures since last report:

Class E (formerly office) Prior Approvals - £0

Householder Prior Approvals - £552

- 9.2. However, it should be noted that the prior approval application assessment process is simpler than for full planning permission and the cost to the Council of determining applications for prior approval is therefore proportionately lower. It should also be noted that the fee for full planning applications varies by type and scale of development and does not necessarily equate to the cost of determining them. Finally, it should not be assumed that if the prior approval process did not exist that planning applications for the proposed developments would come forward instead.

10. Timetable for Implementation

- 10.1. Not applicable.

11. Background Papers

- 11.1. The Town and Country Planning (General Permitted Development) (England) Order 2015

- 11.2. The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

Appendices

Table 1 - Applications received since 18 February 2024 to 14 March 2024

Type:	How many received since last report:	Loss in possible fee income:
Householder Prior Approvals	4	£552
Class E Prior Approvals	0	£
Demolition Prior Approval	0	£
Solar Equipment Prior Approval	0	n/a
Prior Notification	0	n/a
Telecommunications Prior Approval	0	n/a
Dwellings on detached block of flats	0	0
Householder Additional Storey	0	0
New dwellinghouses on terrace/detached buildings	0	0
Demolition of buildings and construction of new dwelling	0	0
Prior approval to mixed use including flats	0	£
TOTAL	4	£552

Table 2 - Applications decided since 14 February 2024 to 14 March 2024

Type:	Approved	Refused	Not Required	Withdrawn	Non Determination
Householder Prior Approvals	2	0	4	1	0
Class E Prior Approvals	0	0	0	0	0
Demolition Prior Approval	1	0	0	0	0
Solar Equipment Prior Approval	1	0	0	0	0
Prior Notification/ Other	0	0	0	0	0
Telecommunications Prior Approval	0	0	0	0	0
Dwellings on detached block of flats	0	0	0	0	0
Householder Additional Storey	0	0	0	0	0
New dwellings on terrace buildings or New dwellings on detached buildings	0	0	0	0	0
Demolition of buildings and construction of new dwelling	0	0	0	0	0
Prior approval to mixed use including flats	0	0	0	0	0
TOTAL	4	0	4	1	0

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27 March 2024



Reading

Borough Council

Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Abbey
Planning Application Reference:	240063/REG3
Site Address:	The Hexagon, Queens Walk, Reading, RG1 7QF
Proposed Development	Demolition of some of the existing back of house areas and erection of an extension of the existing Hexagon Theatre to provide a new studio auditorium, flexible rehearsal space, community studio with workshop space and back of house space, along with improved public realm by providing a new podium connection between the new proposed extension and Queens Walk, along with other associated works.
Applicant	Reading Borough Council
Report author	Thomas Bradfield
Deadline:	Original target date: 17/04/2024
Recommendations	Delegate to the Assistant Director for Planning, Transport and Public Protection Services (AD PTPPS) to (i) GRANT full planning permission subject to the satisfactory completion of a Section 106 legal agreement.
S106Terms	To either secure a construction phase Employment Skills and Training Plan or an employment and skills contribution of £4,330 towards an Employment and Skills Plan for the construction phase of the development.
Conditions	<ol style="list-style-type: none"> 1. Full - time limit - three years 2. Approved Plans 3. Materials (samples to be approved prior to commencement of above ground (ie. basement level) works) 4. Mechanical Plant Noise Assessment 5. Noise Mitigation Scheme 6. Air Quality Assessment 7. Contaminated Land Assessment 8. Remediation Scheme (to be submitted) 9. Remediation Scheme (implement and verification) 10. Unidentified Contamination 11. External Lighting 12. Construction Method Statement 13. Hours of Construction 14. No Bonfires on Site 15. Waste and Recycling Storage 16. Sustainable Drainage 17. BREEAM 'Excellent' non-residential Interim

	18. BREEAM non-residential Post Construction 19. Hard and soft landscaping to be approved 20. Arboricultural Method Statement 21. Green Roofs 22. Biodiversity Enhancements 23. Hours of Operation 24. Use of Roof Restricted 25. Vehicle Parking (as specified) 26. Cycle Parking 27. Use restriction
Informatives	<ul style="list-style-type: none"> • Positive and Proactive • Pre-commencement conditions • Highways • S106 • Terms • Building Regulations • Complaints about construction • Contamination • CIL • Thames Water informatives

1. Executive summary

- 1.1. The proposal seeks planning permission to extend the Hexagon Theatre to create a new studio auditorium with associated bar and box office, rehearsal space, community space and back of house facilities. The application site currently contains The Hexagon Theatre, and the proposals would replace the existing 'back of house' areas to the north of the main theatre building (currently sited at basement level). The proposal would provide an additional theatre within the town centre, as well as rehearsal space, community use and enhanced back of house areas which would be used by both the existing theatre and the proposed building. The proposals are considered to intensify the theatre use on the site through the addition of a well-designed extension to the existing building. Furthermore, the proposals would provide community space and enhance the existing theatre facilities at The Hexagon. The proposals would result in some harm to the living conditions of the student housing to the north of the proposal site through loss of light, however, when balanced against the significant benefits of the proposal, including fulfilling the policy aims of the Local Plan and supplementary planning documents, it is considered that the proposal is acceptable.

2. Introduction and Site Description

- 2.1. The application site is on the western side of Queens Walk and contains the Hexagon Theatre, which is a multi-purpose theatre and arts venue. The theatre has capacity for 1,686 people (standing events) or 1,200 (seated), and hosts a variety of performances including concerts, drama, comedy, plays and school events. It is the largest cultural venue in Reading. The building has some architectural significance given the elongated hexagonal shape, and the auditorium is created by concrete trusses infilled with standing seam cladding oversailing a solid masonry base. It is a fine example of distinctive 1970's design. It is not Listed, although Historic England (HE) were asked in 2006 and 2021 to consider the building for listing, but HE determined that the criteria for listing were not fulfilled.



- 2.2. The main part of the site contains the theatre itself, with associated bar and café areas surrounding the auditorium. Back of house areas are contained within a part single, part two storey element of the building on the northern part of the site. This area is where the proposed extension would be.
- 2.3. The theatre can be accessed from both the podium level on Queens Walk (the main entrance, pedestrians only) and also from under the podium, which includes 18 parking spaces for employees and performers. There is also an access on the western side of the site from the IDR sliproad, which is used only irregularly used for deliveries, performers and staff.
- 2.4. The theatre originally formed part of the civic heart of Reading, which included the old Civic Centre directly to the south, which has since been demolished, the police station further to the south and the magistrates courts to further to the south east. To the north of the site is Queen's Court (15 Queens Walk), which is a ten storey former office building, now containing students' accommodation. There are a number of windows which serve a variety of rooms (study/bedrooms, stairwells and hallways) which face directly onto south the application site. To the west is the A329 (the IDR), a large dual carriageway, with terraced housing beyond. Directly to the south and east is an area which is known as Minster Quarter, and is one of the key redevelopment sites in Reading Town Centre. Currently there is not a planning application to redevelopment that area, but it is anticipated that this site will come forward for a residential-led mixed use development. To the north east is Broad Street Mall, a large shopping centre, which is currently the subject of a planning application to partially redevelop the site for high-rise residential and adjusted commercial uses (ref. 240173).
- 2.5. The site is within the Central Area as defined by the Local Plan, as well as the West Side Major Opportunity Area, the area covered by the Minster Quarter Outline Development Framework and the Hosier Street Site Allocation (CR12e). It is also within the Air Quality Management Area (AQMA). The Castle Hill/Russell Street/Oxford Road Conservation Area is on the other side of the A329, to the west. The western side of the site is visible from within the Conservation Area along Howard Street.



3. The proposal

- 2.6. The proposal seeks to demolish the existing 1-2 storey back of house area on the northern part of the site and construct an extension to the Hexagon which would contain a new studio auditorium (230 capacity when all seated, 300 when standing) alongside associated bar, box office and circulation space. In addition, a rehearsal space, community space, roof terrace and improved back of house facilities would be provided. A new link from the main entrance of the extension to the existing podium would be provided to allow access at podium level. This would mean that the replacement proposal is equivalent to three storeys, rising from the basement undercroft area, up to a ground floor level, which is at the same grade as the podium, with a first floor above this. The rear access from the A329 sliproad would be reconfigured to allow for large delivery vehicles. The proposal would reduce the number of car parking spaces for staff and performers from 18 to 12, but would retain the 8 disabled persons' spaces. New cycle storage for staff will be provided, where none is currently provided.
- 2.7. The extension would be constructed from a timber frame, glazed and clad in a lightweight metal screen on the Queens Walk side of the site, with a brick built back of house structure on the western side of the site. The design incorporates a natural ventilation tower at roof level, which reflects the name of the theatre in its hexagonal form. Hard and soft landscaping would be provided at podium level around the entrance, and green roofs would be created. The building seeks to attain a BREEAM 'Excellent' energy rating.
- 2.8. The project is part of the combined cultural regeneration project relating to the relocation of the library and extension and improvement of the Hexagon Theatre. The project was agreed to proceed by Policy Committee on 11th July 2022, with a bid for funding from the government's Levelling Up fund submitted in August 2022 and this was confirmed as being successful in January 2023.
- 2.9. The application is referred to Committee as this is a Council-own (Regulation 3) development, and a major scheme due to the amount of floorspace being created.
- 2.10. The application has been supported with the following documents:

- Air Quality Statement
- Contaminated Land Statement
- Biodiversity Net Gain Assessment
- Ecology Statement
- Landscape Statement
- Cover Letter
- Noise Assessment
- Access Statement
- BREEAM Pre Assessment Report
- Daylight/Sunlight Assessment
- Drainage Strategy
- Energy Statement
- Travel Plan
- Planning Statement
- Sustainability Statement
- Transport Statement
- Arboricultural Impact Assessment
- Design and Access Statement
- Existing Plans and Elevations
- Proposed Plans and Elevations
- SUDS Plan
- Swept Path Analysis
- Demolition Plans

4. Planning history

- 2.11. There is currently an application for a Screening Opinion for whether the scheme requires the submission of a separate Environmental Statement due to the Environmental Impact Assessment Regulations (ref. 230653), but this has been overtaken by the current planning application being considered.
- 2.12. The application site has no other relevant planning history. The theatre itself was constructed around 1977 as has been in continuous use as a theatre since. The red line also includes some land to the south, which was part of the Civic Centre, has been used as allotments, but is now vacant.
- 2.13. This proposal was subject to pre-application discussions with your officers in 2023.
- 2.14. The adjacent building, Queen's Court was converted from office use to 284 student accommodation units and extended by two storeys (ref. 150752) and was latterly re-clad (ref. 190383).

5. Consultations

2.15. The following consultation responses were received from statutory and internal consultees:

RBC Transport Strategy- Additional information was requested relating to cycle storage and swept path analysis for coach drop off points, which was received and found to be acceptable. There are no objections to the proposed development subject to conditions relating to a Construction Method Statement, securing the vehicle parking and securing the cycle parking.

RBC Conservation Officer – No objection to the proposals on heritage grounds.

RBC Environmental Protection – Additional information relating to the air quality and noise mitigation measures was requested and received. No objection subject to the imposition of conditions relating to air quality mitigation, land contamination and noise mitigation measures

RBC Ecology – Additional information was requested relating to the biodiversity calculations and post development habitat plan. This was provided and it was shown that the proposal would achieve a 12.82% Biodiversity Net Gain. No objection subject to conditions to secure biodiversity enhancements and green roofs.

RBC Natural Environment Team (Tree Officer) – No objection subject to the imposition of conditions to secure a landscaping scheme and an arboricultural method statement.

RBC SUDS Manager – Additional information was requested regarding the SUDS layout and was provided. No objection subject to conditions securing the works.

Thames Water – No objection

Public Consultation

2.16. Notification letters were sent to all surrounding occupiers (approximately 500 addresses) on 25 January 2024. Three Site notices were displayed at the site on 31 January 2024. Three responses from neighbours were received, one in support, one objecting and one which requested clarification with regards the impact of the proposals on the South Street Arts Centre.

2.17. The objector raised the following points:

- Loss of daylight/sunlight to the student accommodation to the north at Queen's Court
- Impact/nuisance caused during construction works and upon completion of construction
- Concerns regarding the boundary, land ownership and the impact on the substructure

2.18. The applicant's carried out an extensive public consultation process, meeting directly neighbouring landowners at Queen's Court and Broad Street Mall as well as holding a public exhibition at the Hexagon. The applicant's consultation process raised the following comments:

- Support for a new venue in Reading, in particular a small-scale venue
- Support for development in this area of Reading
- Identifying that accessibility into and within the new theatre building is a high priority
- Comfort within the auditorium is important
- The development should be as sustainable as possible

- Use for amateur and community groups should be incorporated into the proposals
 - An increase in greenery and planting is encouraged
- 2.19. Reading's Economy & Destination Agency (REDA) also commented on the application indicating its support for the proposals.

6. Legal and Planning Policy context

- 2.20. 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).
- 2.21. 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).
- 2.22. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Policy – National Planning Policy Framework (NPPF) December 2023

Section 2 – Achieving Sustainable Development
 Section 4 – Decision Making
 Section 6 – Building a strong, competitive economy
 Section 7 – Ensuring the vitality of town centres
 Section 8 – Promoting healthy and safe communities
 Section 9 – Promoting sustainable transport
 Section 11 – Making Effective Use of Land
 Section 12 – Achieving well-designed and beautiful places
 Section 14 – Meeting the challenge of climate change, flooding and coastal change
 Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the historic environment

Reading Borough Local Plan (November 2019):

CC1: Presumption in Favour of Sustainable Development
 CC2: Sustainable Design and Construction
 CC3: Adaptation to Climate Change
 CC5: Waste Minimisation and Storage
 CC6: Accessibility and the Intensity of Development
 CC7: Design and the Public Realm
 CC8: Safeguarding Amenity
 CC9: Securing Infrastructure
 EN1: Protection and Enhancement of the Historic Environment
 EN3: Enhancement of conservation areas
 EN4: Locally Important Heritage Assets
 EN6: New Development in a Historic Context
 EN12: Biodiversity and the Green Network
 EN14: Trees, Hedges and Woodland
 EN15: Air Quality
 EN17: Noise Generating Equipment
 EN18: Flooding and Drainage
 OU1: New and Existing Community Facilities
 TR1: Achieving the Transport Strategy
 TR3: Access, Traffic and Highway-Related Matters
 TR5: Car and Cycle Parking and Electric Vehicle Charging

CR2: Design in Central Reading
CR3: Public Realm in Central Reading
CR4: Leisure, Culture and Tourism in Central Reading
CR12: West Side Major Opportunity Area

RBC Supplementary Planning Documents

Planning Obligations under S106 (2015)
Sustainable Design and Construction (2019)
Parking Standards and Design (2011)
Employment, Skills and Training (2013)
Minster Quarter Area Outline Development Framework (2018)

Other Documents:

Reading's Culture & Heritage Strategy 2015-2030
Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice - BR209, 2022 edition. Known as the BRE Guidelines.

7. Appraisal

The main considerations are:

- Land Use Considerations
- Impact on Neighbours
- Design Considerations – Layout, Scale, Heritage, Appearance, Public Realm and Access
- Highways and Transport
- Natural Environment and Ecology
- Environmental Protection Matters (Air Quality, Noise, SUDS & Contamination)
- Sustainability

Land Use Considerations

- 2.23. Policy CC1 (Presumption in favour of Sustainable Development) requires a positive approach to development proposals that reflect the presumption in favour of sustainable development, which lies at the heart of the National Planning Policy Framework (NPPF). To achieve sustainable development a proposal needs to meet economic, social and environmental objectives.
- 2.24. Policy OU1 supports new, extended or improved community facilities, particularly where this will involve co-location of facilities on a single site. Proposals for on-site intensification of important facilities will be supported, subject to other policies in the plan. The Policy goes on to state that new community facilities should be located where there is a choice of means of travel (including walking and cycling), and in existing centres where possible. Policy CR4 seeks to direct leisure and cultural development to the central area, and states that innovative solutions to make the best use of limited available land would be encouraged.
- 2.25. Local Plan Policy CR12 identifies the West Side Major Opportunity Area, which includes the site. It envisions this part of Reading as a mixed-use extension to the centre of town containing high quality mixed use environments. In particular the site is covered by the CR12e Hosier Street Allocation, which seeks to provide 500-750 dwellings as well as 4,000-6,000sqm of retail and leisure uses. In particular it encourages the retention of the Hexagon theatre, and its improvement.
- 2.26. The Minster Quarter Development Framework (MQDF) covers the site and wider area. It provides a brief for future development of the Minster Quarter area. In relation to this site, it envisions "Hexagon Square" just outside the front of the existing theatre as the heart of the new quarter, and improvements to the Hexagon, particularly with regards the entrance.

- 2.27. The proposal involves the creation of a new theatre space on/adjacent to the existing theatre site, alongside ancillary uses, rehearsal space and dedicated community space. Policy OU1 specifically encourages the co-location of facilities on a single site, and supports the intensification of community and leisure uses in appropriate locations. Furthermore, it seeks to locate new community facilities in locations where there is a choice of means of travel and in existing centres. Policy CC6 supports this aim, stating that the scale density of new development should be appropriate to the level of accessibility. Given the location is highly accessible, it is considered that the site is highly appropriate for this type of development. The proposal would provide a new theatre co-located with the Hexagon, as well as improving the existing theatre through enhanced back of house facilities as well as other spaces within the new building which support both theatres in a sustainable location with access to multiple means of travel.
- 2.28. The proposal would also meet the aspirations of both Local Plan Policy CR12 and the MQDF in providing high quality leisure and community floorspace in the heart of the Minster Quarter, enhancing the existing theatre and providing an improved entrance to the facility at podium level.
- 2.29. The proposal represents an appropriate use in this location, and would provide considerable benefits to the arts and night time economy in Reading town centre. The provision of a new theatre space provides opportunities for additional events that would be more appropriate in a smaller space than the large auditorium in the existing building. The provision of a community studio space and rehearsal space would significantly enhance opportunities for community groups and upcoming performers. The back of house improvements would benefit the existing Hexagon theatre as well as provide functions for the new auditorium. Furthermore, the improvements to Queens Walk would significantly enhance the public realm in line with the policy requirements, and will be discussed in further detail later in the report. Given this, the proposal is considered acceptable in terms of land use.
- 2.30. The consultation process yielded one comment which raised concerns regarding the impact that this proposal would have on the future of the South Street Arts Centre, another small theatre and arts venue in Reading. Whilst this is not a planning consideration, the applicant has confirmed that the proposed facility is in addition to Reading's existing cultural offering, and is not a replacement for other venues.

Impact on Neighbours

- 2.31. Policy CC8 (Safeguarding Amenity) of the Local Plan states that development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties. Amongst its considerations, the policy highlights access to daylight and sunlight, 'visual dominance' and overbearing effects of a development, harm to outlook and noise impacts of the development that could impact on a neighbour's living conditions.
- 2.32. The nearest sensitive use is directly to the north at Queen's Court, which is a ten storey building containing student accommodation. The closest residential dwellings are to the west on the other side of the A329, but given the intervening distance and the scale of the proposals, they are not considered to be affected by the proposals.
- 2.33. The proposals would be in close proximity to the southern elevation of Queen's Court, which has numerous windows facing towards the application site. The windows face directly south towards the site on each floor, and serve bedrooms, kitchens, stairwells, corridors and study spaces.
- 2.34. At basement level (below podium level), the proposed building would be sited on the northern boundary of the site, 2m away from Queen's Court. At podium level ('street level'), the proposal between 2m and 4m away from the southern face of Queen's Walk. At first floor level the proposal is almost entirely set off from the boundary, at 4m from the side elevation of Queen's Court. These are close separation distances and as such, the proposals would have an impact on the amenities of the affected rooms in terms of daylight, sunlight and outlook as per Policy CC8.

Daylight

- 2.35. The applicant has submitted a comprehensive daylight and sunlight report which provides an assessment of the impact of the proposed building on the daylight and sunlight levels to the rooms which the windows serve. The report assessed 212 windows that could be affected by the proposals and found that 25 windows would experience a loss of daylight beyond the Building Research Establishment (BRE) guidelines. These affected windows are on the ground and first floor of the building on the southernmost elevation, and serve 20 study/bedrooms, some of which contain kitchen areas, as well as stairwells and corridors. Of the 25 windows which will lose daylight, 6 would experience minor reductions (up to 29% in daylight reduction), which is considered acceptable in planning terms. The other 19 windows would experience more significant reductions in daylight. Both study/bedrooms with and without kitchens are considered to be 'habitable rooms' under the BRE guidance, and so loss of light to these areas is considered to be more harmful than to corridors or stairwells. The below image taken from the submitted report identifies the affected windows:

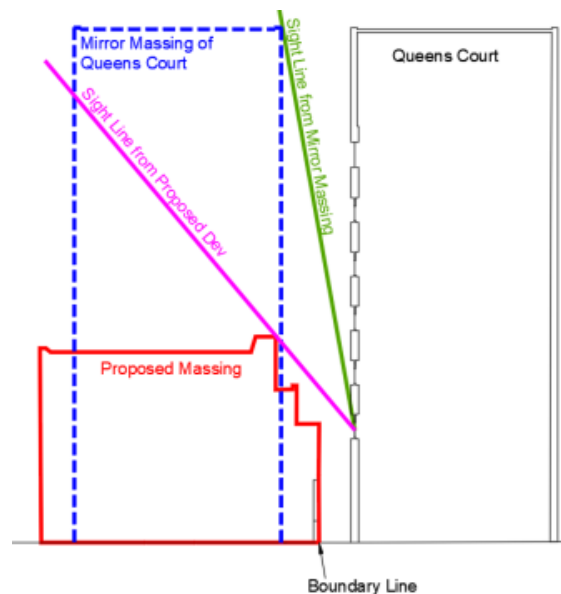


Sunlight

- 2.36. The report also assessed the impact of the proposal on the sunlight received for rooms facing onto the site. Of the 127 rooms assessed which have a window facing towards the application site, 115 rooms would continue to meet the BRE criteria. The remaining 12 rooms which do not meet the criteria would not meet the guidelines due to a reduction in the winter sunlight hours only. These rooms are 2 kitchens within study bedroom units and 10 study/bedrooms and are located on the ground floor only, no communal amenity areas are affected. All rooms would, however, meet the BRE recommended criteria for annual sunlight hours, i.e. when considered across the year, average levels of sunlight would be acceptable when reviewed against the BRE Guidelines, but would be below the relevant threshold during winter. The below image, taken from the submitted report shows the windows which would not meet the guidelines for winter sunlight.



- 2.37. The submitted report identifies that the proposals would cause harm to the living conditions of the residents at Queen's Court through loss of daylight and sunlight. The Queen's Court building was originally constructed as an office building facing directly onto the back of house area of the theatre. The original relationship between the two sites has resulted in a situation where the relationship between the two developments is already very close. Given the proximity of Queen's Court to the boundary of the site, and the position of the proposal on and close to the boundary of the application site, between 2m and 4m away from the south facing windows, the proposal would also result in an overbearing presence and a loss of outlook, particularly to the ground floor (podium level) windows, as well as the impacts on daylight and sunlight as outlined in the previous paragraphs. It is important to note that the proposals would only affect the study/bedrooms, some of which include their own kitchen facilities, and none of the windows serve communal living spaces. Where harm has been established, certain factors can play a part in mitigating that harm. In this case, there are several mitigating factors which should be borne in mind.
- 2.38. The Queen's Court building was converted from office use to student accommodation, and offers either 44 or 51 week tenancies to students. Short stays at the site (minimum 1 week) are also offered and this appears to be out of term time. These arrangements indicate that there is some turnover of tenants within the building, and although there are some short stays, many of the tenants are likely to be there for a year, but may stay longer if tenancies are available. Each student has their own study-bedroom, although there are different arrangements, including some with their own kitchen, and so logic dictates that these occupants are more likely to spend time in their study/bedroom and so are more susceptible to impacts on their light levels. The windows facing onto the application site only serve study-bedrooms and bedrooms with kitchens, as well as several corridor/stairwell windows. There are also numerous other amenity facilities within Queen's Court, including a gym and fitness studio, cinema room, games rooms, dining area and study areas, as well as an external courtyard amenity space. This allows residents other spaces to use other than the study/bedrooms which are most affected by the proposals. Given this, it is clear that whilst the impact on the identified rooms and windows is significant in places, the nature of the use of the building is such that there are other areas which the residents regularly use which have suitable amenity.
- 2.39. Whilst the daylight loss for the 25 windows identified in the report is significant compared to the daylight received currently, another assessment technique in the BRE guidance is the 'Vertical Sky Component' (VSC) values of the windows. This is a measure of the amount of sky visible from a given point (usually taken from the centre of the window), and is expressed as a percentage. All of the 25 windows which are affected by the proposals would retain a VSC of 10% or higher, and the average across these windows would be 15%. It is accepted practice that VSC values over 20% are considered reasonably good, in the mid-teens can be considered acceptable, but below 10%, the availability of direct light from the sky will be poor. Given the VSC values, and the urban location, it is considered that although there is a loss of daylight to the windows, on average, the VSC value demonstrates that in terms of this important measure, the daylight levels nevertheless remain comparatively reasonable for this dense urban location.
- 2.40. The BRE guidelines further establish the 'bad neighbour' principle, recognising that some buildings are inherently bad neighbours and are sited too close to their boundary to expect high levels of daylight. Queen's Court is within 2m of the boundary with the application site and can be considered as a bad neighbour as it constrains the development potential of the application site if the BRE guideline tests for daylight and sunlight are rigidly adhered to, and therefore larger reductions of daylight and sunlight should be expected by this adjacent development. The BRE Guidelines set out a Mirror Massing Assessment, which is used to demonstrate that if a bad neighbour building were replicated on the development site, what the light implications would be for the existing building. The applicants have carried this out, and provided the below image to demonstrate the difference:



- 2.41. The mirror massing of Queen’s Court creates an obstruction angle of 80 degrees, which is equivalent to approximately 3% VSC value. Therefore the alternative target value of 3% would be considered a reasonable VSC value when using this method of assessment. Given the proposals would have a VSC value of 10% as a minimum, this would exceed the 3% suggested by the Mirror Massing Assessment.
- 2.42. Overall, it is accepted that the proposal would cause harm to the living conditions of the neighbouring student accommodation through loss of light, outlook and the creation of an increased overbearing presence in close proximity to the boundary. This harm is mitigated somewhat given the nature of the adjoining use and the provision of a largely acceptable VSC value to many of the windows. Furthermore, the application of the Mirror Massing Assessment demonstrates that Queen’s Court relies on the current open nature of the Hexagon site to “borrow” outlook and light to achieve the light levels as existing. The Mirror Massing Assessment demonstrates that Queen’s Court can be considered a bad neighbour, and it is not reasonable to expect that the light and outlook levels can be retained where development is presented in such situations. Forthcoming development, for example at Broad Street Mall, must be considered in terms of an increase in overshadowing and loss of light, but given no permission exists on that site currently, this should only be given very limited weight. These mitigating factors would not fully overcome the harm that would arise from the introduction of the proposed building, however, officers consider that the impact of the harm is lessened in this instance. Given this, the proposal would fail to adhere to Local Plan Policy CC8 in its entirety, and this harm must be weighed in the planning balance against the benefits of the scheme.

Design Considerations – Layout, Scale, Heritage and Appearance

- 2.43. Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves local character. The policy places importance on the layout of the urban structure and urban grain, stipulating that development should respond positively to the local context and create safe and accessible environments. The policy requires, “...high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located”.
- 2.44. The application relates to one of the landmark buildings in Reading, the Hexagon, which has a distinctive character due to its Brutalist hexagonal form. The current theatre is readily visible from Queens Walk and the podium level, and whilst it presents an attractive façade itself, has become somewhat isolated in recent years, and the experience of the Hexagon from the podium level is not as welcoming and attractive as it could be, particularly given that the main access is accessed via stairs from the podium.

- 2.45. The proposal would replace existing back of house space to the north of the Hexagon building, introducing a larger scale of development on this side of the Hexagon when compared with the current built form. Considering the unique design characteristics of the Hexagon itself, the proposed rectangular form of the new extension would not compete with the architectural form of the main building. The introduction of podium-level access, a glazed frontage, and active uses such as the bar/café and roof terrace will significantly increase the legibility of the cultural offering in this part of Reading. Furthermore, the activation of this part of Queens Walk at podium level would provide an enhanced visitor experience for both the new theatre and the existing Hexagon. The proposed use, access route to Queens Walk, internal and external spaces would complement the Hexagon's original use and would enhance the setting of the Hexagon, particularly when viewed from Queen's Walk.
- 2.46. The proposed extension would reflect important characteristics of the main Hexagon building, without seeking to copy the original building, or become more prominent. The use of a timber structure with concrete decks and steel columns would refer to both the architecture of the Hexagon itself and the wider immediate environment by using complementary materials and an appropriate design style. The repetition of the hexagon shape in the ventilation stack would also ensure that the building reflects the unique architectural style of the existing theatre. The ventilation stack provides an attractive and visible marker which would aid in pathfinding from along Dusseldorf Way and other views across the Minster Quarter Area, signifying the Hexagon cultural quarter.
- 2.47. The extension of the podium to provide access into the new theatre would provide additional high quality public space and an improved entrance to the theatre facilities. Given the existing entrance to the Hexagon is not at the same level as the podium, and requires stepped or ramped access, this would bring significant advantages, and would contribute towards the aims of Local Plan Policy CR12 and the MQDF, especially when combined with the increase in planting at both podium level and roof level with green roofs provided.
- 2.48. Policy EN1 of the Local Plan seeks to protect and enhance the historic environment. Policy EN3 requires development to contribute positively to local character and distinctiveness. Policy EN4 requires development to demonstrate that the development conserves locally important heritage assets.
- 2.49. The site is not within a conservation area, nor is the building listed. However, it can be considered as a non-designated heritage asset given its local significance and the unique nature of its design. The application site is located in between two Conservation Areas, St Mary's Butts/Castle Street to the east and Castle Hill/Russell Street/Oxford Road to the west. There are some Listed Buildings nearby, including the Grade 1 Listed Church of St Mary (the Minster), although these are set some distance from the application site.



- 2.50. Given the distance from designated heritage assets, such as the Grade 1 Listed St Mary's Church and the two Conservation Areas, combined with the high quality of design and appropriate scale within its context, it is considered that the proposal would not result in any harm to the setting or views of the designated heritage assets.
- 2.51. Overall, the proposal would represent a high quality design, which reflects important aspects of its immediate surroundings, in particular the Hexagon itself, and would provide significant improvements to the public realm at Queen's Walk. The scale is acceptable in townscape terms, and would be appropriate in its position adjacent to the Hexagon. The proposal is therefore considered to comply with relevant design policies, and would be acceptable in this regard.

Highways and Transport

- 2.52. Policies TR3 (Access, Traffic and Highway related matters), TR1 (Achieving the Transport Strategy) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) of the Local Plan seek to ensure that development has an appropriate relationship with the transport network, and encourage the use of public transport, walking and cycling.
- 2.53. The site is within the Reading Central Area, and is well served by rail and bus links, as well as having a large number of public car parking spaces nearby (within the Broad Street Mall car park). There are extensive on-street car parking restrictions in the area which prevent on-street parking. The proposal would result in a reduction in car parking spaces, from 18 to 12 due to the space needed to create the podium level pedestrian link. The 12 spaces would be provided in the same area as the existing spaces, and the 8 disabled persons' spaces would be retained. No visitor parking, other than accessible parking, would be provided. Given the location of the site in an area with great public transport links, and the proximity to public car parks, this level of provision is considered to be acceptable.
- 2.54. New cycle parking would be provided for staff in an internal cycle store at basement level, along with end of trip facilities such as a shower. This is an improvement on the existing situation, as there are currently no cycle parking spaces on site.
- 2.55. The proposals could accommodate 244 seated attendees, or 321 standing, alongside the existing provision at the Hexagon. The number of staff on site is expected to be unchanged as a result of the development proposals. The applicant has undertaken travel surveys which demonstrate that 55% of visitors travel to the Hexagon by car, with 45% travelling by sustainable modes of transport. Therefore, in a worst case scenario (321 attendees), the new space may generate approximately 178 additional trips to the site. Whilst this represents an increase on the existing trip generation, it is unlikely to result in a material impact on traffic flows on the surrounding highway network, or the public transport system.
- 2.56. The proposal would provide a new podium-level pedestrian link connecting Queen's Walk to the new extension, which would provide improved access into the Hexagon at an appropriate location. This represents a significant benefit in terms of accessibility into both theatres.
- 2.57. The proposals would reconfigure the existing Hexagon loading area, moving the loading area from the eastern side to the western side to create a unified loading area for back of house operations accessed from the A329 IDR. This results in the removal of the need to park lorries and other large vehicles at the front of the Hexagon, minimising interaction with coach drop offs, staff parking and disabled parking, which is a benefit. Swept paths have been submitted to demonstrate that two HGVs can be accommodated on site simultaneously. Deliveries are not expected to increase, and the proposed extension would use the same waste and recycling storage and collection arrangements as the existing building, which is considered to be acceptable.
- 2.58. The provision of a new theatre with associated other uses is in a highly accessible location, with multiple methods of transport viable for access to the site. It would improve the existing servicing and access arrangements at the Hexagon, and would introduce

cycle parking and facilities for staff to the site. Furthermore, it would provide an adequate level of car parking. The proposal would result in any unacceptable impact on the highway network, and is considered acceptable in this regard.

Natural Environment and Ecology

- 2.59. Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposal should include appropriate landscaping. Proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.
- 2.60. The site is within Abbey ward, which has the lowest tree canopy cover in the Borough, and is within the Air Quality Management Area. The site is a very urban present location, with significant levels of hard surfacing and limited opportunities for planting given the nature of the podium and level differences. The need for additional tree planting is therefore of significant importance. Furthermore, given the importance of the site in its position within the Minster Quarter area, proposals should ensure that high quality hard and soft landscaping is provided.
- 2.61. Significant planting and landscaping will be difficult to achieve because of the constrained nature of the site, changes in levels between the basement and podium and the urban nature of the immediate area. The proposals would introduce hard landscaping to the front of the building to allow for the new link to the podium, alongside planters with trees on the Queens Walk frontage. The proposal would also include green roofs and a number of biodiversity enhancements. The proposals have provided an appropriate level of soft landscaping, considering the restrictions on the site, which would fit into the wider aspirations for the area, and would introduce green roofs and planters with trees to an area with very little existing greenery. The hard landscaping linking Queens Walk with the theatre would ensure a high quality finish, and would represent a significant improvement on the existing arrangements.
- 2.62. Policy EN12 (Biodiversity and the Green Network) seeks that development should not result in a net loss of biodiversity and should provide for a net gain of biodiversity wherever possible by protecting, enhancing and incorporating features of biodiversity on and adjacent to development sites and by providing new tree planting and wildlife friendly landscaping and ecological enhancements wherever practicable.
- 2.63. The applicant has demonstrated that the site does not currently accommodate for protected species, but there are likely to be some areas of the site which are used for nesting birds, with some offsite trees nearby (within the Minster Quarter site) having potential for roosting bats. The applicant has recommended some precautionary measures which would ensure that the works would not affect protected species, which would be secured by condition.
- 2.64. The applicant has provided a Biodiversity Net Gain (BNG) assessment, which demonstrates that the proposal would result in a net gain of 0.16 biodiversity units, equating to an increase of 12.82%. This is achieved through the creation of two green roofs, which would be secured by condition.
- 2.65. The proposals would provide adequate levels of hard and soft landscaping and ecology enhancements, which would comply with Local Plan Policies EN12 and EN14.

Environmental Protection Matters (Air Quality, Noise, SUDS & Contamination)

- 2.66. Policy EN15 (Air Quality) requires development to have regard to the need to improve air quality and reduce the effects of poor air quality, especially within the Air Quality Management Area (AQMA). Policy EN17 (Noise Generating Equipment) requires development to ensure noise arising from equipment does not result in harm. Policy CC8 requires development to ensure that noise arising from the use or operation does not have any negative impact on neighbouring residents. Policy EN18 (Flooding and Sustainable Drainage Systems) requires Major development to incorporate SuDS. Policy EN16 (Pollution and Water Resources) required that developments on land

affected by contamination can be satisfactorily managed or remediated against so that it is suitable for the proposed use. Past uses of the application indicate that contamination may be present/possible.

- 2.67. The site is within the AQMA, and therefore must consider appropriate mitigation measures where a potential increase in pollutants exists. The applicant has demonstrated that the proposal would have a negligible impact on air quality due to the nature of the use and mitigation measures proposed. The applicants are encouraging the use of sustainable modes of transport through the provision of cycle facilities on site, a reduction in car parking on site and would seek the BREEAM Excellent accreditation. It is considered that the proposals are sufficient to ensure that there would not be a negative impact on air quality, and mitigation measures would be secured by condition.
- 2.68. The proposals would result in an increase in activity (ie. noise disturbance) at the site. The nearest noise receptor would be at Queen's Court. A noise assessment has been submitted as part of the application, which demonstrates that there would be no significant impact on the neighbouring building, however, further information regarding mechanical plant noise and noise insulation would be secured by condition. A Construction Method Statement will be secured by condition to ensure that the construction process would be managed appropriately to ensure minimal impact on neighbouring uses.
- 2.69. The applicant has submitted a desk top study which identifies that there is likely to be a low risk of contaminated land at the site, but recommends an investigation to confirm. This would be secured by condition.
- 2.70. The building would have glazing facing onto Queens Walk, which would result in some lightspill in an easterly direction. The flank wall facing Queen's Court does not contain glazing, and is unlikely to result in significant lightspill, ensuring that there would be no harm to the neighbouring student accommodation. A condition is recommended to provide additional information relating to light levels at the site to ensure that lightspill from inside the building would not impact on neighbouring residents.
- 2.71. Further conditions securing a Construction Method Statement, hours of construction and preventing bonfires on site have been recommended to ensure that disruption during the construction process would be minimal.
- 2.72. The applicant has presented a Sustainable Drainage Strategy which would be satisfactory and would be secured by condition.

Sustainability

- 2.73. Policy CC2 (Sustainable Design and Construction) seeks major non-residential to meet BREEAM excellent standards where possible.
- 2.74. The proposals seek to achieve BREEAM Excellent standards, which is compliant with policy, and would bring forward a sustainable scheme. The proposal would utilise Air Source Heat Pumps and solar panels at roof level to achieve this. The construction process would also use sustainable materials. Conditions are recommended to secure this.

Legal Agreement

- 2.75. The overarching infrastructure Policy CC9 (Securing Infrastructure) allows for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. The following obligations would be sought and as set out in the recommendation above.
- 2.76. Employment and Skills Plan (ESP) for the Construction phases of the development. This is required in line with Policy CC9 (Securing Infrastructure) and the Employment, Skills and Training SPD. It is not yet known whether this will take the form of an actual ESP to be progressed by them on site, or payment of an equivalent financial contribution, as

per the SPD formula. The legal agreement will be worded flexibly to enable either eventuality.

- To secure a construction phase Employment Skills and Training Plan or equivalent financial contribution (**£4,330**).

8. Equality implications

2.77. 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.

2.78. 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. Furthermore, the proposal would be a positive addition to Reading in terms of its use and the complementary nature of the uses and significant improvement in terms of access for all into both the existing Hexagon and the new theatre.

9. Conclusion and Planning Balance

2.79. As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.

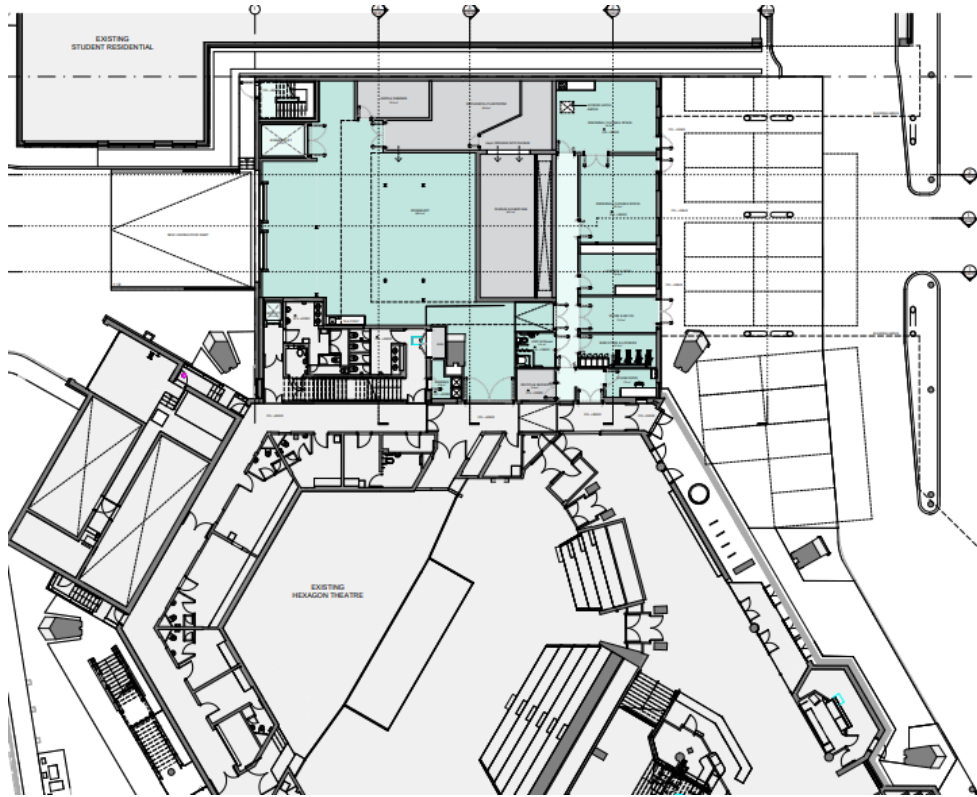
2.80. The proposals would result in significant benefits, including the provision of a new theatre within the town centre, alongside community space which can be used in conjunction with the rehearsal space and other facilities at the site. The proposals would also provide improvements to the existing theatre facility at the Hexagon, through greatly improved back of house space, a reorganised delivery and servicing provision and the provision of cycle parking for staff. These improvements to the arts and culture offer within Reading Town Centre carry great weight in considering the proposal. Furthermore, the proposals bring significant public realm improvements in a key location within an allocated Opportunity Area, and would introduce a building of high quality design in a key cultural quarter of Reading. The high quality design and public realm improvements carry significant weight when assessing the application.

2.81. The proposals would cause harm to the living conditions for some occupiers of the neighbouring student accommodation at Queen's Court to the north, through a loss of light and outlook, as well as the creation of an overbearing presence. However, the severity of this harm is considered to partly due to the orientation, proximity and siting/history of the adjacent building, which was designed as an office block and largely relies for its outlook and daylight over the adjacent site (the application site). This situation is not considered to prevent development given the significant benefits of the scheme.

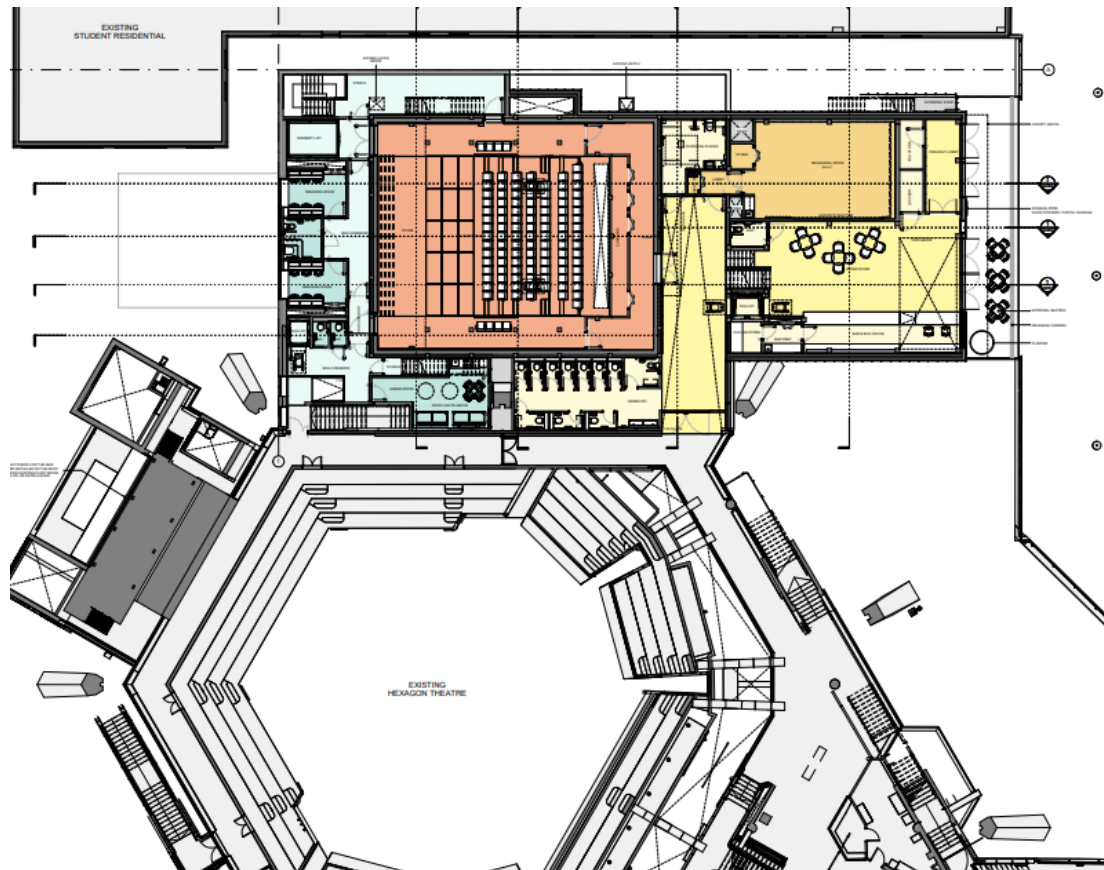
2.82. On balance, the benefits that the proposals would bring to Reading outweigh the limited instance of harm caused by the proposal. The significance of a new cultural facility in this part of the town, alongside the benefits to the existing Hexagon theatre, as well as the public realm and design quality would be so great that they would overcome the harm caused to living conditions at the neighbouring site.

2.83. Given this, the application is recommended to be approved, subject to relevant planning conditions and legal agreement.

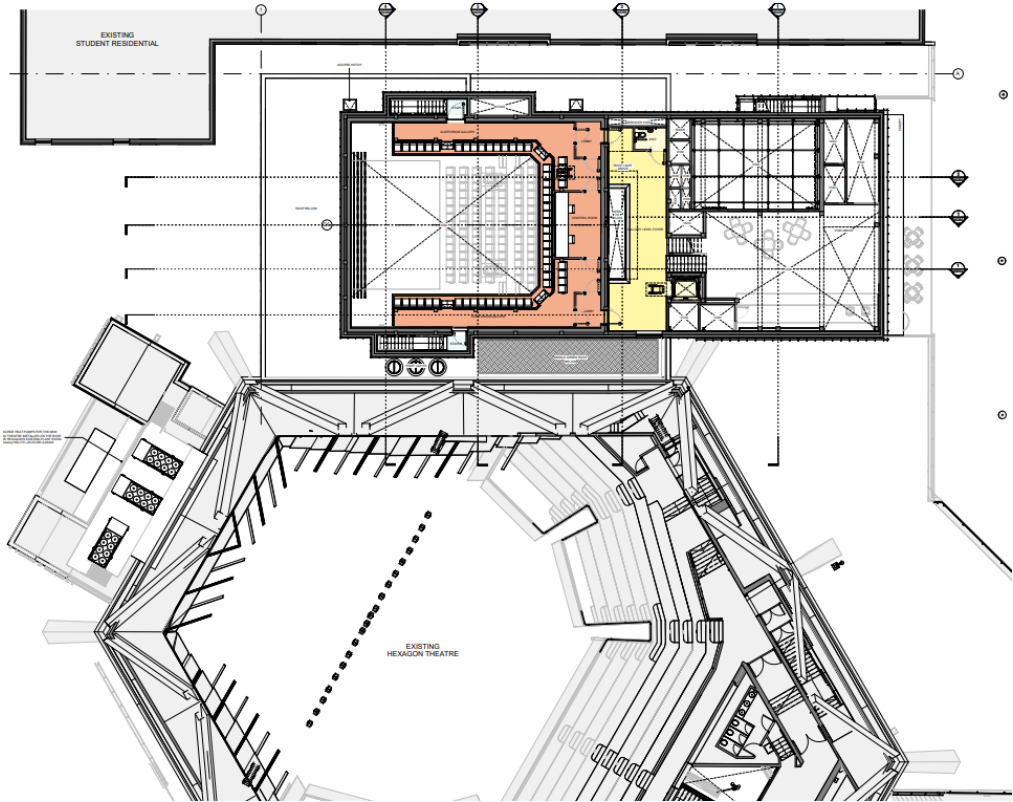
Basement Plan (below podium level)



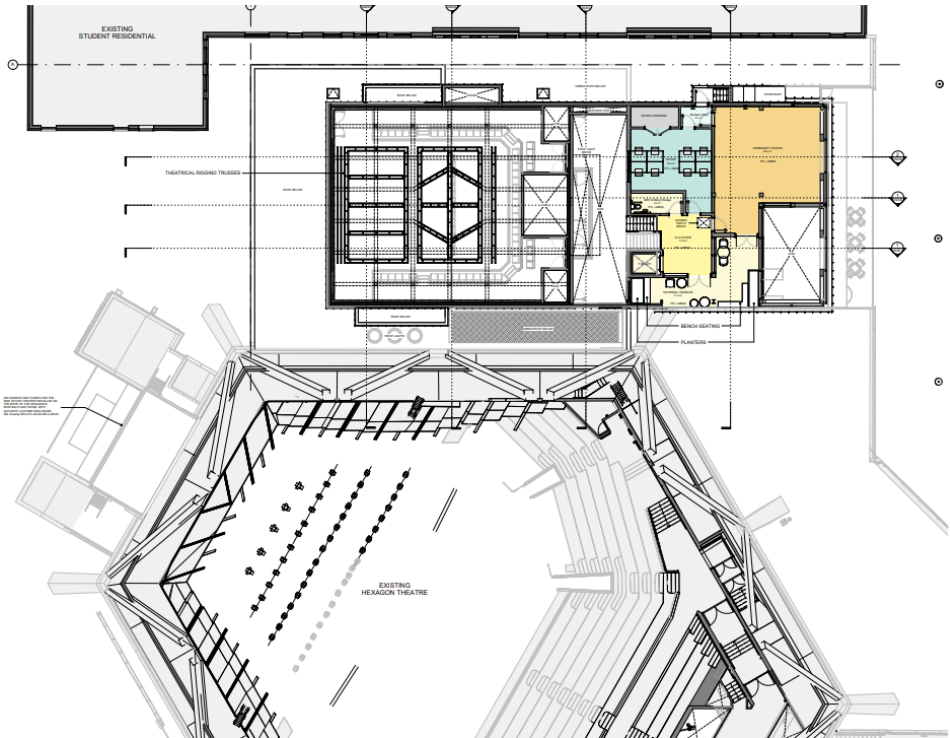
Ground Floor Plan (Podium level)



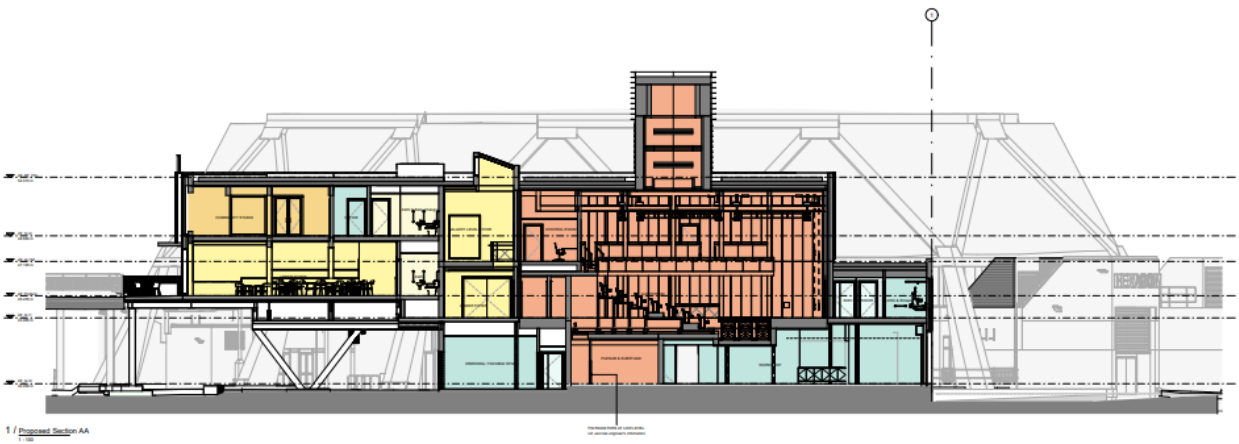
Mezzanine Level



First floor level (above podium)



Site Sections





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27 March 2024



Reading

Borough Council

Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Thames
Planning Application Reference:	231673/VAR
Site Address:	55 Vastern Road, ReadingRG1 8BU
Proposed Development	<p>Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 2 (approved drawings), 24 (unit mix), 33 (roof terrace enclosures), 35 (parking provision) and 47 (Block B glazing and ventilation) of permission 200188 (allowed on appeal under APP/E0345/W/21/3276463 on 17/03/2022 for Demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road), including an increase from 4 to 5 storeys of the western wing of Block B, amendments to the top two floors of Blocks D & E, changes to the unit mix and various other associated alterations (amended description).</p>
Applicant	Berkeley Homes (Oxford and Chiltern) Ltd.
Report author	Jonathan Markwell, Principal Planning Officer
Deadline:	11 th April 2024
Recommendation	Grant variation of conditions 2, 24, 33, 35 and 47, as sought by the applicant and, additionally, vary the wording of conditions 4, 5, 6, 10, 11, 15, 22, 31, 42 and 46.
Conditions	<p>Condition 2 (approved plans) varied for drawing numbers to align with those referenced at paragraphs 3.27 to 3.31 below and those as per the original decision which have not been submitted with this application but remain relevant.</p> <p>Condition 24 (unit mix) varied to: No change to the unit mix (70 x 1-bedroom units, 116 x 2-bedroom units, 20 x 3-bedroom units and 3 x 4-bedroom units) shall be made to the development hereby permitted</p> <p>Condition 33 (roof terrace enclosures) varied to solely reference this being required in respect of the 8th floor level at Block D (no longer required at 6th floor level of Block E owing to design changes)</p> <p>Condition 35 (parking provision) varied to reflect the updated plans referenced in the condition and the altered parking arrangements proposed</p>

Condition 47 (Block B glazing and ventilation) varied to reflect the updated plans referenced in the condition and incorporating the changes to the scheme (e.g. the additional storey within Block B)

Additionally, the following conditions are varied:

Condition 4 (Demolition and Construction Method Statement) varied to reflect that this condition has been satisfied by application 221135/APPCON

Condition 5 (contamination assessment) varied to reflect that this condition has been satisfied by application 230556/APPCON.

Condition 6 (remediation scheme) varied to reflect that this condition has been satisfied by application 230556/APPCON

Condition 10 (Land gas) varied to reflect that parts of this condition (10a & 10b) have been satisfied by applications 221104/APPCON and 221858/APPCON

Condition 11 (archaeological evaluation) varied to reflect that parts of this condition have been satisfied by application 221105/APPCON

Condition 15 (refuse and recycling) varied, following the officer assessment, to also require a management plan to be submitted:

Prior to the first occupation of any residential / commercial unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D – The Generator / The Turbine Hall; (e) Block E – Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G; (h) Café) details of how refuse and recycling collections will be managed from the site (including vehicles, servicing and deliveries, as per a management plan) and measures to prevent pests and vermin accessing the refuse and recycling store(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter refuse collection, servicing and deliveries shall be carried out fully in accordance with the approved details and management plan, the approved pest and vermin control measures shall be provided prior to the first occupation of the relevant building and the refuse and recycling stores shall not be used for any purpose other than refuse and recycling storage at all times thereafter.

Condition 22 (recording of lodge building) varied to reflect that this condition has been satisfied by application 221126/APPCON

Condition 31 (Arboricultural Method Statement and Tree Protection Plan) varied to reflect that this condition has been satisfied by application 221126/APPCON

Condition 42 (DDA compliant pedestrian route to and from the accessible parking bays details) varied to reflect that this condition has been satisfied by application 230032/APPCON

Condition 46 (CEMP: Biodiversity) varied to reflect that this condition has been satisfied by application 221126/APPCON

Review of other conditions as per the original permission, for inclusion on the future decision notice (as per Planning Practice Guidance on flexible options for planning permissions) summarised as follows:

	<ol style="list-style-type: none"> 1. Three years for implementation – remains unchanged – the scheme will need to be implemented by 17/03/2025. 3. Materials – remains unchanged 7. Contaminated land validation report – remains unchanged 8. Unidentified contamination – remains unchanged 9. De-watering and foundation details – remains unchanged (although this would change if application 231467/APP/CON is determined prior to the determination of this application, as per paragraph 4.10 below). 12. Security strategy – remains unchanged 13. Flood risk assessment mitigation measures – remains unchanged 14. Provision of sustainable drainage scheme – remains unchanged 16. Noise assessment – remains unchanged 17. Odour assessment associated with café – remains unchanged 18. Delivery and waste collection hours for café – remains unchanged 19. Café opening hours – remains unchanged 20. Construction and demolition hours – remains unchanged 21. No burning of waste on site during demolition and construction – remains unchanged 23. Demolition of locally listed building – remains unchanged 25. Active window displays – remains unchanged 26. Photovoltaic details – remains unchanged 27. Details of at least 11 wheelchair adaptable units – remains unchanged 28. Hard and soft landscaping details – remains unchanged 29. Boundary treatment details – remains unchanged 30. Landscape management plan – remains unchanged 32. External lighting details – remains unchanged 34. On-site public art – remains unchanged 36. Provision of vehicle access points – remains unchanged 37. Provision of visibility splays – remains unchanged 38. Provision of cycle parking – remains unchanged 39. Parking permits 1 – remains unchanged 40. Parking permits 2 – remains unchanged 41. Electric vehicle charging points – remains unchanged 43. Biodiversity enhancement scheme – remains unchanged 44. Biodiversity Impact Assessment – remains unchanged 45. Wildlife suitable lighting scheme – remains unchanged 48. Provision of towpath access – remains unchanged 49. Car Parking Management Plan – remains unchanged
<p>Informatives</p>	<ol style="list-style-type: none"> 1. Positive and Proactive Working 2. Pre-commencement conditions 3. Highways 4. Legal Agreement as per the original permission remains in place in full 5. Terms of the permission 6. Building Control 7. Complaints about construction 8. Encroachment 9. Noise between residential properties – sound insulation of any building 10. Community Infrastructure Levy 11. Parking permits 12. Do not damage the verge during demolition and construction 13. Advice about installation of underground services 14. Likely requirement for separate advertisement consent in respect of future externally facing advertisements (shown indicatively on the proposed elevations)

1. Executive summary

- 1.1. A series of changes are proposed to the allowed on appeal scheme for the redevelopment of this allocated site for 209 residential units. Most substantially, these changes include an increase from 4 to 5 storeys of the western wing of Block B, amendments to the top two floors of Blocks D & E, changes to the unit mix and various other associated alterations. These are all predominantly arising from the requirement for the proposals to reflect fire safety changes, as introduced since the original scheme was allowed. The changes have been carefully considered, both individually and collectively. It is considered in overall terms that, whilst some harmful impacts in comparison with the original scheme are identified, in other respects the changes result in welcomed additions. The harmful impacts identified are not so significant or fundamental to outweigh the benefits previously identified by the Inspector in supporting the original proposals, enabling this application to be supported.

2. Introduction and site description

- 2.1. The application site measures 0.76 ha and is part of an allocated site in the Reading Borough Local Plan 2019 (Site CR11g – Riverside) for residential redevelopment and leisure uses.



Figure 1 - Site Location Plan

- 2.2. The application site, as existing, is mainly hard-surfaced open car-parking, which serves the part-two, part-three storey vacant and unoccupied office building, most recently occupied by Southern & Scottish Electricity Networks (SSE). The buildings front onto Vastern Road, with vehicular access from Lynmouth Road. The entrance building is designated (as of 22/05/2017) on the RBC List of Locally Important Buildings. There are also two energy storage systems within the application site. One is next to the building and adjacent to the vehicular access off Lynmouth Road. The other is in the north-west corner of the site, as part of a grassed area in this area of the site.



Figure 2 – View from Reading Station car park looking north-west towards the southern (Vastern Road) boundary of the site and beyond



Figure 3 – View from Christchurch Bridge looking south towards the site and Lynmouth Road properties (right)

- 2.3. The site's unusual shape can be seen on the location plan above.
- 2.4. Immediately to the north of the site is the southern bank of the River Thames, which is a public right of way. Christchurch Bridge provides a pedestrian and cyclist link to the north side of the river and Christchurch Meadows at this point. To the east of the application site is the remaining Southern & Scottish Electricity transfer station, which serves Reading. Beyond this are the 4-storey Thames Court (primarily accessed via Norman Place) residential flats, which front onto the river, and the predominantly 3-storey (and roofspace) Sovereign House office building, which fronts onto Vastern Road.
- 2.5. To the south of the site is Vastern Road, which forms the northern element of the town's Inner Distribution Road (IDR). Beyond this is Vastern Court Retail Park and associated buildings leading to Reading Station. To the west of the site are the 2-storey terraced properties of Lynmouth Road, with the 3-storey Lynmouth Court properties closest to the river. No's 1-6 Lynmouth Court front onto the river, with No's 7-12 a continuation of the Lynmouth Road terrace and parking spaces between the two blocks.

- 2.6. As already mentioned, the site is part of Policy CR11g sub-area allocation. Accordingly, the site is also within the designated wider CR11 Station/River Major Opportunity Area. This overarching element of this policy specifies a vision and a set of principles which apply to all sites within the major opportunity area, stating as follows:

Station/River Major Opportunity Area

VISION: The station/river area will be a flagship scheme, extending the centre and providing a mixed use destination in itself and centred on the new station and public transport interchange. It will integrate the transport links and areas northwards towards the River Thames and into the heart of the centre.

CR11: STATION/RIVER MAJOR OPPORTUNITY AREA

Development in the Station/River Major Opportunity Area will:

- i) Contribute towards providing a high-density mix of uses to create a destination in itself and capitalise on its role as one of the most accessible locations in the south east. Development for education will be an acceptable part of the mix;*
- ii) Help facilitate greater pedestrian and cycle permeability, particularly on the key movement corridors. North-south links through the area centred on the new station, including across the IDR, are of particular importance;*
- iii) Provide developments that front onto and provide visual interest to existing and future pedestrian routes and open spaces;*
- iv) Safeguard land which is needed for mass rapid transit routes and stops;*
- v) Provide additional areas of open space where possible, with green infrastructure, including a direct landscaped link between the station and the River Thames;*
- vi) Give careful consideration to the areas of transition to low and medium density residential and conserve and, where possible, enhance listed buildings, conservation areas and historic gardens and their settings;*
- vii) Give careful consideration to the archaeological potential of the area and be supported by appropriate archaeological assessment which should inform the development;*
- viii) Demonstrate that it is part of a comprehensive approach to its sub-area, which does not prevent neighbouring sites from fulfilling the aspirations of this policy, and which contributes towards the provision of policy requirements that benefit the whole area, such as open space; and*
- ix) Give early consideration to the potential impact on water and wastewater infrastructure in conjunction with Thames Water, and make provision for upgrades where required.*

Figure 4 – Extract from Reading Borough Local Plan 2019 – Policy CR11

- 2.7. More specifically in relation to the application site, this forms the western part of the Riverside sub-area, with the sub-area policy stating in full:

CR11g, RIVERSIDE:

Development should maintain and enhance public access along and to the Thames, and should be set back at least ten metres from the top of the bank of the river. Development should continue the high quality route including a green link from the north of the station to the Christchurch Bridge, with potential for an area of open space at the riverside. The main use of the site should be residential, although some small-scale leisure and complementary offices will also be acceptable. Development should take account of mitigation required as a result of a Flood Risk Assessment.

Site size: 1.24 ha

Indicative potential: 250-370 dwellings, 1,000-2,000 sq m of leisure, no significant net gain in offices.

Figure 5 – Extract from Reading Borough Local Plan 2019 – Policy CR11g

- 2.8. These characteristics and requirements are all reflected within the Station/River Major Opportunity Area Strategy, as specified at figure 5.3 of the Local Plan.



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Figure 5.3: Station/River Major Opportunity Area Strategy

Figure 6 – Extract from Reading Borough Local Plan 2019 – Figure 5.3

2.9. In addition to the site allocation and local listing described above, there are also a number of other site constraints / designations / nearby designations:

- Within the Office Core
- Within the Central Core
- Within Flood Zone 2 & 3
- Within an air quality management area
- Within a smoke control zone
- Includes contaminated land
- Adjacent to a public right of way along the river
- The River Thames, Christchurch Meadows, Kings Meadows and Hills Meadow are major landscape features
- Christchurch Meadows, Kings Meadows and Hills Meadow are important areas of open space
- From an ecological perspective the site backs on to the River Thames which constitutes a Priority Habitat 'Rivers' (as per the NPPF)
- The River Thames is an existing green link
- There are mature Plane trees on the Vastern Road frontage
- Neighbouring Lynmouth Road is a nearby sensitive location – low-rise residential

- Within the North of the Station cluster identified in the Sustainable Design and Construction SPD as being potentially suitable for heat network schemes.
- 2.10. The application is being considered at Planning Applications Committee as the proposal constitutes a ‘major’ development. Planning Practice Guidance on Flexible Options for Planning Permissions confirms 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 new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted”.*
- 2.11. Given this context and the floorspace and number of residential units involved in the proposals, the scheme is required to be considered and decided by the Planning Applications Committee.

3. The proposal

- 3.1. The proposal is seeking to make a series of amendments to the original permission at the site, which was allowed on appeal on 17/03/2022 for:

Demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road.

- 3.2. The amendments are being sought via a section 73 application, to vary conditions 2 (approved plans), 24 (unit mix), 33 (roof terrace enclosures), 35 (parking provision) and 47 (Block B glazing and ventilation) of original permission 200188. In headline terms, the main proposed changes are summarised as including:
- Internal reconfigurations of the layouts to reflect fire safety changes, most notably within Blocks B, D and E, including:
 - o the addition of second staircases within Blocks B, D and E and increase in width of all staircases within all blocks
 - o altered internal corridor lengths (typically shorter lengths), circulation spaces, smoke shafts, air inlets and riser cupboard locations
 - o omission of direct access between internal circulation spaces to covered areas
 - o Increase of one storey to the western wing of Block B, from 4 to 5 storeys in height
 - Design and massing amendments to the top two floors of Blocks D and E, including increasing the width of Block D (but also increasing the setback on the riverside elevation) and changing the material and form of Block E from a glazing to brickwork;
 - Elevational changes to reflect internal changes, including various changes to windows within Blocks A, B, D (for example changes at first to seventh floor level on the riverside elevation) and E.
 - Changes to unit mix – whilst the overall number of dwellings remains unaltered at 209, the number of units within each separate block is changing, with five fewer units within Block E and five additional units in Block B. Furthermore, there are a number of changes in terms of the number of bedrooms per unit, with an overall increase in 1-bed units (from 61 as approved to 70 as proposed), decrease in 2-bed units (from 136 to 116), increase in 3-bed units (from 12 to 20) and the introduction of 3 x 4-bed units into the development too, as detailed in Table 1 below (App = Approved; Pro = Proposed):

Block	1-bed			2-bed			3-bed			4-bed			Total		
	App	Pro	+/-	App	Pro	+/-	App	Pro	+/-	A	Pro	+/-	App	Pro	+/-
A	8	8	0	19	19	0							27	27	0
B	29	41	+12	49	41	-8	0	1	+1				78	83	+5
C	3	4	+1	7	6	-1							10	10	0
D	8	10	+2	35	32	-3	12	11	-1	0	2	+2	55	55	0
E	13	7	-6	19	11	-8	0	8	+8	0	1	+1	32	27	-5
F				6	6	0							6	6	0
G				1	1	0							1	1	0
Total	61	70	+9	136	116	-20	12	20	+8	0	3	+3	209	209	0
%mix	29.2	33.5	+4.3	65.1	55.5	-9.6	5.7	9.6	+3.9	0	+1.4	+1.4			

Table 1 – comparison of the approved and proposed mix of units per block

- 3.3. More specifically, the changes can be broken down into site-wide external changes and block-by-block amendments. Helpfully, the applicant has provided detailed schedules of the proposed alterations in each instance. Describing first the site wide external changes, these are identified by the applicant as follows (text in blue marks changes made during the course of the application, or additional changes proposed not originally included by the applicant, but added to the schedule following officer feedback):

Reference	Description
S01	Adjustments to the towpath access.
S02	Continuation of footpath around south and east of Turbine Hall.
S03	Paving updated to entrance to Turbine Hall.
S04	Steps updated.
S05	Additional footpath connections added to rear of Christchurch Wharf.
S06	Footpath adjusted to refuse store at rear of Coal Drop Building.
S07	Continuation of footpath around east of Goods Office and Goods Warehouse.
S08	Adjustment to parking and landscape along central street.
S09	Parking area and landscape to Good Warehouse amended.
S10	Additional footpath onto Vastern Road.
S11	OMITTED - Reverted to approved layout.
S12	Paving updated to ancillary areas to Railway Warehouse.
S13	Changes to planting along Vastern Road.

Figure 7 – Site-wide schedule of changes

3.4. In overall terms, the external layout changes are relatively limited in nature and scope. A number of changes involve additional footpath accesses to fire doors introduced. Arguably the most significant change is associated with the parking and soft landscaping around Block B. The references within figure 7 above (S01, S02 etc) are then shown on the marked up proposed illustrative masterplan referenced below at figure 8, with the corresponding approved plan also shown to help illustrate the exact nature of the proposed changes in visual terms:



Figure 8 - Approved (above) and marked up (below) proposed illustrative masterplan



- 3.5. The applicant has also provided brief commentary seeking to justify and explain each change made, with this detailed below:

Reference	Justification
S01	Layout updated to reflect the approved towpath access plan.
S02	Footpath continued around the building to connect the revised fire escape locations to the alternative means of escape required from the undercroft area.
S03	Paving area amended to reflect changes to the entrance door position and width.
S04	Steps updated to reflect changes to the site layout to suit retaining wall within undercroft parking area. Blister paving added to the top and bottom of the steps. The revised stair position results in marginally greater soft landscape area to the north.
S05	Footpaths to the rear of the block amended to reflect the new fire escape locations. Soft landscaping updated to replace shrub planting with flowering lawn and an additional tree to provide more beneficial amenity and biodiversity.
S06	Footpath updated to suit the revised refuse store door positions.
S07	Footpath continued around the building to connect the revised fire escape locations and cycle store access.
S08	Adjustments to the hard and soft landscape to allow direct access to the new sub station within Goods Office.
S09	4no parking spaces relocated to reflect changes to the undercroft elements through the alterations to plant room requirements to Goods Warehouse. Landscape adjusted to suit.
S10	Footpath added to the front of the block to reflect the fire escape location from the second stair core. See S13 for changes to planting.
S11	n/a
S12	Connections to the ancillary spaces adjusted to reflect the door positions into the refuse and cycle stores. See S13 for changes to planting.
S13	Further review of the existing culvert along Vastern Road shows limited planting depth above. A stronger planting bed has been provided against the buildings with flowering lawn between this and the back of footway, thereby maintaining a green edge to the site and increasing biodiversity.

Figure 9 – Justification by the applicant for the site-wide changes

- 3.6. In terms of Block A (The Railway Warehouse), the proposed changes (in comparison with other blocks) are fairly minimal, including just changes to the stair cores, waste and recycling area and other internal layout changes. Externally, on the Vastern Road elevation the position of a juliette balcony on all upper floors has moved across one window (reflecting internal changes). On the north elevation (with views towards the rear of Lynmouth Road properties) three windows have been omitted (one each at third to fifth floor level).

Reference	Description
A01	Stair configuration changed.
A02	Entrance door position set-back.
A03	Communal circulation arrangement changed with the introduction of a lift lobby and adjustment to the lengths of corridors serving apartment entrances.
A04	Internal arrangement of apartment handed.
A05	Balcony position moved two bays to the right.
A06	Window changed to tax (bricked-in) opening.
A07	Lift and smoke shaft over-run positions changed and AOV introduced over stairs.
A08	Introduction of plant rooms.
A09	Refuse configuration updated.

Figure 10 – Block A schedule of changes

3.7. The majority of these changes are detailed below in figures 11 and 12, with the mark-up showing the areas where changes are proposed, alongside the already approved plans to help illustrate the extent of the changes proposed.



Figure 11 - Approved (left) and marked up (right) proposed ground floor plans



Figure 12 - Approved (left) and marked up (right) proposed north elevation plans

3.8. The justification and explanation provided by the applicant for the Block A changes is as follows:

Reference	Justification
A01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
A02	Entrance door moved inwards to suit changes in stair arrangement and subsequent relocation of stair escape door.
A03	Introduction of a lift lobby between the stairs and corridors with access to apartments in line with fire regulation changes. Corridors serving apartment entrances redesigned to limit distance from apartment entrance to the lift lobby to 7.5m max. to reflect fire regulations.
A04	Internal apartment layout handed as entrance is relocated to sit within the communal corridor as required under fire regulations.
A05	Balcony position changed to reflect internal arrangement changes set out in A04.
A06	Window to apartment hallway blocked due to relocation of apartment entrance to sit 7.5m from protected lift lobby to reflect fire regulation changes. Relocation of riser cupboard results in window being blocked.
A07	Lift position changed to suit A01 and A03, with smoke shaft position adjusted to suit fire regulations. AOV added to roof plan over stair position for clarity to reflect fire regulation requirements.
A08	Plant rooms introduced for LV switchgear and Emergency LV switchgear to provide dedicated emergency electrical supplies to each block.
A09	Internal refuse store arrangement updated to suit feedback from waste officer.

Figure 13 – Justification by the applicant for the Block A changes

3.9. In terms of Blocks B (The Goods Warehouse) and C (The Goods Office), the proposed changes are numerous, as per the schedule at figure 14 below. In particular, it is proposed to add a further storey of accommodation at fourth floor level on the western wing of the Block B building, altering this from a four to five storey building at this point, as shown below at figures 16 and 17. This introduces a further six residential units at this point, with 3x1-bed units facing east and 3x2-bed units facing west. The proposed design approach would continue the pattern of the consented scheme at this point. In addition, a second

stair core has been introduced for fire safety regulation reasons, with a series of changes occurring as a result. The introduction of a second stair results in an approved 2-bed unit being reduced in size and becoming a 1-bed unit on each floor along the Vastern Road frontage. Another change is the internal reconfiguration of 2x1-bed units at tenth floor level on the south elevation becoming 1x3-bed unit. When the various proposed changes within Block B are accounted for, there is a net increase of five dwellings in comparison with the already approved scheme.

Reference	Description
B01	Stair configuration changed.
B02	Escape door position changed.
B03	Entrance door arrangement changed.
B04	Introduction of second stair and lift core within tallest part of the building.
B05	Apartment changed from 2-bed to 1-bed.
B06	Window changed to fire escape door.
B07	Communal circulation arrangement changed with the introduction of a lift lobby and adjustment to the lengths of corridors serving apartment entrances.
B08	Introduction of new plant rooms.
B09	Parking spaces reconfigured.
B10	Cycle store consolidated to a single location.
B11	Refuse store consolidated to a single location.
B12	Introduction of an on-site management office.
B13	Introduction of a single storey.
B14	Lift and smoke shaft over-run positions changed and AOV introduced over stairs.
B15	Balcony removed.
B16	Access to parking area introduced.
B17	Combination of 2no. 1-bed to 1no 3-bed.

Reference	Description
C01	Stair configuration changed.
C02	Escape door position changed.
C03	Apartment changed from 2-bed to 1-bed.
C04	Communal circulation arrangement changed with the introduction of a lift lobby and adjustment to the lengths of corridors serving apartment entrances.
C05	Introduction of sub station, reconfiguration of refuse and cycle stores to suit.
C06	Extent of flat roof increased.
B18	AOD levels updated.

Figure 14 – Blocks B&C schedule of changes
Page 63

3.10. A series of changes are also shown at ground floor level, including alterations to the vehicle and cycle parking arrangements, the refuse and recycling storage areas, a further internally located plant room. A change at the very south-west corner of Block B at ground floor level also seeks to introduce a management office/suite (ancillary to the Class C3 residential use), which the supporting planning statement advises would be available for use by occupiers of all dwellings at the site. These changes are shown below in figure 15. In addition, at roof level changes to the lift shaft and smoke shaft over-run positions and heights has resulted in a change in the overall (including roof level plant) height of Block B from AOD 73.7m to 73.85m, representing an increase of 0.15m. The building remains 11 storeys in total, with an overall height of 35.25m.

Approved Planning Drawing

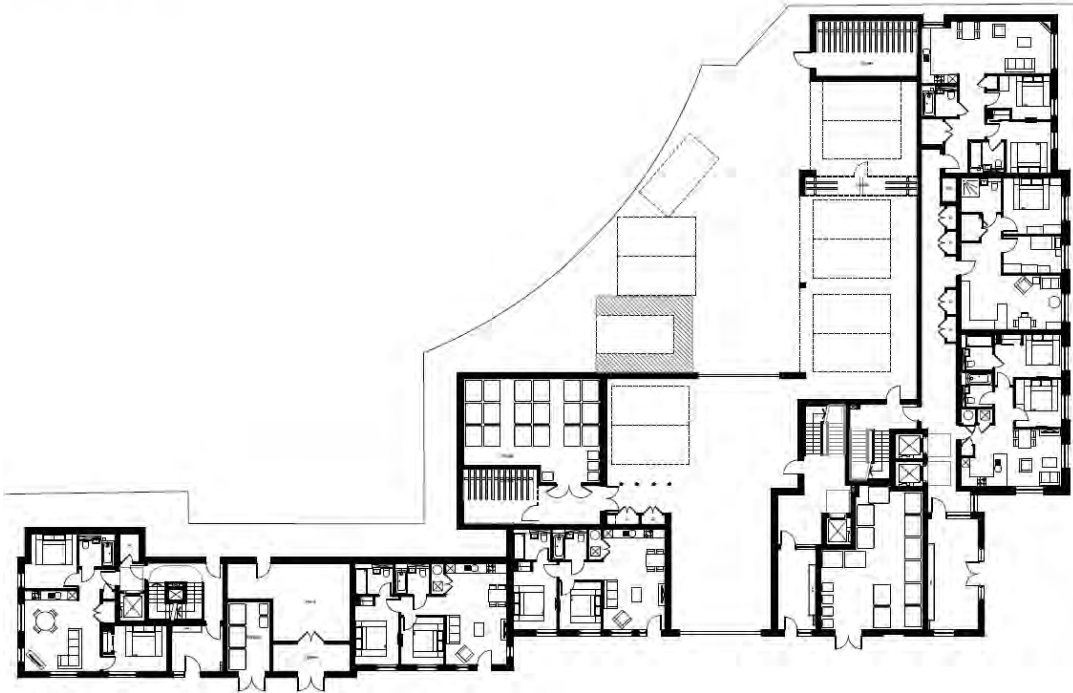


Figure 15 - Approved (above) and marked up (below) proposed ground floor plans

25 Proposed Resubmission Drawing





Figure 16 - Approved (left) and marked up (right) proposed fourth floor plans (showing the six additional units proposed at this point)



Figure 17 - Approved (above) and marked up (below) proposed west elevation plans



3.11. The justification and explanation provided by the applicant for the Blocks B&C changes is as follows:

Reference	Justification
B01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
B02	Fire escape door and associated internal corridors amended to provide direct escape to external area (planning approved discharged into a vehicle undercroft area) to suit fire regulations.
B03	Minor amendment to the main entrance door and screen to allow the provision of an on-site management office.
B04	Second stair core with lift introduced in the tallest part of the building to reflect fire regulation changes to buildings over 18m.
B05	Introduction of second stair as noted in B04 reduces the footprint of this apartment and therefore results in a change from 2 bedrooms to 1.
B06	Fire escape door and associated internal corridors introduced to provide direct escape to external area from the new second stair core.
B07	Introduction of a lift lobby between the stairs and corridors with access to apartments in line with fire regulation changes. Corridors serving apartment entrances redesigned to limit distance from apartment entrance to the lift lobby to 7.5m max. to reflect fire regulations (increased travel distances in lower building with introduction of mechanical extract and ventilation system). Riser cupboards amended to suit.
B08	Larger plant room requirements due to changes in water tank sizes serving the sprinkler systems and introduction of LV switchgear and Emergency LV switchgear to provide dedicated emergency electrical supplies to each block.
B09	4no parking spaces relocated to reflect changes to the undercroft elements through the alterations to plant room requirements set out in B08.
B10	Cycle store consolidated to a single location due to the introduction of plant rooms and subsequent internal changes.
B11	Refuse store consolidated to a single location due to the introduction of plant rooms and subsequent internal changes. Internal arrangement updated to suit waste officer comments.
B12	On site management office introduced to serve the development.
B13	Introduction of a single storey to provide 6no apartments (3x 1-bed and 3x 2-bed) to offset losses in saleable floorspace through fire changes.
B14	Lift position changed to suit B01 and B04, with smoke shaft position adjusted to suit fire regulations. AOV added to roof plan over stair position for clarity to reflect fire regulation requirements.
B15	Balcony removed to reflect internal changes (introduction of stair core).
B16	New corridor and access to rear of building introduced to provide more direct routes to refuse, cycles and parking areas from second core.
B17	Apartments combined to maintain policy-compliant number of 3-beds and overall quantum of 209 dwellings.

Reference	Justification
C01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
C02	Fire escape door and associated internal corridors amended to provide direct escape to external area to suit fire regulations.
C03	Changes to stair, lift, and common circulation as noted in C01 reduces the footprint of this apartment and therefore results in a change from 2 bedrooms to 1.
C04	Introduction of a lift lobby in line with fire regulation changes. Corridors serving apartment entrances redesigned to limit distance from apartment entrance to the lift lobby to 7.5m max. to reflect fire regulations. Riser cupboards amended to suit.
C05	Sub station required due to increased electrical demands in part due to increased electric car charging facilities. Refuse store internal arrangement updated to suit waste officer comments.
C06	Area of flat roof on the rear elevation increased to suit internal changes noted in C04.
B18	AOD levels for plant over-run to roof-tops updated to suit required offset from closest roof obstacles and required offset from ceiling of top floor.

Figure 18 - Justification by the applicant for the Blocks B&C changes

- 3.12. Moving on to Block D (The Turbine Hall), figure 19 provides the schedule of changes specified by the applicant. One of the main internal changes is the introduction of a second staircase into the south-west corner of the proposed building. A series of other ground floor alterations are proposed, such as the consolidation of cycle parking into a single space, the provision of plant rooms, alterations to the vehicle parking layout and access to this space (see figure 20).

Reference	Description
D01	Stair configuration changed.
D02	Escape door position changed.
D03	Introduction of second stair and lift core within tallest part of the building.
D04	Communal circulation arrangement changed with the introduction of a lift lobby and adjustment to the lengths of corridors serving apartment entrances.
D05	Parking spaces reconfigured.
D06	Cycle store consolidated to a single location.
D07	Entrance door arrangement changed.
D08	Number of windows changed on north elevation.
D09	Set-back element expanded to meet line of building below on east and west elevations.
D10	Set-back element pulled back from northern elevation.
D11	Apartment changed from 3-bed to 1-bed.
D12	Plant enclosure proportions changed.
D13	Lift and smoke shaft over-run positions changed and AOV introduced over stairs.
D14	Change from metal cladding to brickwork.
D15	Changes to brick detailing.
D16	Introduction of plant rooms.
D17	Adjustment to parking space setting out.

Reference	Description
D18	Internal apartment arrangement handed.
D19	Study room added.
D20	Refuse store updated.

Figure 19 – Block D schedule of changes

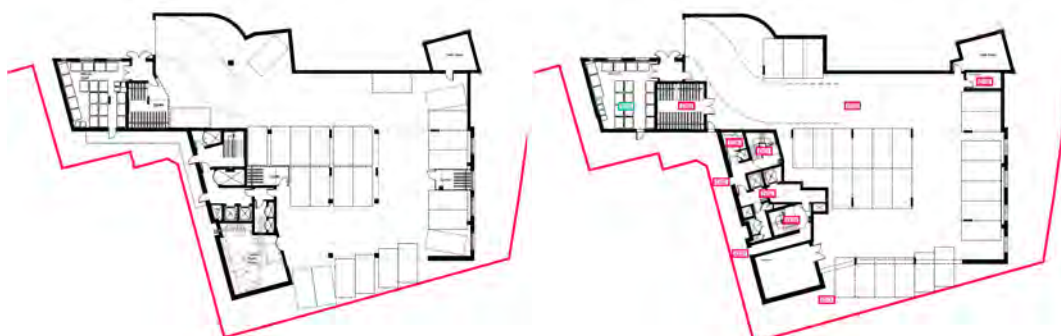


Figure 20 - Approved (left) and marked up (right) proposed ground floor plans

3.13. On the upper floors there have been some reductions in internal corridor lengths. That, together with the external changes proposed (as discussed below) has created some additional internal space which has resulted in the number of bedrooms within some units changing. At fifth to seventh floor on the western elevation an additional room is proposed within the approved 2-bed units, making these now proposed as 3-bed units. The applicant did not include this within its original schedule of changes, but is now referencing these as study rooms (see change D19), assisting future occupiers who may work from home for example. Officers have counted these as additional bedrooms in all instances, with this reflected in Table 1 of this report. On the top two floors of Block D the approved 3 x 3-bed units (at both eighth and ninth floors) have now been reconfigured to provide 1x1-bed, 1x3-bed and 1x4-bed at both floors. Again, the fourth bedroom within the 4-bed units have been marked on the plans as study rooms, but have been counted by officers as additional bedrooms.



Figure 21 - Approved (left) and marked up (right) proposed eighth floor plans

3.14. Externally, a series of changes are proposed, most significantly at the top two floors of the building. It is proposed to increase the east-west width of the building at this point, so that it aligns with the external envelope of the floors below, rather than being inset as per the approved scheme (see figure 22). It is also proposed to set the building slightly further back from the riverside elevation too, while increases to the footprint of the rooftop plant are also sought. This all results in slight increases in the height of the building (excluding plant) from AOD points of 67.87m to 68.225m, meaning a total increase of 0.355m (overall height is 30.125m). The building remains 10 storeys in height. On the north elevation the window arrangements have also changed at first to seventh floor level, in particular the middle section of the building, with the inclusion of four columns of windows (rather than three as granted), without clear breaks between the floors (see figure 22). At the southern end of the western elevation the original glazed finish is replaced with brickwork (as shown in figure 23), but glazing remains the predominant material of the top two floors.



Figure 22 - Approved (left) and marked up (right) proposed north elevation (riverside) plans

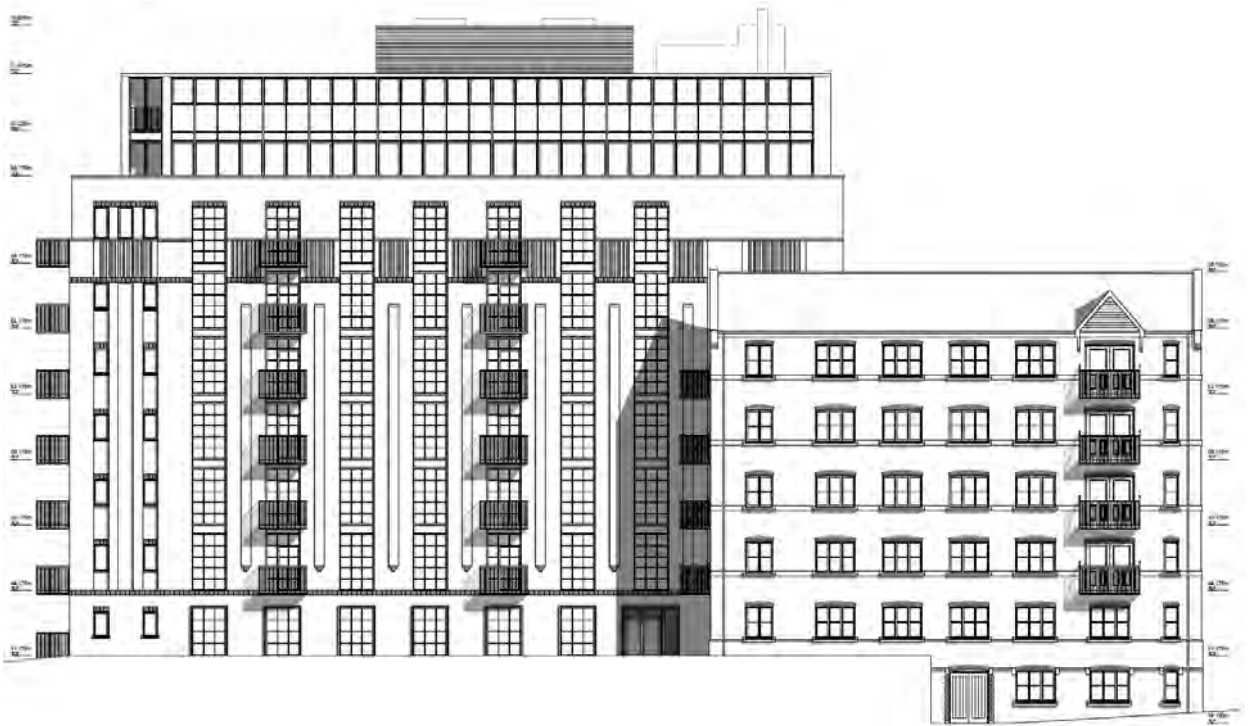


Figure 23 - Approved (above) and marked up (below) proposed west elevation plans



3.15. The justification and explanation provided by the applicant for the Block D changes is as follows:

Reference	Justification
D01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
D02	Fire escape door and associated internal corridors amended to provide direct escape to external area to suit fire regulations.
D03	Second stair core with lift introduced in the tallest part of the building to reflect fire regulation changes to buildings over 18m.
D04	Introduction of a lift lobby between the stairs and corridors with access to apartments in line with fire regulation changes. Corridors serving apartment entrances redesigned to limit distance from apartment entrance to the lift lobby to 7.5m max. to reflect fire regulations. Riser cupboards amended to suit.
D05	Undercroft parking spaces relocated to reflect changes to new stair and lift core positions and alterations to structure to suit changes on floors above.
D06	Cycle stores consolidated into a single location following changes to circulation and parking area.
D07	Minor amendment to the main entrance door to suit changes to the stair position and orientation.
D08	Change from 3 windows to 5 windows within this section of the building to provide more glazing within apartments where party wall runs centrally on upper floors whilst retaining odd number of openings and symmetry on elevation.
D09	Set-back removed to limit loss of accommodation from introduction of secondary stair core.
D10	Set-back increased to balance increased width on the east and west elevations and to allow simplified structural approach.
D11	Introduction of second stair as noted in B04 reduces the footprint of this apartment and therefore results in a change from 2 bedrooms to 1.
D12	Enclosure changed to reflect repositioned plant due to locations of smoke shafts, lift over-runs and AOVs. AOV to new stair to open within the enclosure to provide safer access to roof plant.
D13	Lift position changed to suit D01 and D03, with smoke shaft position adjusted to suit fire regulations. AOV added to roof plan over stair position for clarity to reflect fire regulation requirements.
D14	Brickwork introduced to suit elevational changes, providing a "stop" to the glazed element which now sits further back on the building (see D10).
D15	Detailing at upper floors changed to suit the revised elevations on the top two floors.
D16	Plant rooms introduced for LV switchgear and Emergency LV switchgear to provide dedicated emergency electrical supplies to each block.
D17	Parking spaces adjusted to provide a clear gap to allow alternative fire escape routes from the undercroft area.

Reference	Justification
D18	Apartment layout handed to suit change in entrance door position (driven by changes to communal corridor arrangement) and maximise the floor area for the living/kitchen/dining area of this apartment. These internal changes do not affect the external envelope.
D19	Introduction of study rooms to apartments where possible to promote a better home-working environment. These internal changes do not affect the external envelope.
D20	Internal arrangement updated to reflect waste officer comments.

Figure 24 - Justification by the applicant for the Block D changes

- 3.16. Finally, in terms of Blocks E (Christchurch Wharf), F & G (The Coal Drop Building), a host of changes are proposed, as per the schedule at figure 25 below.

Reference	Description
E01	Stair configuration changed.
E02	Escape door position changed.
E03	Introduction of second stair and lift core within tallest part of the building.
E04	Communal circulation arrangement changed with the introduction of a lift lobby and adjustment to the lengths of corridors serving apartment entrances.
E05	Cycle store position adjusted.
E06	2no 1-bed apartments combined into a single 2-bed apartment at ground floor, and 1no 1-bed and 1no 2-bed combined to a single 2-bed on upper floors.
E07	Door and window configuration handed.
E08	Doorset changed to window. Balcony removed on upper floors.
E09	High-level windows omitted on rear elevation.
E10	New south-facing window added.
E11	Building footprint changed to match floors below. Addition of 1no 1-bed apartment.
E12	Building footprint changed to match floors below, with provision of 2no setbacks to provide external amenity.
E13	1no 2-bed apartment changed to 1no 3-bed apartment.
E14	Lift and smoke shaft over-run positions changed and AOV introduced over stairs.
E15	Study room added.
E16	Additional height information added.

Reference	Description
F01	Stair configuration changed.
F02	Entrance door handed.
F03	Window sizes changed.
F04	Enlarged lean-to building through introduction of plant rooms.
F05	Refuse store updated.

Figure 25 – Blocks E,F&G schedule of changes

- 3.17. Internally, the provision of a second stair (due to the height of the building and fire regulations thereby requiring this) results in a series of changes. At the southern end of Block E 2x1-bed units are condensed into 1x2-bed unit at ground floor level (change E06 on figures 25 and 26), while on the first to fourth floor levels a 1-bed unit is omitted and a more spacious 2-bed unit is created and a previous 2-bed unit becomes a 2-bed + study room unit (counted as a 3-bed unit in Table 1). At fifth floor level the space is reconfigured from 2x1 and 2x2-bed units (4 units in total) to 1x1-bed and 2x3-bed units (3 units in total). At sixth floor level, an additional unit is created through a change from the approved 2x2-bed unit layout to 1x1-bed and 2x3-bed units (3 units in total), as shown in figure 27. At seventh floor level, again as shown in figure 27, 2 units continue to be proposed, but instead of both these units including 2-beds (as approved), the revised layout creates 1x2-bed and 1x4-bed unit, overlooking the river (the floor plan depicts one of these rooms as a study, but this has been counted as a bedroom in Table 1). In overall terms, these changes result in a reduction of five units within Block E, from 32 (as approved), to 27 (as now proposed). There are now six fewer 1-bed units (from 13 to 7) and eight fewer 2-bed units (from 19 to 11), with this partly offset by the introduction of 8x3-bed units and 1x4-bed unit within Block E. There are no changes to the number of bedrooms within any of the Block F & G units.

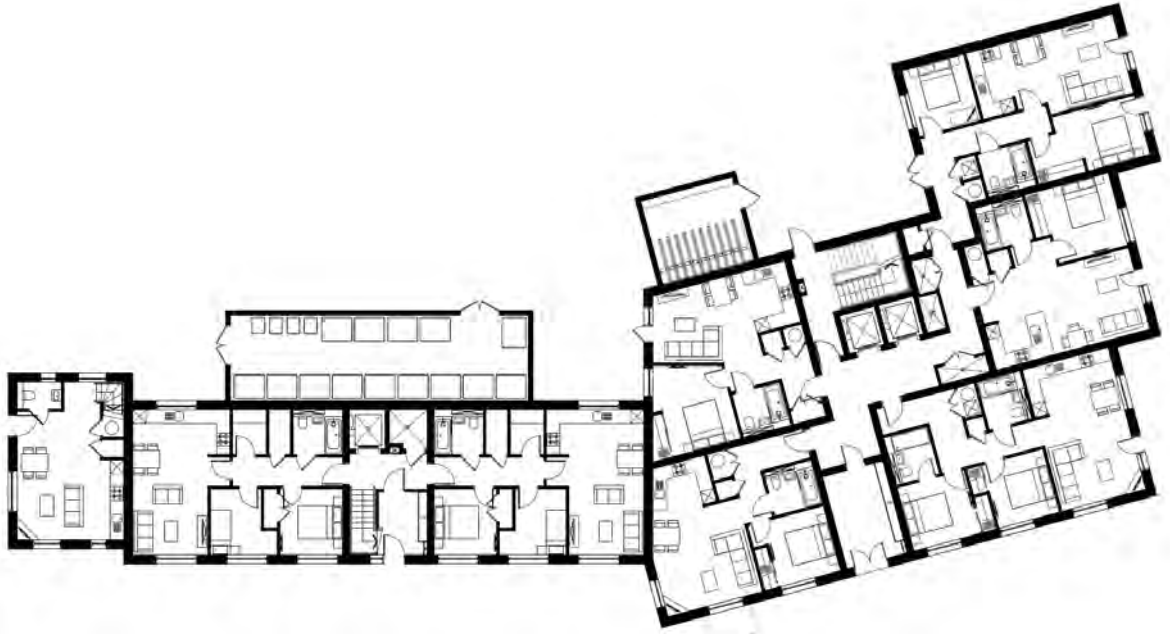


Figure 26 - Approved (above) and marked up (below) proposed ground floor plans

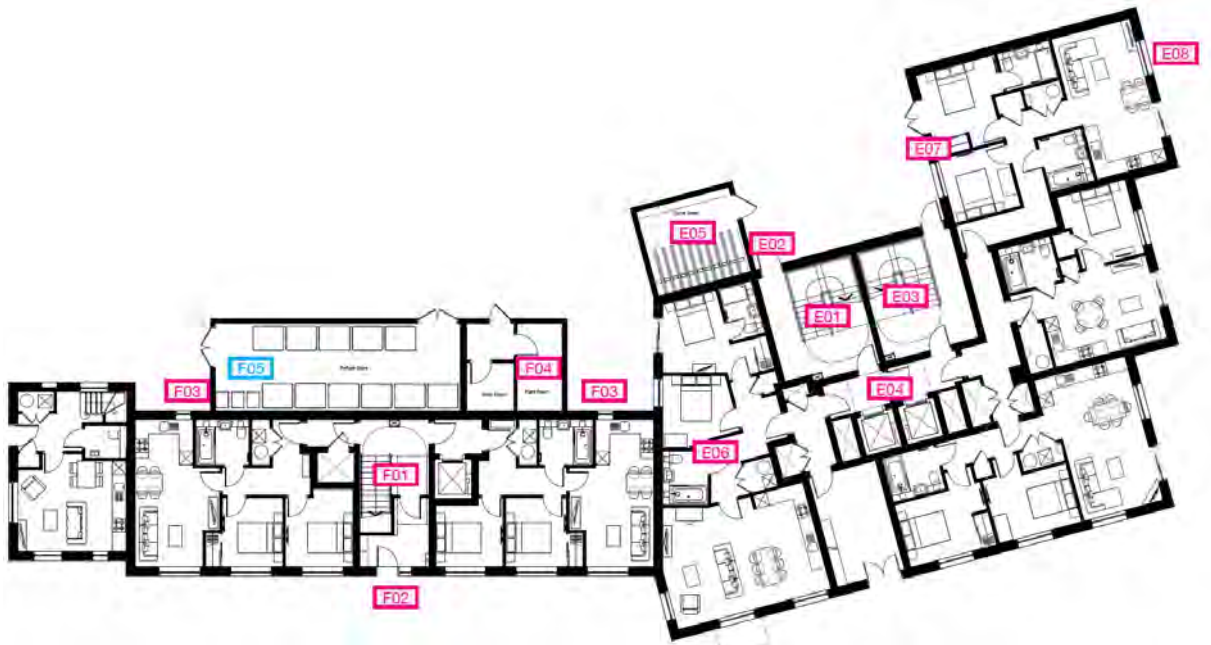


Figure 27 - Approved (left) & marked up (right) proposed sixth (above) & seventh (below) floor plans for Block E



3.18. Externally, the most prominent change is associated with the top two floors, which essentially now replicates the floorplate of the floors below and is proposed to be finished with brickwork rather than glazing. As such, instead of being inset on each elevation (see figure 27) as approved, the form now follows the remainder of the building (see figures 28 & 29), although the proposed change in brick colour seeks to create a contrast.

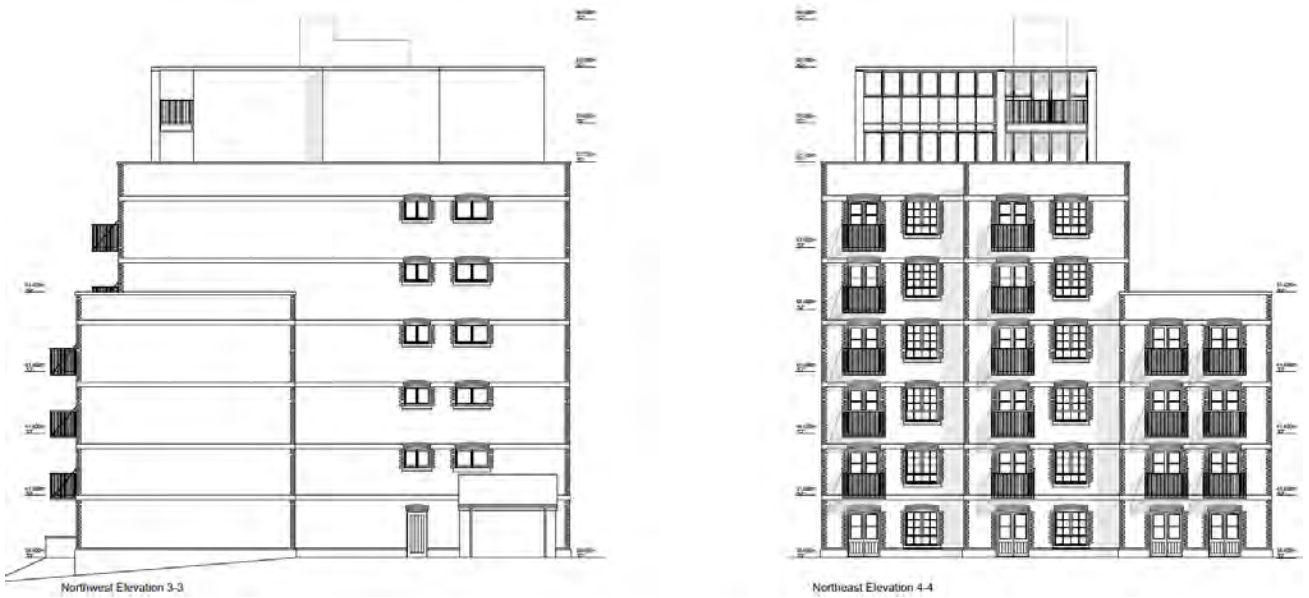


Figure 28 - Approved (above) & marked up (below) proposed west (left) & north riverside (right) Block E elevation plans



3.19. These changes also result in the increase in the height of the building. At roof parapet level the AOD points alter from 62.3m to 63.175m, an increase in height of 0.875m. When rooftop plant is also taken into account the AOD points change from 64.6m to 64.852m, an increase of 0.252m. The building remains 8 storeys in height, with the total height of the building being 27.452m (AOD 37.4m at the lowest point adjacent to the river, rising to AOD 64.852m). A variety of window changes are also sought, including the omission of a series of windows at first to fifth floor level on the west elevation (facing towards Lynmouth Court), as shown in figure 28. These were previously approved to serve a living/dining/kitchen room and a staircase but are now no longer proposed (the corresponding area internally is an en-suite bathroom and one of the two staircores).

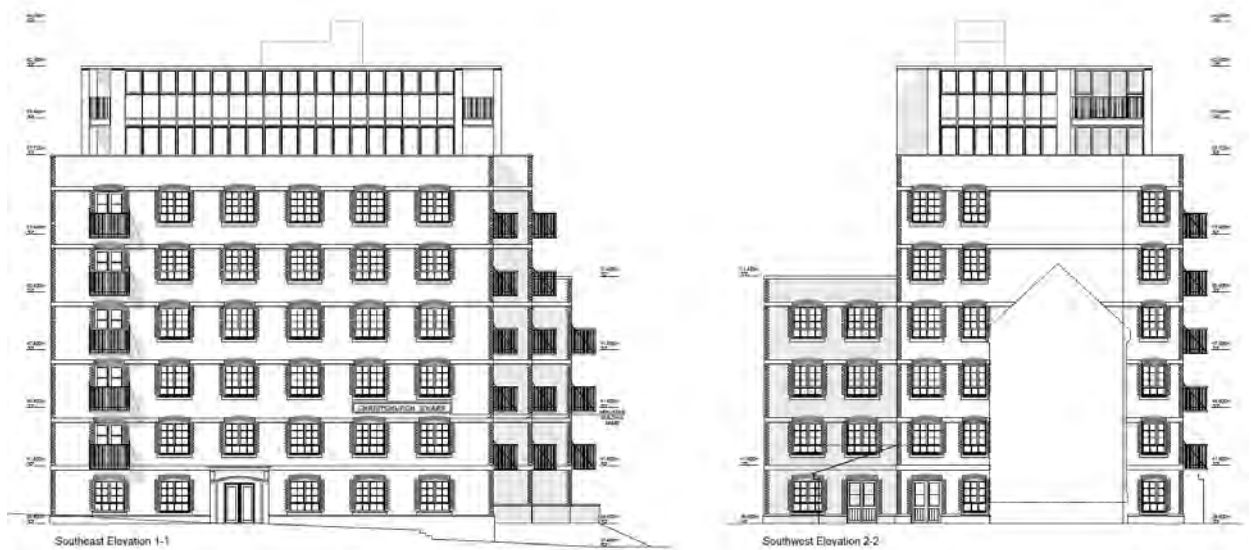


Figure 29 - Approved (above) & marked up (below) proposed east (left) & south (right) Block E elevation plans



3.20. Window changes (decreasing the size of the openings) are also proposed on the west (facing the rear of properties which front onto Lynmouth Road) elevation of Block F, as shown in figure 30. Plant rooms are also proposed to be introduced to Block F (see figures 26 and 30), together with changes to the refuse and recycling store. No changes are proposed to Block G.



Figure 30 - Approved (left) & marked up (right) proposed west elevation (riverside) plans for Block F&G

3.21. The justification and explanation provided by the applicant for the Blocks E, F & G changes is as follows:

Reference	Justification
E01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
E02	Fire escape door and associated internal corridors amended to provide direct escape to external area to suit fire regulations.
E03	Second stair core with lift introduced in the tallest part of the building to reflect fire regulation changes to buildings over 18m.
E04	Introduction of a lift lobby between the stairs and corridors with access to apartments in line with fire regulation changes. Corridors serving apartment entrances redesigned to limit distance from apartment entrance to the lift lobby to 7.5m max. to reflect fire regulations. Riser cupboards amended to suit.
E05	Cycle store shifted south to allow emergency escape door to revised stair core position.
E06	Combination of apartments due to smaller footprint sizes through larger circulation spaces, and requirement to maintain 209 dwellings across the scheme.
E07	Handing to suit internal arrangement changes.
E08	Removal of balcony and change to window to reflect the internal arrangement changes and provide rhythm with the adjacent two bays to this elevation.
E09	Windows omitted due to incompatibility with internal arrangement of the apartment and configuration / floor levels within the stair cores.
E10	Introduction of windows to upper floor apartments to allow introduction of study spaces. Introduction of study rooms to apartments where possible to promote a better home-working environment. These internal changes do not affect the external envelope.
E11	Changes to floor due to inefficiencies of previous scheme when incorporating second stair and lift cores in such a small footprint.
E12	Changes to floor due to inefficiencies of previous scheme when incorporating second stair and lift cores in such a small footprint.
E13	Change in number of bedrooms to suit floorspace of the apartment and maintain quantum of 3-beds across the site.
E14	Lift position changed to suit E01 and E03, with smoke shaft position adjusted to suit fire regulations. AOV added to roof plan over stair position for clarity to reflect fire regulation requirements.
E15	Introduction of study rooms to apartments where possible to promote a better home-working environment. These internal changes do not affect the external envelope.
E16	AOD levels provided to maintain consistency with approved elevations. Changes to AOD heights through the introduction of parapet to suit masonry construction.

Reference	Justification
F01	Stair width increased from 1200mm overall width to 1200mm between handrails to reflect fire regulation changes. Stair configuration amended to suit.
F02	Door handing to reflect stair core layout changes.
F03	Window size and positions changed to provide fire separation from adjacent fenestration.
F04	Plant rooms introduced for LV switchgear and Emergency LV switchgear to provide dedicated emergency electrical supplies to each block.
F05	Internal arrangement updated to suit waste officer comments.

Figure 31 - Justification by the applicant for the Blocks E,F&G changes

3.22. As a point of clarification, officers are mindful of paragraph 013 of the Planning Practice Guidance for flexible options for planning permissions, which states:

“an application made under section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions

associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission”.

3.23. In this regard, it is clarified that the proposed changes do not relate to the operative part of the permission (the description of development is unchanged) and so can proceed to be considered under the s73 route applied for.

3.24. During the course of the application a number of changes have been made to the proposals, including:

- Omission of originally proposed changes to the wording of condition 48 (towpath access), following officer comments for the original wording to be retained unaltered.
- Changes to the waste and recycling storage provision, layout and access arrangements.
- The applicant has acknowledged that various internal alterations have resulted in a number of units including additional rooms (over and above the originally referenced mix changes), which the applicant has referenced as study rooms, but officers have counted as additional bedrooms within units. For information, at the outset of the application, the applicant was specifying that the changes to the mix, in comparison with the original mix of the allowed on appeal permission, were as follows (App = Approved; Pro = Proposed):

Block	1-bed			2-bed			3-bed			Total		
	App	Pro	+/-	App	Pro	+/-	App	Pro	+/-	App	Pro	+/-
A	8	8	0	19	19	0				27	27	0
B	29	41	+12	49	41	-8	0	1	+1	78	83	+5
C	3	4	+1	7	6	-1				10	10	0
D	8	10	+2	35	35	0	12	10	-2	55	55	0
E	13	7	-6	19	19	0	0	1	+1	32	27	-5
F				6	6	0				6	6	0
G				1	1	0				1	1	0
Total	61	70	+9	136	127	-9	12	12	0	209	209	0
% mix	29.2	33.5	+4.3	65.1	60.8	-4.3	5.7	5.7	0			

Table 2 - comparison of the approved and originally proposed mix of units per block – subsequently superseded by the mix detailed in table 1 above, following officer feedback

- Omission of originally proposed changes to the public realm at the arrival square, adjacent to Block B off Vastern Road.

3.25. In terms of the Reading Community Infrastructure Levy (CIL), the proposals will be CIL liable. In this regard the applicant has submitted the relevant CIL based information, namely a completed form and plans illustrating the methodology behind the floorspace figures specified. A Section 73 CIL calculation is a complex calculation and the information submitted is in the process of being considered by the Infrastructure and Monitoring Officer. For example, comparisons are required between the original allowed on appeal scheme and the current proposals and accounting for various differences in the floor areas now shown. For context, the allowed on appeal permission facilitated a CIL Liability Notice being issued on 17/05/2022 (Ref LN00000661) advising the applicant that the liability totalled £2,981,671.66.

3.26. The following plans have been submitted for approval (only the latest versions submitted are referenced):

- 3.27. Site Context Elevation River Front 448.PL.200 Rev B
 Site Context Elevation Vastern Road 448.PL.201 Rev B
 Site Context Elevation Street Section 448.PL.202 Rev B
 Site Context Elevation Street Section 448.PL.203 Rev B
 Site Context Elevation Lynmouth Road 448.PL.204 Rev A
 Site Sections - Sections A-A, E-E 448.PL.SS.300 Rev B
 Site Sections – Sections B-B, C-C, D-D 448.PL.SS.301 Rev B
 As received 20/11/2023
- 3.28. Enclosure Plan 448.PL.SL.003 Rev A
 Christchurch Bridge Connection Section 448.300.LAND.001 Rev A
 As received 08/12/2023
- 3.29. Block A Fourth – Roof Floor 448.PL.A.101 Rev E
 Block A Elevations 448.PL.A.200 Rev E
 Block A Section A-A, B-B, and C-C 448.PL.A.300 Rev E
 Block BC First Floor Plan 448.PL.BC.101 Rev E
 Block BC Second Floor Plan 448.PL.BC.102 Rev E
 Block BC Third Floor Plan 448.PL.BC.103 Rev E
 Block BC Fourth Floor Plan 448.PL.BC.104 Rev E
 Block BC Fifth Floor Plan 448.PL.BC.105 Rev E
 Block BC Sixth Floor Plan 448.PL.BC.106 Rev E
 Block BC Seventh Floor Plan 448.PL.BC.107 Rev E
 Block BC Eighth Floor Plan 448.PL.BC.108 Rev F
 Block BC Ninth Floor Plan 448.PL.BC.109 Rev F
 Block BC Tenth Floor Plan 448.PL.BC.110 Rev F
 Block BC Roof Floor Plan 448.PL.BC.111 Rev F
 Block D First Floor Plan 448.PL.D.101 Rev E
 Block D Second Floor Plan 448.PL.D.102 Rev D
 Block D Third Floor Plan 448.PL.D.103 Rev D
 Block D Fourth Floor Plan 448.PL.D.104 Rev D
 Block D Fifth Floor Plan 448.PL.D.105 Rev D
 Block D Sixth Floor Plan 448.PL.D.106 Rev D
 Block D Seventh Floor Plan 448.PL.D.107 Rev D
 Block D Ninth Floor Plan 448.PL.D.109 Rev D
 Block D Roof Floor Plan 448.PL.D.110 Rev D
 Block D Southeast Elevation 448.PL.D.200 Rev E
 Block D Northeast and Southwest Elevation 448.PL.D.201 Rev E
 Block D Northwest Elevation 448.PL.D.202 Rev D
 Block D Southwest Elevation 448.PL.D.203 Rev C
 Block D Section A-A and B-B 448.PL.D.300 Rev D
 Block EFG First Floor Plan 448.PL.EFG.101 Rev D
 Block EFG Second Floor Plan 448.PL.EFG.102 Rev D
 Block EFG Third Floor Plan 448.PL.EFG.103 Rev D
 Block EFG Fourth Floor Plan 448.PL.EFG.104 Rev D
 Block EFG Fifth Floor Plan 448.PL.EFG.105 Rev D
 Block EFG Sixth Floor Plan 448.PL.EFG.106 Rev D
 Block EFG Seventh Floor Plan 448.PL.EFG.107 Rev D
 Block EFG Roof Floor Plan 448.PL.EFG.108 Rev D
 As received 11/01/2024
- 3.30. Block FG Southwest, Southeast and Northwest Elevation 448.PL.EFG.202 Rev F
 As received 21/02/2024
- 3.31. Illustrative Masterplan 448.PL.SL.002 Rev I
 Landscape General Arrangement Plan 448.LA.101 Rev N
 Landscape Planting Framework Plan 448.LA.102 Rev L
 Block A Ground -Third Floor 448.PL.A.100 Rev F

Block BC Ground Floor Plan 448.PL.BC.100 Rev I
Block B and C Southwest Elevation 448.PL.BC.200 Rev H
Block B and C Southeast Elevation 448.PL.BC.201 Rev H
Block B and C Northeast Elevation 448.PL.BC.202 Rev I
Block B and C Northwest Elevation 448.PL.BC.203 Rev H
Block B and C Section A-A and B-B 448.PL.BC.300 Rev H
Block B and C Section C-C 448.PL.BC.301 Rev H
Block D Ground Floor Plan 448.PL.D.100 Rev H
Block D Eighth Floor Plan 448.PL.D.108 Rev E
Block EFG Ground Floor Plan 448.PL.EFG.100 Rev F
Block E Southeast and Southwest Elevation 448.PL.EFG.200 Rev F
Block E Northwest and Northeast Elevation 448.PL.EFG.201 Rev G
Block EFG Section A-A, B-B and C-C 448.PL.EFG.300 Rev E
As received on 04/03/2024

3.32. Other plans / documents submitted:

3.33. Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

As received 20/11/2023

3.34. Daylight & Sunlight Report River Gate, 53-55 Vastern Road Reading by eb7 Ltd, dated 30/11/2023

Technical Memorandum by 24 Acoustics Ref Updated Fire Layout – Blocks B & C
Block B Parking Area Vehicle Tracking 448.TR.BC.100
Email from Berkeley Homes 'RE: 55 Vastern Road, Reading (231673/VARIAT)'
As received 08/12/2023

3.35. Letter from Berkeley Homes '55 Vastern Road, Reading, RG1 8BU', dated 07/01/2024

Affordable Housing Statement by Berkeley Homes Ref 448.PL.AHS.001 dated 05/01/2024

Planning Statement by Stantec '55 Vastern Road, Reading Variation of Conditions 2, 24, 33, 35, 47 and 48' Ref 333100572/P1c/A5 Rev P1c dated 04/01/2024

Letter from Ecoconsult Ltd River Gate, Vastern Road, Reading 'Overshadowing of marginal vegetation along River Thames' dated 14/12/2023

As received 07/01/2024

3.36. Design and Access Statement Addendum Rev A By Berkeley Homes, Oxford and Chiltern Ltd, Ref 448.LAND.RP.002 Rev A dated January 2024

Fire Engineering Planning Fire Statement by Clarke Banks Ref F13023 Version 03 dated 11/01/2024

Memo 'Reference: 55 Vastern Road, Reading - Amended Proposals - Townscape and Visual Impact Assessment Addendum' by Stantec Project 333100572 dated 11/01/2024

Townscape and Visual Impact Assessment Addendum Appendix A1 by Realm Communications dated January 2024

Site Access Swept Path 448.TR.SW.100

RBC Refuse Vehicle Turning Head 448.TR.SW.101

Block B and C - MVHR Proposal Glazing and Ventilation Plans 448.PL.BC.V.100 Rev B

Block B and C - MVHR Proposal First Floor Plan 448.PL.BC.V.101 Rev B

Block B and C - MVHR Proposal Second Floor Plan 448.PL.BC.V.102 Rev B

Block B and C - MVHR Proposal Third Floor Plan 448.PL.BC.V.103 Rev B

Block B and C - MVHR Proposal Fourth Floor Plan 448.PL.BC.V.104 Rev B

Block B and C - MVHR Proposal Fifth Floor Plan 448.PL.BC.V.105 Rev B

Block B and C - MVHR Proposal Sixth Floor Plan 448.PL.BC.V.106 Rev B

Block B and C - MVHR Proposal Seventh Floor Plan 448.PL.BC.V.107 Rev B

Block B and C - MVHR Proposal Eighth Floor Plan 448.PL.BC.V.108 Rev B

Block B and C - MVHR Proposal Ninth Floor Plan 448.PL.BC.V.109 Rev B

Block B and C - MVHR Proposal Tenth Floor Plan 448.PL.BC.V.110 Rev B
Block B and C - MVHR Proposal Roof Plan 448.PL.BC.V.111 Rev B
Community Infrastructure Levy (CIL) - Form 1: CIL Additional Information, dated 11/01/2024
GIA Schedule and Area Proof Block A 448.GIA.A.100 Rev B
GIA Schedule and Area Proof Block BC 448.GIA.BC.100 Rev B
GIA Schedule and Area Proof Block D 448.GIA.D.100 Rev B
GIA Schedule and Area Proof Block EFG 448.GIA.EFG.100 Rev B
As received 11/01/2024

3.37. Block A Ground -Third Floor Annotated Drawing Rev E

Block D Parking Area Vehicle Tracking 448.TRD.100 Rev B
Proposed Revisions to Planning Conditions 448.PL.CS.001 A by Berkeley Homes
Email from eb7 Ltd 'RE: 55 Vastern Road, Reading (231673)', dated 09/02/2024
Transport Officer Response by Berkeley Homes
As received 09/02/2024

3.38. Response from CBF E to HSE consultation response dated 12/02/2024

As received 15/02/2024

3.39. Refuse Strategy Plan Rev M

Email from Berkeley Homes 'RE: 55 Vastern Road, Reading (231673) - Waste / EP / Access' dated 21/02/2024
As received 21/02/2024

3.40. Vastern Road Drawing Schedule 448.PL.DS.001.F

Approved Refuse Strategy 448.RS.901
Proposed Refuse Strategy 448.RS.902
Letter from Berkeley Homes '231673/VARIAT – 55 Vastern Road, Reading' dated 04/03/2024
The Old Power Station Proposed Scheme Amendments January 2024 (updated March 2024) by Berkeley Homes
The Old Power Station Vastern Road, Reading Refuse Store Layouts by Berkeley Homes
As received on 04/03/2024

3.41. Email from Berkeley Homes 'RE: 55 Vastern Road, Reading (231673/VARIAT)' dated and received 11/03/2024

3.42. Email from Berkeley Homes 'RE: 55 Vastern Road, Reading (231673/VARIAT)' dated and received 12/03/2024

4. Planning history

Application site

4.1. 200188 - Demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road. Refused 09/04/2021. Allowed at appeal (Ref APP/E0345/W/21/3276463) on 17/03/2022. The appeal decision in full is included as Appendix 2.

4.2. 221104/APP CON - Discharge of condition 10a (land gas site investigation) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 14/09/2022.

4.3. 221105/APP CON - Partial discharge of condition 11 (archaeological evaluation) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 08/12/2022.

- 4.4. 221126/APPCON - Discharge of conditions 22 (recording of lodge building), 31 (Arboricultural Method Statement and Tree Protection Plan) & 46 (CEMP: Biodiversity) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 26/09/2022.
- 4.5. 221135/APPCON - Discharge of condition 4 (Demolition and Construction Method Statement) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 08/03/2023.
- 4.6. 221858/APPCON - Discharge of condition 10b (land gas remediation scheme) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 20/02/2023.
- 4.7. 230032/APPCON - Discharge of condition 42 (DDA compliant pedestrian route to and from the accessible parking bays details) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 20/04/2023.
- 4.8. 230150/NMA - Non-material amendments to planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022, to alter the wording of condition 42 (DDA compliant pedestrian route to and from the accessible parking bays details) to enable a phased approach to the timing and delivery of the disabled parking spaces and the pedestrian routes accessing them. Agreed 02/03/2023.
- 4.9. 230556/APPCON - Discharge of conditions 5 (contamination assessment) and 6 (remediation scheme) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Discharged 20/06/2023.
- 4.10. 231467/APPCON - Discharge of condition 9 (de-watering and foundation details) of planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022. Current application under consideration – a response is awaited from the Environment Agency on revised details submitted by the applicant.
- 4.11. 240248/DOV - Deed of Variation to the Legal Agreement secured as part of Planning Permission 200188 (as allowed on appeal APP/E0345/W/21/3276463 on 17/03/2022) to alter the affordable housing requirements and insert a phasing plan, as per section 106A of the Town and Country Planning Act 1990. Current submission under consideration.

Other nearby sites

- 4.12. 80 Caversham Road (former Royal Mail site) – 182252/OUT – Outline application considering access, landscaping, layout and scale involving the demolition of all existing buildings and structures (Classes B1a&B2) & erection of new buildings ranging between basement and 2 – 24 storeys in height, providing 620 residential units (Class C3), office accommodation (Class B1a), flexible ground floor Class A1 -3 uses, a community centre (Class D1), health centre uses (Class D1) & various works including 94 car parking spaces, servicing, public & private open space, landscaping, highways, pedestrian & vehicular access & associated works. This application is accompanied by an ES (amended description). Granted Outline Planning Permission 29/03/2023 following completion of S106 Legal Agreement.
- 4.13. Vastern Court (retail park), Caversham Road – 200328/OUT - Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. A demolition phase and phased redevelopment (each phase being an independent act of development) comprising a flexible mix of the following uses, Residential(Class C3 and including PRS), Offices (Use Class B1(a), development in Use Classes A1, A2, A3 (retail), A4 (public house), A5(take away), D1 and D2(communitiy and leisure), car parking, provision of new plant and renewable energy equipment, creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting, and for the laying out of the buildings, routes and open spaces within the development, and all associated works and operations including but not limited to demolition, earthworks, provision of attenuation infrastructure, engineering operations. Appeal (Ref: APP/E0345/W/21/3276463) under non-determination lodged on 23/12/2021. The outline application (Ref 200328) was reported

to Planning Applications Committee on 15/02/2022, whereby members resolved that had they been able to determine the planning application they would have refused outline planning permission. The appeal was heard via Public Inquiry between April and November 2022. The report and recommendation by the Inspector is presently being considered by the Secretary of State, with an outcome presently scheduled to be received by 21/03/2024.

5. Consultations

Internal / External

- 5.1. RBC Transport Development Control – A series of concerns with the original intention to alter the towpath access point (condition 48) were raised. Following officer feedback, the applicant chose to omit varying condition 48 and instead proposed to revert to the originally approved arrangements. In terms of other external changes, the bulk of the external areas remains as per the consented scheme, from a transport perspective. As such, the tracking of vehicles through the site is largely unaltered from that previously approved, but updated tracking has however been provided where necessary and this is deemed acceptable.
- 5.2. Clarification was sought regarding the total number of cycle stores sought to be provided. When the applicant provided details, indicating that on a block-by-block basis that RBC Transport standards were being met or exceeded (e.g. 62 spaces provided in Block B, in excess of the 42 required), this is deemed acceptable. In addition, some concerns were raised in relation to the location of the Block C cycle store, but upon justification by the applicant (relating back to fire regulation changes), this was accepted. In summary, all queries initially raised were addressed and therefore there are no objections to the plans or the changes in wording to the planning conditions from a transport perspective.
- 5.3. RBC Conservation Officer – Summary of original comments: Objection raised on the basis that the proposed development would result in the total loss of the non-designated heritage asset at 55 Vastern Road and fails to retain the approved scheme of high-quality contrary to Policies EN1, EN4 and EN6 of the Reading Borough Local Plan (2019). These policies seek, amongst other things, to ensure that new development proposals conserve, sustain and enhance designated and non-designated heritage assets, take into account the scale of any harm or loss and the significance of the asset and ensure new development is integrated into the historic character and local distinctiveness of the area in which they are located, in accordance with the advice in the NPPF. In addition, the proposed development would conflict with paragraphs 203 and 209 of the NPPF.
- 5.4. More specifically, the proposed application includes additional mass and bulk along with design changes to the granted permission. The proposal still replaces the existing locally listed building by extending the approved blocks upwards/vertically and horizontally. In allowing the appeal the Inspector conceded that there would be conflict with Policies EN1 and EN4 of the Reading Borough Local Plan 2019 (paragraph 105), before considering that the appellant's approach to using the site's industrial heritage to inform the design of the appeal buildings would be an appropriate and proportionate and, ultimately, that the wider planning benefits outweighed the loss.
- 5.5. The approved design already creates a significant gap between the scale of the existing three-storey urban fabric and openness along the riverside by erecting the highest buildings on both Vastern Road and the Thames path, which are the most sensitive areas in terms of historic and natural values of the wider townscape of Reading. In the context of the allowed appeal, the positive design feature of the Block D inset glazed box would be lost, reducing design quality. The proposed increase in width of the top floors of Block D would create a monotonous appearance and relates less to historic elements. Similar concerns are raised in relation to Block E changes too.
- 5.6. Further comments following response from applicant: Original comments remain and no further comments are made.

- 5.7. RBC Environmental Protection (EP) confirm that the implications from an EP perspective are minimal, noting there will no changes to the 'blank' façade facing SSE equipment, and that the new storey at Block B will have the same acoustic treatment as the rest of the site. Accordingly, no objections are raised.
- 5.8. RBC Valuations note the affordable housing statement submitted and the changes to the mix, as proposed. It is confirmed that, proportionally, the change in unit mix in isolation will not materially affect the viability position and previously agreed terms from the previous submission.
- 5.9. RBC Housing state that it is disappointing that the proposals are not offering any upfront affordable housing, owing to viability reasons. Accordingly, at the outset at least, this means that the scheme is not providing any benefit to Reading in terms of meeting Affordable Housing pressures. RBC Valuations will comment on the validity of this position. It is also noted that the previous legal agreement included a late-stage review, which should continue to be required if the viability position is confirmed.
- 5.10. RBC Legal Services have confirmed that clause 22 of the section 106 agreement (as agreed as part of the scheme allowed at appeal) is considered sufficient to ensure that any pre-existing planning obligation will apply to the section 73 permission/development. It is also noted that this clause does not fetter the Council's ability to request a deed of variation where it is of the view that one is required. This is mindful of Planning Practice Guidance on flexible options for planning permissions, which states at paragraph 015 that *"If the original permission was subject to a planning obligation then this may need to be subject of a deed of variation"*.
- 5.11. RBC Waste Services – initial comments raised concerns with the pulling distance of the bins not being within 10m of the rear of the collection vehicle, meaning either a site management team would need to be available to pull out the bins and return them, or a private arrangement being entered into. Concerns were also raised in relation to the layout of the bin storage areas and whether any additional space could be provided as the areas appear to be full capacity.
- 5.12. Following further submissions of information by the applicant, it was clarified that a waste management plan would need to be secured via condition, as the pulling distances are still shown to exceed the 10m collection distance. The exact wording of the intended condition was shared with the applicant, who continued to seek to resist this on the basis of the proposed arrangements being stated to be a betterment to the approved position. Officers consider, based on the arrangements shown, a management plan should be secured via condition.
- 5.13. RBC Natural Environment – initial comments noted that an updated illustrative masterplan, including an indication of intended soft landscaping has been submitted with the application and a series of changes are specified within the site layout section of the schedule of amendments proposed. Such details will need to be picked up when the landscape details (condition 28) are subsequently submitted for approval, but specific comments were provided in terms of the site layout changes. These included comments that there were reductions in shrub/bulb planting in a number of areas (and increases in some other areas), with additional explanations sought to justify the intended approach.
- 5.14. For example, further justifications were sought to explain what appear to be significant reductions in shrub planting along the Vastern Road edge and replacement with grass, noting the importance of meaningful planting along the frontage. The applicant provided an explanation that the depth of the known culvert has become clearer, with the limited depth (300mm) preventing shrub planting (which requires 600mm depth). It is therefore proposed to move structural planting closer to the building (avoiding the culvert), with the area above the culvert now providing a flowering lawn with bulb planting to provide seasonal interest along Vastern Road. In response to the additional explanation, the Officer is satisfied that the changes have been suitably justified and are therefore satisfactory.

- 5.15. In overall terms it would appear that the same level of tree planting is being proposed and slight reductions in areas of planting have been justified, with the precise details to be considered further when the condition 28 landscape details are separated submitted for approval in due course. Beyond the site layout changes, none of the changes to the blocks appear to significantly impact footprints of the proposed buildings. Hence, there will be no significant impacts on the landscape provisions that have been shown during the planning inquiry. The Officer therefore has no objection to the other changes.
- 5.16. GS Ecology (ecology consultants for RBC) has no objections to the proposed changes on ecology grounds, given the original application was allowed on appeal.
- 5.17. RBC Access Officer has provided comments regarding the proposed footpaths through the site (the applicant reaffirmed these are unchanged from the original approval) and queries in relation to ramped accesses and stairs (again, the applicant confirmed these are unchanged), whether the decking area is wheelchair accessible (the applicant confirmed it is) and if disabled parking areas are changing (the applicant confirmed arrangements would be as per the condition 42 approval). Accordingly, no objections were raised by the Access officer.
- 5.18. RBC Emergency Planning confirms there are no concerns/objections from an Emergency Planning perspective.
- 5.19. The Lead Local Flood Authority at RBC has no objection to the proposal.
- 5.20. RBC Licensing has no objection to the application.
- 5.21. Building Research Establishment (BRE) – BRE were instructed to undertake an independent review on behalf of the LPA of the daylight and sunlight information submitted in support of the application, as per the report by eb7 Ltd. BRE undertook a similar review at the time of the original application. BRE's initial report included a series of queries, which required clarification from the applicant. This was duly provided, which enabled BRE to provide a full assessment of the information submitted. BRE confirmed contention with the methodologies used by the applicant. The following conclusions were reached by BRE:
- A) In general, at 2-28 Lynmouth Road there would be minor adverse impacts to daylight. This is the same conclusion as previous reviews and values are generally slightly lower than those with the previously allowed scheme.
 - B) Exceptions are No's 2 and 24 Lynmouth Road, where the impact would be characterised as major adverse. These have overhangs which limit the amount of daylight they can received, which is a mitigating factor. Moderate adverse impacts to daylight are also experienced at No's 26 & 28.
 - C) In general, there would be a minor adverse loss of winter sunlight to the rear of 2-28 Lynmouth Road if living rooms are located there. Two windows would be below the annual probable sunlight guideline (one each at No's 2 & 24). These windows met the guideline with the previous allowed scheme and amounts to a minor adverse impact.
 - D) There would be a slightly increased impact on daylight to 5 and 6 Lynmouth Court. One window at No. 5 would be slightly below the guidelines; previously all met. Four windows at No.6 would be below the guidelines; previously one was below the VSC guideline. Two rooms would also be marginally below the daylight distribution guidance. The impact would be assessed as minor adverse.
 - E) 7-12 Lynmouth Court would still be most affected by the proposals. There would be a moderate loss of daylight, the same as the allowed scheme. Values are slightly reduced compared to this scheme. Loss of sunlight would be largely within the guidelines.
 - F) 51 Vastern Road would have at least a moderate adverse impact to daylight, with most of the loss due to the potential scheme at Vastern Court retail park. That scheme would also influence the minor adverse impact to sunlight too.

- G) Gardens at 2, 4, 8 and 10 Lynmouth Road, 3 Lynmouth Court and 51 Vastern Road would have a loss of sunlight to their gardens which would be outside the guidelines. The losses would be major for No. 2 (this would be particularly affected, as before), major for No. 4 (an increase from moderate for the previously allowed scheme), moderate for No. 3, minor for No. 10 (previously met, but only now below by a small margin), minor with mitigating factors for No. 8 and minor for No. 51.
- H) For future occupiers, while daylight provision in the proposed scheme is not ideal and there are a large number of rooms (particularly living areas) below the recommendations, the design changes since at least the initial scheme reviewed in April 2020 have resulted in improvements for the worst lit rooms. The southern facades of Blocks A&B would be impacted by the potential scheme at Vastern Court.
- I) A comparison between the previous and current methodologies (based on updated BRE guidance from 2022) suggest a lower overall pass rate with the new method, particularly for living areas.
- J) Around a third of living rooms meet both previous sunlight recommendations and around a half of living rooms would meet the current recommendations. Although this is mediocre at best, in large developments it would be unrealistic for every living room to face south. Some north facing rooms would have compensating views of the River Thames. The potential Vastern Court development limits sunlight provision to the south facades of Blocks A&B.
- K) Overall, all proposed open spaces combined would meet BRE guidelines.
- 5.22. In summary terms, BRE advise that generally the loss of light results are slightly reduced (i.e. worse) compared to the original approval. Although there are some changes to the overall results (i.e. characterised as changing from minor adverse to moderate and from moderate to major adverse, as examples) there are no significant changes to BRE's previous general conclusions in the review at the time of the original application.
- 5.23. Berkshire Archaeology advise that the written scheme of investigation submitted from Foundations Archaeology for the monitoring of the removal of the slab and groundworks should be sufficient for the mitigation of the site. No objections are therefore raised by Berkshire Archaeology.
- 5.24. Active Travel England is content with the development proposed.
- 5.25. Historic England are not offering advice. This should not be interpreted as comment on the merits of the application. Historic England suggest that the LPA seek the views of specialist RBC conservation and archaeological advisers.
- 5.26. HSE Fire Safety at Health and Safety Executive: Original response: Concerns raised to the LPA, including an excessive distance (22m, rather than maximum 18m) between the Block D & E dry riser pipe and farthest staircase, which may affect water pressure for firefighting. Supplementary information queries (not part of HSE'S substantive response) were also raised in relation to elements of the means of escape, hydrants and photovoltaic panels.
- 5.27. Further comments following response from applicant: In overall terms HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations. However, HSE has identified some matters that it advises that the applicant should try to address, in advance of later regulatory stages.
- 5.28. Royal Berkshire Fire and Rescue Service advise that they are not providing comments, as at this stage the Health and Safety Executive (HSE) are the lead Enforcing Authority and have already made observations.
- 5.29. Thames Water has no comments on the application.
- 5.30. No responses have been received to date to formal consultation requests to RBC CCTV / Community Safety, RBC Education, RBC Leisure, RBC Streetscene, RBC Sustainability, Reading's Economy and Destination Agency (REDA), Buckinghamshire,

Oxfordshire and Berkshire West Integrated Care Board (BOB ICB), the Designing out Crime Officer at Thames Valley Police, the Environment Agency, Southern Gas Networks and SSE Power Distribution.

- 5.31. Planning Practice Guidance on flexible options for planning permissions confirms that for s73 applications *“Provisions relating to statutory consultation and publicity do not apply. However, local planning authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the authority can choose how to inform interested parties”* (Paragraph: 013 Reference ID: 17a-013-20230726) . With this in mind, the LPA has taken a cautious approach in consulting all those formally notified at the time of the original permission, together with ‘new’ consultees such as Active Travel England and HSE Fire Safety. Moreover, the absence of consultation responses from the specified consultees are not considered to prevent an officer recommendation being made on this s73 application, in light of the nature of the proposed amendments, the context of the original permission at the site and the quoted guidance above. If any responses are received from any of these consultees in advance of the application being considered at Planning Applications Committee, these will be specified in an update report.

Public consultation

- 5.32. Eight separate site notices were erected around the site on 19/01/2024, expiring on 09/02/2024. A press notice was published on 25/01/2024, expiring on 15/02/2024. In addition, relevant neighbouring occupiers along Lynmouth Road (including Lynmouth Court), Vastern Road and Norman Place (Thames Court) were consulted by letter. A total of nine separate objections have been received, with six from Lynmouth Road addresses (one objector made two separate submissions) and one each from addresses at Lynmouth Court (as part of three separate submissions), Tudor Road (RG1) and Filey Road (assumed to be RG1). A summary of the issues raised are:

5.33. Loss of amenity:

- Additional height of buildings (predominantly in relation to the additional storey at Block B, but also reference in relation to lift and smoke shaft overrun positions being altered on Block A and the changes proposed at Block E) resulting in:
 - o Likely loss of privacy and increased overlooking from changes to Blocks B and E
 - o Loss of daylight and sunlight to Lynmouth Road properties, with one response noting that the previous report demonstrated disastrous impacts on sunlight levels for neighbours, which would only be further exacerbated by the additional building mass.
 - o Loss of daylight will impact on wellbeing and solar power generation
 - o On-going noise and disturbance from vibrations at the site in December 2023.
 - o Additional fire escapes may introduce covert areas for anti-social behaviour
- Additional height of buildings (predominantly in relation to the additional storey at Block B, but also reference in relation to lift and smoke shaft overrun positions being altered on Block A and the changes proposed at Block E) resulting in:
 - o Likely loss of privacy and increased overlooking from changes to Blocks B and E
 - o Loss of daylight and sunlight to Lynmouth Road properties, with one response noting that the previous report demonstrated disastrous impacts on sunlight levels for neighbours, which would only be further exacerbated by the additional building mass.
- Loss of daylight will impact on wellbeing and solar power generation
- On-going noise and disturbance from vibrations at the site in December 2023.

- Additional fire escapes may introduce covert areas for anti-social behaviour

5.34. Height and Design:

- The height of the buildings on the river front are far too high, with all other buildings 4 storeys maximum
- The design of the buildings on the river front are completely out of keeping with the style of the other buildings on the river frontage
- Concern that the tower blocks have been moved too close to each other and risk dominating pedestrians walking over the bridge.

5.35. Open Space:

- Reduction in quality and amount of open space by changes S05 and S10 (which both propose additional footpaths to serve new/altered fire escape doors) (Officer comment: see Figures 7-9 above for these changes)

5.36. Wildlife

- Long term damage to local wildlife – starlings, robins, blackbirds, tits, sparrows – loss of nesting places.

5.37. Other matters

- Concerns that the daylight and sunlight assessment is not up to date.
- Lack of justification for the proposed amendments - the developers interest in meeting a target number of apartments is not a valid reason for the community to suffer.

Local Groups

5.38. Caversham and District Residents' Association (CADRA) object, stating:

We note that changes are necessary in relation to fire regulations. We object to the changes on the basis of:

- *reduced set back on the top floors facing the Thames, thus increasing overshadowing of the river;*
- *additional storey overlooking Lynmouth Road, reducing amenity;*
- *increased proportion of one bed flats. The need in Reading is for larger units and we suggest that two one bed flats could be replaced by one three bed flat. (Officer comment: this response was received when the submission was not specifying any change in the number of 3-bed units, as per Table 2 above, rather than the now proposed increase in 3-bed units, as per Table 1 above)*

5.39. Reading CAAC and Reading Civic Society were also formally consulted on the application. No responses have been received. If any responses are received from either group in advance of the application being considered at Planning Applications Committee, these will be specified in an update report.

6. Legal context

6.1. 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.

6.2. 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).

- 6.3. 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).
- 6.4. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:
- 6.5. NPPF 2023
 2. Achieving sustainable development
 3. Plan-making
 4. Decision-making
 5. Delivering a sufficient supply of homes
 6. Building a strong, competitive economy
 8. Promoting healthy and safe communities
 9. Promoting sustainable transport
 11. Making effective use of land
 12. Achieving well-designed and beautiful places
 14. Meeting the challenge of climate change, flooding and coastal change
 15. Conserving and enhancing the natural environment
 16. Conserving and enhancing the historic environment

National Planning Practice Guidance (2014 onwards)

- 6.6. Reading Borough Local Plan 2019
 - 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
 - CC9: Securing Infrastructure
 - EN1: Protection and Enhancement of the Historic Environment
 - EN2: Areas of Archaeological Significance
 - EN3: Enhancement of Conservation Areas
 - EN4: Locally Important Heritage Assets
 - EN6: New Development in a Historic Context
 - EN7: Local Green Space and Public Open Space
 - EN9: Provision of Open Space
 - EN10: Access to Open Space
 - EN11: Waterspaces
 - EN12: Biodiversity and the Green Network
 - EN13: Major Landscape Features and Areas of Outstanding Natural Beauty
 - EN14: Trees, Hedges and Woodland
 - EN15: Air Quality
 - EN16: Pollution and Water Resources
 - EN18: Flooding and Drainage
 - EM3: Loss of Employment Land
 - H1: Provision of Housing
 - H2: Density and Mix
 - H3: Affordable Housing
 - H5: Standards for New Housing
 - H10: Private and Communal Outdoor Space
 - TR1: Achieving the Transport Strategy

TR2: Major Transport Projects
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
CR6: Living in Central Reading
CR10: Tall Buildings
CR11: Station/River Major Opportunity Area

6.7. Reading Borough Council Supplementary Planning Documents

Topics

Affordable Housing (March 2021)
Employment, Skills and Training (2013)
Revised Parking Standards and Design (2011)
Planning Obligations under Section 106 (2015)
Sustainable Design and Construction (2019)

Sites

Reading Station Area Framework (2010)

6.8. Other relevant documentation

Reading Borough Council Tree Strategy (March 2021)
Reading Biodiversity Action Plan (March 2021)
The Reading Tall Building Strategy 2008
Site layout planning for daylight and sunlight: A guide to good practice By BRE Ref BR209 2022 Edition (Third Edition)

7. Appraisal

7.1. Planning Practice Guidance on flexible options for planning permissions confirms that section 73 applications are considered against the...

“... 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”.

(Annex A: summary comparison table of the flexible options for planning permissions planning practice guidance)

7.2. With this context in mind, matters such as the principle of development and the general layout and provision of the north-south route, as discussed in detail at the time of the previous application at appeal and, ultimately, judged in the appeal decision by the Inspector, are not repeated in this assessment, for they have already been considered appropriate and the overriding policy context has not changed so significantly in the intervening time to alter those findings. For reference, the appeal decision is included in full at Appendix 2 of this report. Furthermore, a range of technical matters not impacted by the proposed changes are not explicitly referenced within this appraisal, with consultation responses in section 5 of this report and conditions included on the original permission (and proposed to be unaltered as part of this s73 application) satisfying these elements. Instead, as per the guidance above, the focus of attention is national and local policy and other material considerations which have changed significantly. Firstly, since

the original decision (March 2022) the NPPF has been updated (most recently in December 2023), but the local policy context has not altered, with the same Local Plan (2019) in place. With that in mind, the main considerations for the amendments proposed are considered to involve:

- Design / conservation / impact on the river
- Affordable Housing
- Housing mix
- Amenity
- Quality of accommodation for future occupiers
- Other matters

Design / conservation / impact on the river

- 7.3. The proposals seek to alter the massing and design of the approved scheme at various points, predominantly associated with Blocks B, D and E. Accordingly, each is considered in turn.
- 7.4. As per paragraphs 3.9 – 3.11 above, a series of changes are proposed to Block B, most predominantly the provision of an additional storey on the western wing and the overall increase in the height of the building by 0.15m. The applicant has sought to justify the additional storey in townscape terms by suggesting it assists the progression in height from Block C (4 storeys), to the western wing of Block B (now 5 storeys) and up to the main 11 storey element of Block B fronting onto Vastern Road. The more pronounced stepped approach is acknowledged and it is agreed that in design terms the additional storey does assist in differentiating this part of Block B from Block C, as shown below in figure 32.



Figure 32 - Section through the middle of the site looking east, showing (left to right) the west elevations of Blocks D, C & B – as approved (above) and as proposed (below)



- 7.5. From Vastern Road, it is considered that, when combined with the changes proposed to Block E (as shown in outline form within figure 33 below), the additional storey would slightly further reduce scope for views through the site towards the river and Christchurch Bridge, but not to such an extent to alter the Inspector's conclusions regarding the acceptability of the legibility and attractiveness of the north-south route for users (paragraphs 30-39, as per Appendix 2).



Figure 33 - Vastern Road streetscene elevation showing Blocks A (left) and B (right), with the outlines of Blocks E (rear middle) and D (rear right) also shown – as approved (above) and as proposed (below)



- 7.6. As shown above in figures 32 and 33, the additional storey seeks to continue the form and pattern of development, utilising the same materials as intended on the remainder of this block in the original permission. This is considered to be an appropriate design response and aligns satisfactorily with the contrasting roof form at Block C, whilst matching the original design intent at Blocks A and B fronting onto Vastern Road.
- 7.7. With regard to the 0.15m increase in height of the overall building, this is a result of design development (advancements in the plant requirements) and does not result in any changes to the total number of storeys proposed or breach the Policy CR10 (Tall Buildings) threshold (11 storeys and 35.25m, below the 12 storey / 36m stipulations of Policy CR10). No design based concerns are therefore raised in these regards, nor the other minor material amendments proposed for Block B.
- 7.8. Moving on to consider Block D, as already described at paragraphs 3.12 – 3.15, a series of fairly prominent changes are proposed, particularly in respect of the top two floors and a number of detailed design matters too. At eighth and ninth floor level, officers consider that the proposed increase in width can be supported on balance, predominantly as this is offset by the proposed set back of these floors further from the river than originally approved (by 3m).
- 7.9. However, some concerns are raised by officers in this regard, as shared by the RBC Conservation Officer (as per paragraphs 5.3 to 5.6 above). Particular concerns are raised regarding the introduction of brickwork at the southern end of building diluting the proportions and character of the building as a whole. In overall terms the top floors of Block D are now less well defined in comparison with the approved scheme. The Townscape and Visual Impact Assessment addendum information assists in raising such concerns, as shown below at figures 34-39 where comparisons of the existing, approved and now proposed contexts are referenced.



Figure 34 - Zoomed in extract of the winter view P6 from Reading Bridge, with Block D (foreground right), Block E (background far right) and the upper most floors of Block B (background left) – as existing (top), as approved (middle), as now proposed (bottom). Full versions are within Appendix 1.

- 7.10. The applicant considers that the expansion of brickwork at the southern ends of the east and west facades act as a “bookend” or “stop-end” which assists with the balance of the building, suitably framing it where more functional elements are located internally and facing the remaining SSE site. The applicant also references parallels with the proposals to those at Battersea Power Station, where lightweight glazed elements have been added to the existing building. In summary, the applicant considers that the current proposals deliver a more varied and interesting approach than that of the approved scheme and is *“a significantly positive step forward in design terms, enhancing the overall design and material quality of the scheme”*. Officers do not agree with this summary, with the changes to the top floors of Block D instead being considered a backward step in overall design terms. However, with specific regard to Block D only, the extent of the changes to the top floors are not so significantly different that they alter the conclusions previously reached

by the Inspector. The block remains ten storeys in height and the overriding design approach remains similar to the consented scheme.



Figure 35 - Zoomed in extract of the summer view P6A from Reading Bridge, with Block D (foreground right), Block E (background far right) and the upper most floors of Block B (background left) – as existing (top), as approved (middle), as now proposed (bottom). Full versions are within Appendix 1.

- 7.11. With specific regard to the wider design changes to Block D, another prominent component part is the change in the fenestration arrangements in the centre of the riverside façade. This alters the glazing pattern from three columns to four thinner columns, with less definition between each floor and this appearing, as per figures 36 and 37 below, to be a continuous vertical element. This is considered to add to the impression of the verticality of the building as a whole, but also strengthens the power station typology originally proposed, so in overall terms no specific design concerns are raised with this element of the proposals. It is also noted that the overall height of Block D is increasing, as per paragraph 3.14 above, but this is not a harmful addition in the context of the approved height.



Figure 36 - River elevation as approved (above) and as proposed (below), with Block D on the left and Block E on the right. The outlines of Blocks B (left) and A (right) are shown too.



Figure 37 – Riverside CGI as approved (above) & as proposed (below) showing Blocks D&E.



7.12. Turning to consider solely the Block E changes, the alterations to the top two floors of the building are very visible changes to the approved scheme, with the clear differentiation in form having been lost and the now proposed building being of a significantly different design character to the approved scheme. This is both in terms of the increase in bulk and massing at this point (with the floorplate of the top two floors expanding), together with the change in material approach from a glazed inset box to the now sought continuation of the form of the floors below, only differentiated by a modest change in brickwork colour to the lower floors (as shown in figures 34-37 above, and figures 38-39 below). Officers are mindful that paragraph 140 of the NPPF (2023) states:

“Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.

7.13. Differentiation is considered to be required at the top of Block E to accentuate the horizontal breaks in the form of the proposed building, with the Block E now almost seeking to compete for primacy with Block D given the changes proposed. The Conservation Officer comments (see paragraphs 5.3 to 5.6 above) considers that a more monotonous appearance is created, reducing design quality. Accordingly, officers consider this another backward step in comparison with the previously approved scheme.



Figure 38 - Zoomed in extract of the winter view P2 from Christchurch Meadows, with Block D (left) and Block E (right) either side of the Christchurch Bridge mast – as existing (top), as approved (middle), as now proposed (bottom). Other schemes in the vicinity outlined in different colours – e.g. Vastern Court pink and 80 Caversham Road green). Full versions are within Appendix 1.

- 7.14. The applicant considers that the paler colour of brickwork on the top two floors mitigates the increased width of massing and the greater perceived weight of materiality. The applicant also considers the contrasting material colour also maintains the distinction of the top from the middle section of the building. The applicant points to Butlers Wharf in London where the intended approach has been successfully applied, and advises that if greater differences in the brick colours are required, these can be reviewed when material details are submitted relating to condition 3. Furthermore, the applicant considers that the design changes create a clearer distinction in the character of Block E from Block D. The approved scheme shares the same rooftop glazing on Blocks D & E, whereas a wholly warehouse approach, as now proposed for Block E, appears from the applicant's viewpoint to be more honest and coherent approach. The contrast means the buildings express their own individual characteristics. The applicant also considers that the roof terrace amenity spaces provided on the top floor bring further articulation to this floor. Moreover, the applicant considers in overall terms that the changes enhance the overall design and material quality of the scheme.
- 7.15. Officers are not entirely convinced by the various justifications provided by the applicant but returning back to the conclusions reached by the Inspector, it is considered that the changes are not sufficiently harmful to lead to the reversal of previous conclusions reached at paragraphs 80-84 of the appeal decision in respect of the riverside.
- 7.16. Linking into this wider consideration of the riverside setting as a whole, thereby considering changes at Blocks D & E collectively, as noted in section 2 above, the site is sensitively located, adjacent to the Major Landscape Features of River Thames and Christchurch Meadows. This was carefully considered at length by the Inspector in allowing the appeal (see in particular paragraphs 51 to 84 at Appendix 2).

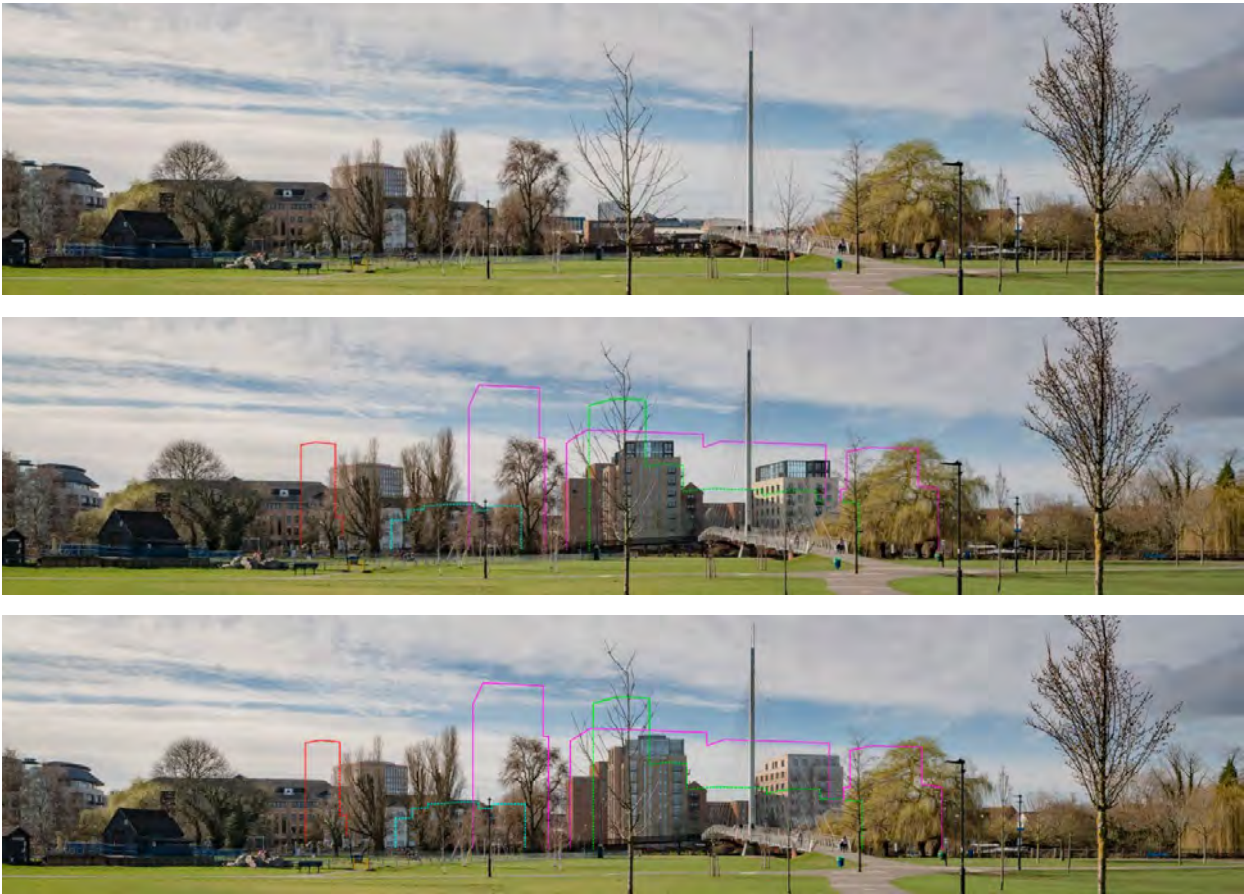


Figure 39 – Winter view P2 from Christchurch Meadows, with Block D (left) and Block E (right) either side of the Christchurch Bridge mast – as existing (top), as approved (middle), as now proposed (bottom). Other schemes in the vicinity outlined in different colours – e.g. Vastern Court pink and 80 Caversham Road green). Full versions are within Appendix 1.

- 7.17. In this regard, it is noted that in allowing the appeal, the Inspector considered the presence of Blocks D and E in the context of gateway function of Christchurch Bridge, with the gap between the blocks being important. Paragraph 57 concludes that *“the splayed gap between them [Blocks D & E] would be sufficient to achieve a sense of spaciousness, softened through landscaping, to frame a welcoming entrance which would clearly mark the arrival into the MOA”*. Whilst this gap is reducing as a result of the now sought proposals at Blocks D & E, both physically (with the increase in width of the top floors of Blocks D&E) and in form (with Block E no longer being a lightweight glazed element) it is not considered to be reducing to such an extent to arrive at a different conclusion to that previously reached by the Inspector in this regard.
- 7.18. In addition, in considering both the landscape and visual impacts of Blocks D & E (paragraph 76 of the Appeal decision), the Inspector on the one hand acknowledged that these blocks would be *“significant additions which would be at odds with the requirement that the River should retain a natural character”*, before reconciling this with inevitable future changes in the vicinity (owing to policy), the high quality design, the contemporary interpretation of historic links to the site and the opening up and planting along the frontage would all lead to the proposals enhancing this stretch of the river. Whilst changes have been made to Blocks D & E, in particular with regard to Block E, it is not considered that this overriding conclusion on this matter would be reversed as a result of these changes. Hence, officers consider that, despite the concerns raised with component parts of the changes, it would not be sustainable to resist these amended proposals on this basis.
- 7.19. For completeness, the relatively minor design changes at Blocks A, C and F, as outlined in full at section 3 above, are considered to be appropriate changes which do not dilute or undermine the original design idiom or result in any adverse related heritage impacts. The overwhelming majority of changes at these blocks are a result of design development, which can realistically be expected in any proposal of this scale and nature. Accordingly, no design-based issues are raised with these component parts of the proposals.
- 7.20. In addition, the series of site layout changes described at paragraphs 3.3 to 3.5 above do not significantly alter the approved scheme. The majority of the changes are access related as a consequence of fire regulation changes internally. The Council’s Natural Environment officer is, following clarifications, largely content (see paragraphs 5.13 – 5.15 above for details) from this perspective, with officers welcoming the omission made during the course of this application of an initially intended change to the public realm at the arrival space adjacent to Block B. Moreover, the exact details of the hard and soft landscaping arrangements will be secured through the approval of details associated with condition 28 of the original permission. With all of the above in mind, the site layout changes raise no design based concerns.
- 7.21. Finally, it is acknowledged that the allowed at appeal proposal accepted the loss of the locally listed building at the site. It is not considered that the shortfalls in the design components of the proposals are so significant to reverse this overriding conclusion.
- 7.22. In conclusion in respect of design and related matters, whilst a number of changes raise no concerns or are justified and supported in design terms, most notably the additional storey at Block B, some concerns are raised in respect of the changes proposed at Blocks D and E facing the sensitive River Thames. These are considered in themselves to be backward steps in comparison with the original scheme at the site. However, mindful of the Inspector’s various comments in allowing the original proposals at the site, the changes are not considered so fundamentally different to the approved scheme to result in contrasting overarching conclusions to those previously reached by the Inspector in supporting the proposals on design-based matters.

Affordable Housing

- 7.23. The applicant has included an affordable housing statement as part of this application which, in summary, does not propose to update the viability assessment submitted at the time of the original permission. The rationale for this is that the overall quantum of

development (209 residential units) and tenure (100% market housing / 0% affordable housing – whilst also noting at the time of the previous application an offer of 20.57% on site provision was introduced to the scheme, but this was withdrawn by the applicant at appeal stage) is not changing and the previous viability assessment identified a significant deficit (£17.75m - -22.6%). This was subject to verification through an independent review on behalf of the LPA at the time, which confirmed it was unviable to provide an upfront on-site affordable housing. Accordingly, the applicant maintains this position, as per the original permission, with a late-stage viability review (to potentially capture any uplift through a deferred contribution mechanism) continuing to be secured via legal agreement.

- 7.24. Officers note that there has been a passage of time between the original viability submission (in 2020) and the current day and the changes to the unit mix as part of this application, which potentially mean the viability position may have altered in the intervening time. RBC Valuations (as per paragraph 5.8 above) have confirmed that proportionally, the change in unit mix in isolation will not materially affect the viability position and previously agreed terms from the previous submission. RBC Housing meanwhile state (see paragraph 5.9 above) disappointment that the proposals are not offering any upfront affordable housing, owing to viability reasons. Ultimately officers consider that the proposed changes sought as part of this s73 application are unlikely to result in the previous deficit becoming a surplus and it would be unsustainable to seek to resist the current proposals on this basis, in the context of the previous appeal (for example paragraph 196 of the appeal decision stated that the Inspector “*agree[d] that the development cannot viably support the provision of affordable housing at this point in time*”. Accordingly, whilst the continued provision of a wholly market housing scheme at the outset, without the provision of any affordable housing, is naturally disappointing, this is a result of viability assessments as Policy H3 (Affordable Housing) accounts for. Furthermore, the legal agreement to secure a late-stage review, thereby providing an opportunity for a contribution to be secured should the viability position improve in due course, is retained from the original permission. As such, in overall terms, the proposals are considered to be satisfactory in respect of affordable housing.
- 7.25. As noted above, in the planning history section (4.11), a separate S106A application has recently been submitted by the applicant to alter the affordable housing requirements. This is a wholly separate submission to this s73 application and forms no part of the assessment of this s73 application.

Housing mix

- 7.26. With regard to the mix of different residential unit sizes at the site, this is shown and compared with the original permission at Table 1 at paragraph 3.2 of this report. Mindful of Policy CR6 (Living in Central Reading), which guides there to be no more than 40% 1-bed units and no fewer than 5% 3-bed or more dwellings, the amended proposals are acceptable in themselves and an improvement in comparison with the original permission. Although a greater number of 1-bed units are now proposed (from 61 to 70), the proportion is still comfortably below the maximum 40% guidance figure, at 33.5%. In terms of 3+-bed units, the now sought proposals represent a betterment, increasing the number of 3-bed units from 12 to 20 and introducing the provision of 3x4-bed units too. Although the applicant has shown the additional larger units are including study rooms (to assist home-working), in practice officers have counted these as bedrooms (as could be the case in practice). Accordingly, the percentage of larger units is actually almost doubling, from the already approved 5.7% to the now proposed 11%. This is a welcomed outcome of these amended proposals, with this being considered a tangible planning benefit of these specific amendments to the proposals.
- 7.27. Accordingly, the proposed changes to the mix of units is strongly supported, with condition 24 of the original permission proposed to be varied as follows (omissions shown by strikethroughs, additions in bold:

No change to the unit mix (~~64~~ **70** x 1-bedroom units, ~~436~~ **116** x 2-bedroom units, and ~~12~~ **20** x 3-bedroom units and **3 x 4-bedroom units**) shall be made to the development hereby permitted.

- 7.28. The applicant has indicated agreement to the wording of the condition being varied in this manner.

Amenity

- 7.29. It is acknowledged that one of the main concerns arising from the public consultation responses (see paragraphs 5.32 – 5.38 above) is the loss of daylight and sunlight to Lynmouth Road residents in particular, with this exacerbated by the additional storey to Block B and changes to Blocks D&E. The LPA obtained an independent review of the daylight and sunlight evidence submitted, with the review undertaken by BRE, authors of the main technical guidance on daylight and sunlight matters.
- 7.30. For further context, BRE undertook a similar review of the original application, with daylight and sunlight not a specific reason for the refusal of the original application. At this time a number of shortcomings with the proposals were identified in the BRE review, but in overall terms officers considered these shortfalls were not significant enough for the proposals to be refused on this basis, largely owing to the attempts made by the applicant to minimise impacts and the town centre location of the site. In allowing the subsequent appeal, the Inspector commented on daylight and sunlight matters (primarily at paragraphs 177-178 – see Appendix 2 for the decision in full), acknowledging that there would be losses for existing properties, but concluding that *“the overall loss of sunlight would be largely within the BRE guidelines”* (paragraph 177) and for Lynmouth Road residents the minor adverse daylight losses *“would not be unreasonable in this urban context”* (paragraph 178).
- 7.31. Since the original permission in March 2022 the overarching BRE guidance has been updated, with the third edition of the guide to good practice published in June 2022. Accordingly, the eb7 report has considered the proposals in the context of both the previous BRE guidance (to allow direct comparison with the original scheme) and the latest BRE guidance (to indicate adherence with current guidance). A fuller assessment of the proposed units is also provided. The assessment also considers the cumulative impact of the potential Vastern Court development, should that come forward (see paragraph 4.13). As per the summary of the BRE review, above at paragraphs 5.21-5.22, the proposed scheme results in slightly greater impacts for Lynmouth Road properties, which is perhaps unsurprising given the proposed additional storey at Block B and the alterations to the massing at Blocks D and more specifically Block E. There are some instances where the impacts alter the overall characterisation of the impacts, but BRE advise that generally the previous overall conclusions remain similar. Given this context, together with the comments from the Inspector at the time of the previous appeal, whilst adverse impacts are envisaged for existing nearby occupiers, these are not considered significantly harmful to warrant resisting the proposals on this basis. This is both in the context of the proposals on their own merits, and set against the backdrop of the previous approval.
- 7.32. Another concern arising from public consultation responses is the additional loss of privacy and overlooking, as a result of the changes to Block B and E, to Lynmouth Road properties. Furthermore, harm to outlook and visual dominance and the overbearing effects of a development are another relevant and related factor referenced by Policy CC8 (Safeguarding Amenity), which could be worsened as a result of the proposed amendments. It is accepted that the provision of an additional storey at the western wing of Block B will introduce additional opportunities for overlooking and a further loss of privacy to occupiers of properties on the east side of Lynmouth Road, with figures 16 and 17 demonstrating that nine additional windows are proposed at this point (six serving individual bedrooms and three serving living/dining/kitchen rooms). However, this is partly offset by the omission of three windows in the north elevation of nearby Block A (see figure 12), which would reduce overlooking towards the rear of Lynmouth Road properties at this point. Moreover, as the Inspector noted at paragraph 173 of the appeal decision,

the presence of trees on the boundary would soften views and a sense of screening and separation, whilst also noting the Inspector commented that *“it is unrealistic to expect total privacy within inner urban environments such as this”*.

- 7.33. It is also conceded that increasing the west wing of Block B from four to five storeys will further reduce outlook and increase the visual dominance of the development for nearby Lynmouth Road occupiers (see figure 40 below). However, in the context of the approved scheme, which is already four storeys in height at this point and adjacent to an eleven storey element which fronts onto Vastern Road, the amount of additional visual dominance and loss of outlook is considered to be limited and not great enough to specifically seek to resist the proposals on this basis. Similarly, whilst additional overlooking opportunities would occur, these are not fundamentally increased in comparison with the approved scheme. In allowing the appeal, the Inspector commented on such matters at paragraphs 172-176 of the decision (see Appendix 2), with the 25-29m front-to-back distances towards Lynmouth Road not changing (exceeding the 20m back-to-back distance referenced by Policy CC8) and the moderated scaling up of blocks to ensure they are not unduly overbearing (as per paragraph 176) continuing.

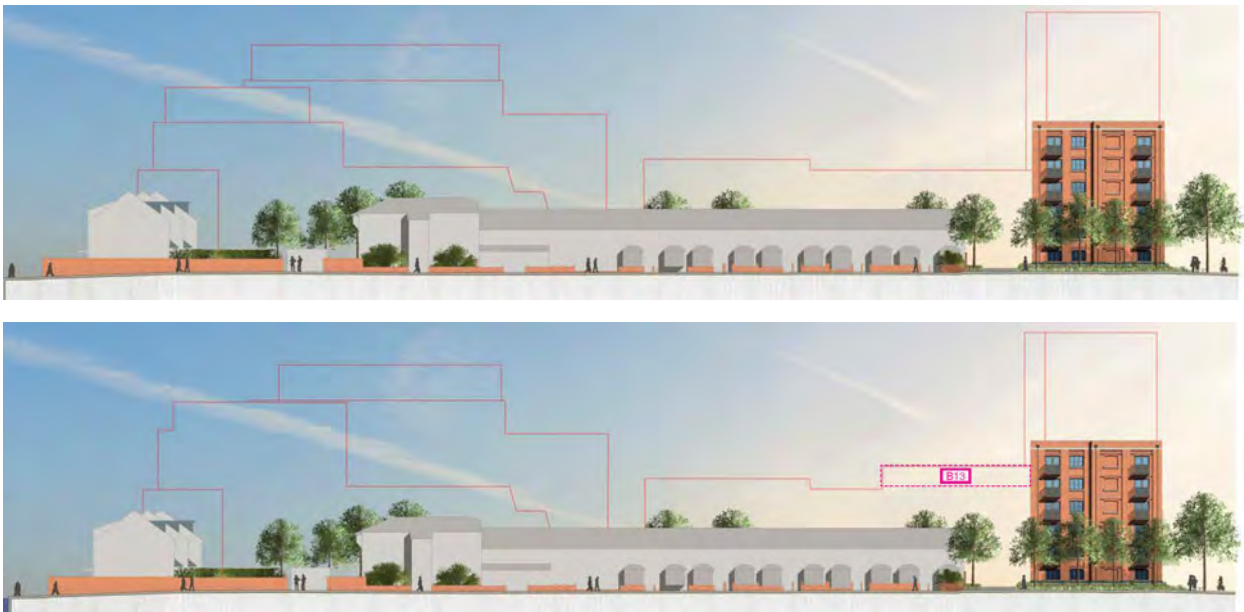


Figure 40 - Section along the middle of Lynmouth Road looking east and relationship with Block A (right), with other proposed blocks shown in outline form, as approved (top) and as now proposed (bottom)

- 7.34. In terms of Block E, there is a reduced number of windows on the west elevation facing towards Lynmouth Road (see figure 28), with the omission of the inset with external terrace (see figure 27) improving matters further for nearby occupiers in comparison with the approved scheme. On the south elevation of Block E the amount of glazing is reduced and hence the possible amount of overlooking towards the rear of Lynmouth Road is slightly reduced at this point too (see figure 29). This is all balanced against the increase in massing on the upper two floors, which would result in Block E being slightly more overbearing and visually dominant / reduced outlook than the approved scheme. It is also noted that on the west elevation of Block F windows are reducing in size (see figure 30), again resulting in a slight improvement for nearby occupiers. Hence, in overall overlooking/privacy terms the Block E/F changes result in slight improvements for nearby Lynmouth Road residents at this point, set against a slightly worsening impact of reduced outlook and increased visual dominance through the design changes to Block E. In each instance the scale of the impact is not considered to be fundamental or result in a different overarching conclusion of acceptability, as made by the Inspector in allowing the original scheme.
- 7.35. In respect of other amenity based matters referenced by Policy CC8 (Safeguarding Amenity), the proposed changes are not considered to result in any worsening of the situation in comparison with the original scheme. For example, the external layout

changes are not envisaged to result in any specific crime or safety implications. Meanwhile, the small changes in the overall heights of buildings and the updated design approach for the top two floors of Blocks D&E, or the additional storey to the western wing of Block B is not considered to alter the wind and microclimate conditions beyond the conclusions reached at the time of the original permission.

Quality of accommodation for future occupiers

- 7.36. In terms of the quality of accommodation for future occupiers, the requirement for the scheme to adhere to updated fire regulations has been the major driver in the proposals, with a series of other amendments generally stemming from these changes. In particular, the requirement for a second staircore within buildings over 18m in height has resulted in these being introduced to Blocks B, D and E. The HSE has been formally consulted on the application, as is now required (see paragraphs 5.26-5.27 above), and following a series of clarifications by the applicant the HSE has confirmed contention to the extent it affects land use planning considerations. Accordingly, adherence to the updated standards is considered to be a benefit of the proposed amendments, assisting in the overall quality of accommodation for future occupiers.
- 7.37. In other regards, the changes in housing mix, specifically the increase in larger units is seen as a benefit in helping to foster the creation of mixed and balanced communities. The applicant has indicated that these additional rooms, considered by officers to be counted as bedrooms, are envisaged to function as study rooms to assist future occupiers who work from home, adapting to this recent societal trend. Furthermore, the creation of a management office/suite (ancillary to the Class C3 residential use) at ground floor level of Block B, and available for future use by occupiers of all dwellings at the site, is another on-site benefit for future occupiers.
- 7.38. In terms of daylight and sunlight provision for future occupiers, the supporting report has been independently reviewed on behalf of the LPA by BRE. As per paragraphs 5.21 (specifically parts h) to k) and 5.22 BRE acknowledge that daylight provision is not ideal, but there have been improvements for the worst lit rooms since BRE's initial review at the time of the original application in 2020. In terms of sunlight, the results are described as "mediocre at best", but are partly compensated by some north facing windows including river views and officers consider that the results are not fundamentally worse than the previous approval, at which point lack of day/sunlight for future occupiers was not a reason for refusal of the application, nor raised by the Inspector as a shortcoming in the appeal decision. Consequently, a similar conclusion is reached now, that day/sunlight provision for future occupiers is in overall terms adequate in the context of the proposals as a whole.
- 7.39. The consultation response from RBC Waste Services (see paragraphs 5.11-5.12 above) has drawn out an issue not raised at the time of the original permission. At the time of the original application no response to the consultation request was received from RBC Waste Services (as per paragraph 4.23.1 of the officer committee report for application 200188), with condition 15 of the appeal decision requiring details of refuse and recycling bin stores to be submitted and approved prior to the first occupation of the relevant block. Input from RBC Waste Services concerning the current proposal has identified an issue regarding the pulling distances of bins from the stores to the collection vehicles being in excess of 10m. Accordingly, a management plan is required in order to establish and formalise the approach the applicant's strategy in this regard. The applicant has made submissions rejecting this feedback, on the basis of the pulling distances now proposed being an improvement on those shown on the already approved plans. Officers reject such a justification and therefore recommend to vary the wording of condition 15, to specifically require the applicant, as part of the details required as per the original wording of this condition, to require a management plan to also be secured. In practice, this alters the wording of condition 15 from:

15. Prior to the first occupation of any residential / commercial unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D – The Generator / The Turbine Hall; (e)

Block E – Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G; (h) Café) details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to the first occupation of the relevant building and shall not be used for any purpose other than bin storage at all times thereafter.

(Condition 15 of the appeal decision, as per Appendix 2)

7.40. To the following wording instead:

Prior to the first occupation of any residential / commercial unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D – The Generator / The Turbine Hall; (e) Block E – Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G; (h) Café) details of how refuse and recycling collections will be managed from the site (including vehicles, servicing and deliveries, as per a management plan) and measures to prevent pests and vermin accessing the refuse and recycling store(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter refuse collection, servicing and deliveries shall be carried out fully in accordance with the approved details and management plan, the approved pest and vermin control measures shall be provided prior to the first occupation of the relevant building and the refuse and recycling stores shall not be used for any purpose other than refuse and recycling storage at all times thereafter.

7.41. The inclusion of a management plan will ultimately improve the quality of accommodation for future occupiers, by ensuring that there is a co-ordinated approach adopted in the future to waste collection and avoiding a potential issue (no management plan) which may have inadvertently arisen in the original permission.

7.42. In overall terms there is considered to be a slight increase in the quality of accommodation for future occupiers of the now proposed development, when compared with the originally allowed scheme. This consequently forms another benefit of these proposals.

Other matters

Specific commentary on other proposed conditions sought to be amended

7.43. By consequence of the changes proposed, a number of other conditions, beyond the approved plans condition 2 (whereby the now proposed plans will be referenced), are required to be varied, predominantly to update the wording to reflect updated plans referenced in these conditions. More specifically, the omission of the inset on the top floors of Block E means no roof terrace enclosures are now proposed at 6th floor level. Accordingly, condition 34 is re-worded to omit this requirement for details, with that no longer being applicable. Condition 35 (parking provision) is required to be varied to reflect the updated plans referenced in the condition, aligning with the altered parking arrangements proposed. This is confirmed as being acceptable by RBC Transport as per paragraphs 5.1-5.2 above. Condition 47 (Block B glazing and ventilation) is required to be varied to reflect the updated plans referenced in the condition, incorporating the changes to the scheme. For example, the additional storey within Block B is shown, with the previously proposed measures also proposed to be incorporated at this floor too. Such an approach is necessary, in light of the proposed changes, and considered acceptable too by officers.

Other conditions

7.44. In addition to the conditions sought to be amended in the description of development and condition 15 (refuse and recycling) as all separately discussed above, there are also a series of other conditions whereby the wording is required to be updated. This is to reflect that these conditions have already been satisfied through approval of details applications

submitted and approved (see section 4 above for details). In practice, the wording of these conditions will therefore change to compliance-based wordings, essentially requiring the development to be carried out in accordance with the already approved details. This relates to the following conditions:

- Condition 4 (Demolition and Construction Method Statement)
- Condition 5 (contamination assessment)
- Condition 6 (remediation scheme)
- Parts a and b of condition 10 (Land gas)
- Parts of condition 11 (archaeological evaluation)
- Condition 15 (refuse and recycling) following the officer assessment as referenced above
- Condition 22 (recording of lodge building)
- Condition 31 (Arboricultural Method Statement and Tree Protection Plan)
- Condition 42 (DDA compliant pedestrian route to and from the accessible parking bays details)
- Condition 46 (CEMP: Biodiversity)

7.45. Planning Practice Guidance on flexible options for planning permissions also makes clear that, for the purpose of clarity, s73 applications should restate the conditions imposed on earlier permissions that continue to have effect. Beyond the discussion above regarding those conditions proposed to be altered, or those that are subsequently required to be reworded to reflect approval of details applications having already been satisfied, all remaining conditions of the original permission will be restated on the future decision notice. All such conditions, as per the 'Review of other conditions as per the original permission' sub-section of the 'conditions' section at the outset of this report, remain unchanged.

Legal Agreement

7.46. In terms of the legal agreement, this remains in place in accordance with the terms of the original agreement, as confirmed by RBC Legal Services (see paragraph 5.10 above). In summary, the original legal agreement secured an affordable housing viability review, an open space contribution, ecological works, a carbon off-setting mechanism, an employment, skills and training contribution and various highways works associated with the north-south link, highways improvements and works, a travel plan and car club. The specific amendments sought as part of this s73 application do not explicitly alter the general requirements previously secured, nor result in any new obligations being required to be secured. Accordingly, no deed of variation to the legal agreement is considered to be required in this instance.

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 confirmed at paragraph 7.1 above, section 73 applications are required to be considered against the development plan and material considerations, under section 38(6) of the Planning and Compulsory Purchase Act 2004, and conditions attached to the existing permission, with a particular focus on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission. This has been evidenced in the above assessment.
- 9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above. In this instance it is considered relevant to initially return to the planning balance exercise undertaken by the Inspector in allowing the original proposals in 2022. At this time (see paragraphs 197 to 212 at Appendix 2), a summary of the harmful impacts / conflicts were:
- loss of the locally listed building, albeit the LLB can be afforded no more than a low level and modest degree of significance
 - provisions relating to the requirement to demonstrate that the proposal would be part of a comprehensive approach to the development of the Station/River major opportunity area
 - technical conflict with the policy requirement for development to be set back 10m from the riverbank, albeit this was considered a minor matter
- 9.3 Meanwhile, a summary of the scheme benefits, as identified by the Inspector, were compliance with key elements of the borough and site planning policy, such as:
- principle of residential-led mixed use development of an inner urban site as part of the expansion of the core of the town centre northwards
 - o delivering a significant amount of new housing on part of an allocated brownfield site in a highly sustainable location.
 - establishment of a connection to the major north-south movement corridor
 - o providing an important link supporting the Council's aspirations for this key movement corridor, enabling sustainable and healthy travel choices
 - o the opening up of the riverside area and provision of a café to support the attractiveness of this route.
 - o the supporting text to Policy CR11g sets out that achieving the north-south link is the main priority for the site and should be given substantial weight in development management.
 - o given the evident challenges of achieving a viable route through the site, securing the delivery of this important piece of infrastructure would be a benefit attracting significant weight
 - o the provision of a pedestrian/cycle crossing facility over Vastern Road would support connectivity across the wider north-south sustainable travel corridor and should be afforded beneficial weight
 - the highly accessible location is ideally suited to the proposed high-density development with low car dependency
 - the high-quality design reflects the history of the site, has regard to its riverside setting, and connects key elements of the major opportunity area with the rest of central Reading, making a significant contribution to the overall environmental improvement of the area.
 - suitable response to the natural environment, with any harmful effects on marginal vegetation addressed by an appropriate level of mitigation.

- generic wider social, economic and environmental benefits associated with urban development of this nature achieves moderate weight
- 9.4 With specific regard to the changes sought through this application, whilst some of the changes are considered appropriate in design terms (e.g. the additional storey to Block B), some harmful impacts in comparison with the original scheme are also identified (e.g. changes to the top floors of Blocks D & E). The changes to the housing mix, specifically the increase in larger 3 and 4-bedroom units is a welcomed benefit, with the mix alterations not in themselves materially affecting the viability position and previously agreed terms from the previous submission in respect of no upfront contribution to affordable housing being viably possible, but a late-stage review being secured. In amenity terms, the changes will not in themselves result in any substantial additional harmful impacts for nearby occupiers, and in overall terms the scheme will improve the quality of accommodation for future occupiers. In all other respects, the proposals are not envisaged to result in any significant harmful impacts over and above those previously raised and weighed by the Inspector in allowing the original application.
- 9.5 It is considered that the harmful impacts identified in these changes are, in the context of the proposals as a whole, are not so significant or fundamental to outweigh the benefits previously identified by the Inspector in supporting the original proposals. Officers consider that it remains the case, as concluded by the Inspector, that the policy harms in the now proposed scheme would be clearly outweighed by *“the significant benefits associated with managing the regeneration of the site as a whole”* (paragraph 210, as per Appendix 2).
- 9.6 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, it is recommended to vary conditions 2, 24, 33, 35 and 47, as sought by the applicant and, additionally, vary the wording of conditions 4, 5, 6, 10, 11, 15, 22, 31, 42 and 46 too, all associated with planning permission 200188, as allowed on appeal (Ref: APP/E0345/W/21/3276463) on 17/03/2022.

Appendix 1 – Selected further plans / visual information submitted with the application (and comparisons with the approved scheme)

View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - existing

Single frame image | Focal length 24.26mm | Camera height above survey point 1650mm | Nominal lens rise 0mm | Date 05.03.19 | Time 10:44



View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - allowed on appeal



View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - proposed



View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - existing

40 degree horizontal field of view - cropped image



View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - allowed on appeal



View P2 Winter - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - proposed

40 degree horizontal field of view - cropped image



View P2 Summer - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - existing

40 degree horizontal field of view - cropped image



View P2 Summer - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - allowed on appeal



View P2 Summer - Christchurch Meadows, approach to Christchurch Bridge, looking south-west - proposed

40 degree horizontal field of view - cropped image



View P6 Winter - Reading Bridge, looking north-west - existing

Single frame image | Focal length 24.26mm | Camera height above survey point 1650mm | Nominal lens rise 0mm | Date 11.03.19 | Time 10:52



View P6 Winter - Reading Bridge, looking north-west - allowed on appeal



View P6 Winter - Reading Bridge, looking north-west - proposed



View P6 Winter - Reading Bridge, looking north-west - existing

40 degree horizontal field of view - cropped image



View P6 Winter - Reading Bridge, looking north-west - allowed on appeal



View P6 Winter - Reading Bridge, looking north-west - proposed

40 degree horizontal field of view - cropped image



View P6A Summer - Reading Bridge, looking north-west - existing

40 degree horizontal field of view - cropped image



View P6A Summer - Reading Bridge, looking north-west - existing

Single frame image | Focal length 17.32mm | Camera height above survey point 1650mm | Nominal lens rise 4mm | Date 18.10.19 | Time 11:02



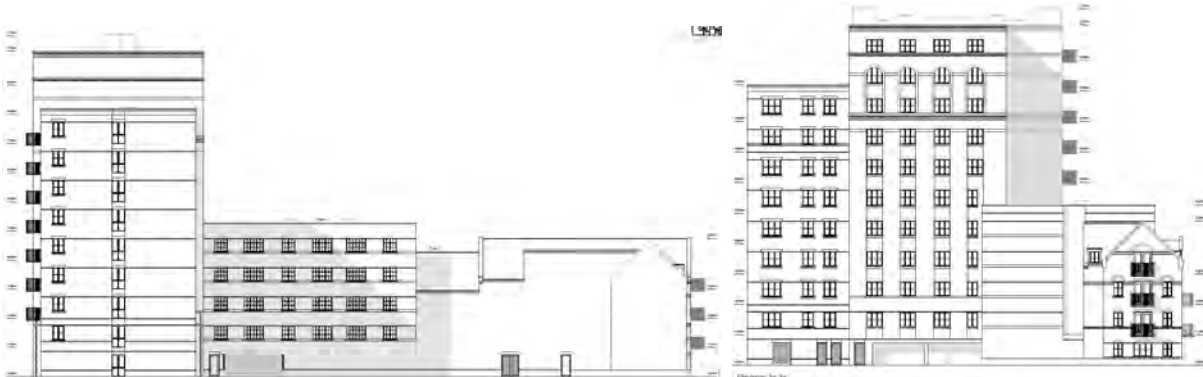
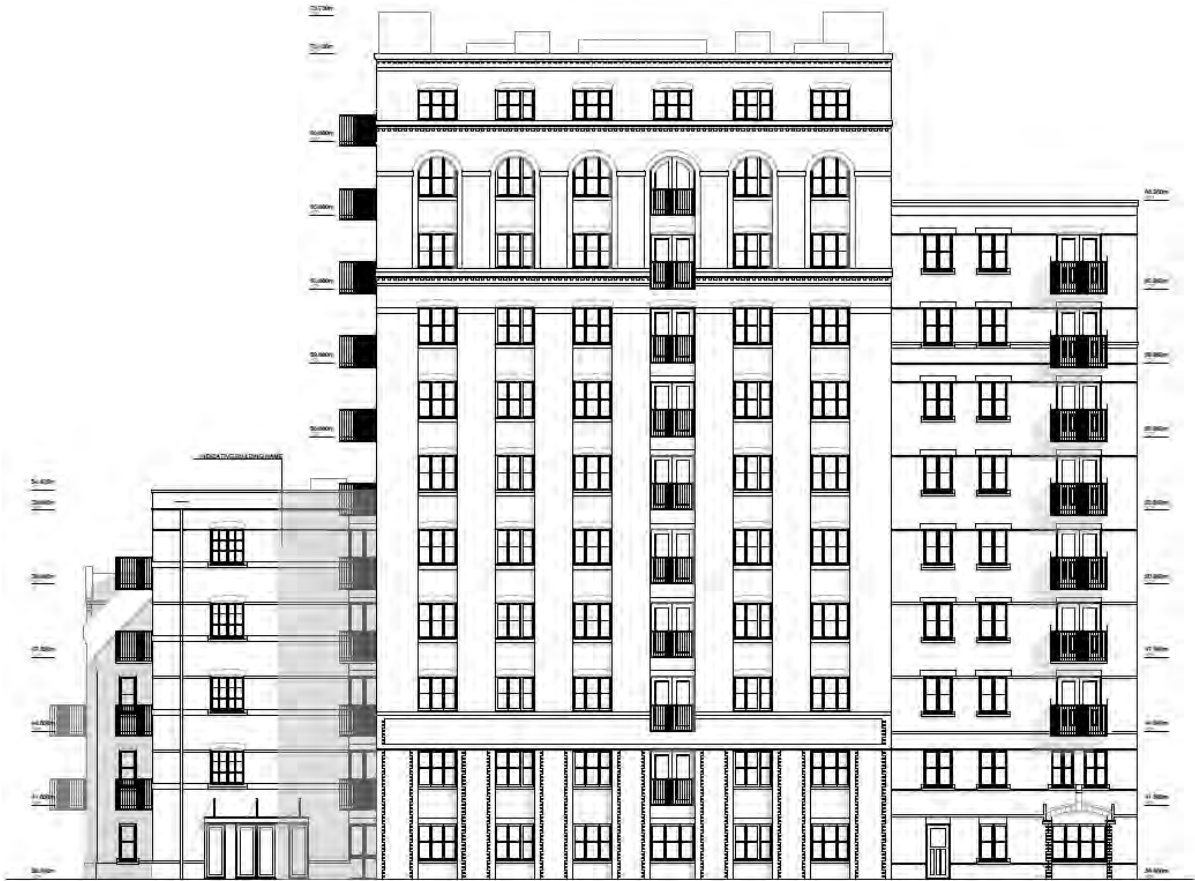
View P6A Summer - Reading Bridge, looking north-west – allowed on appeal



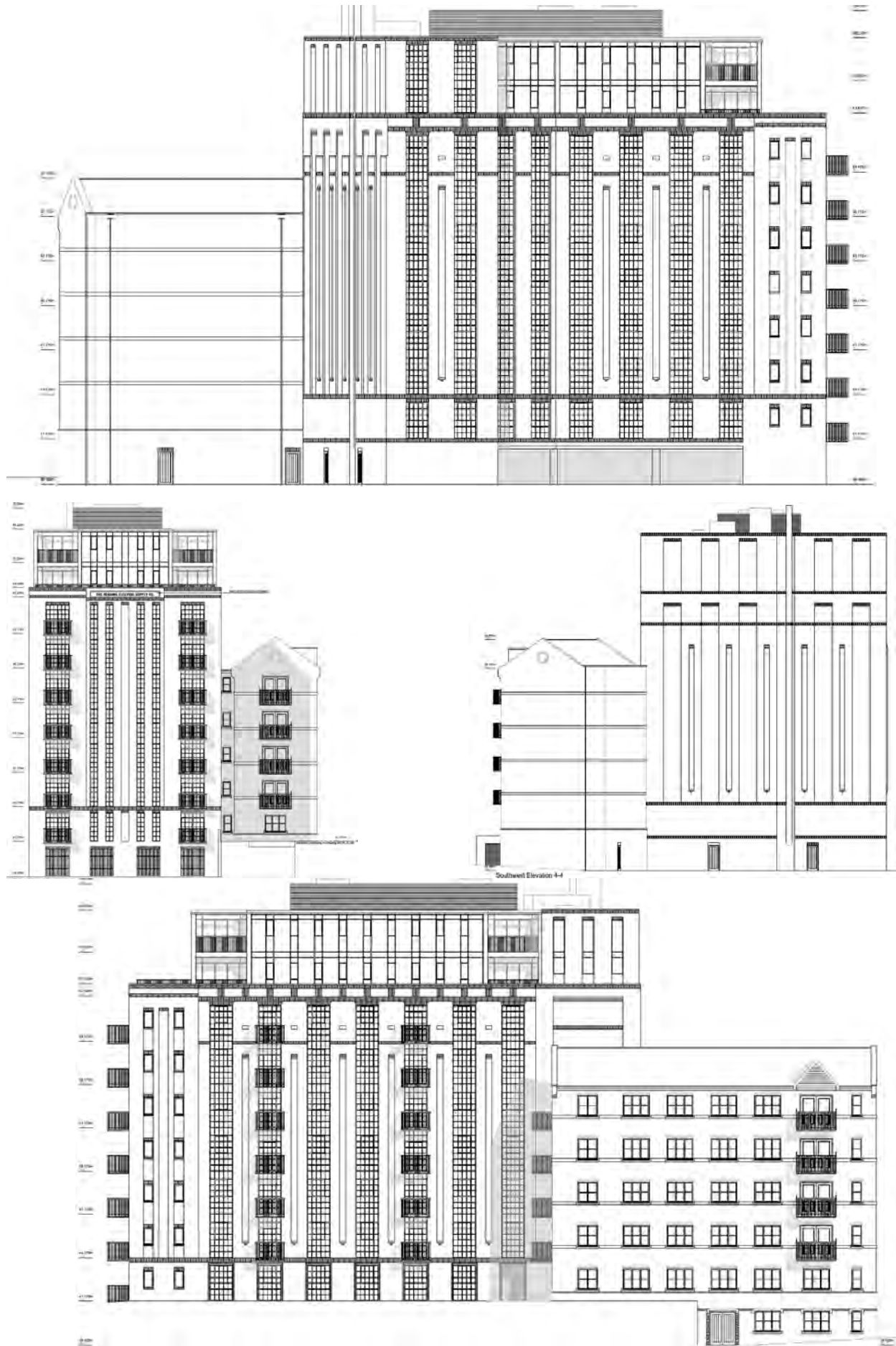
View P6A Summer - Reading Bridge, looking north-west - proposed



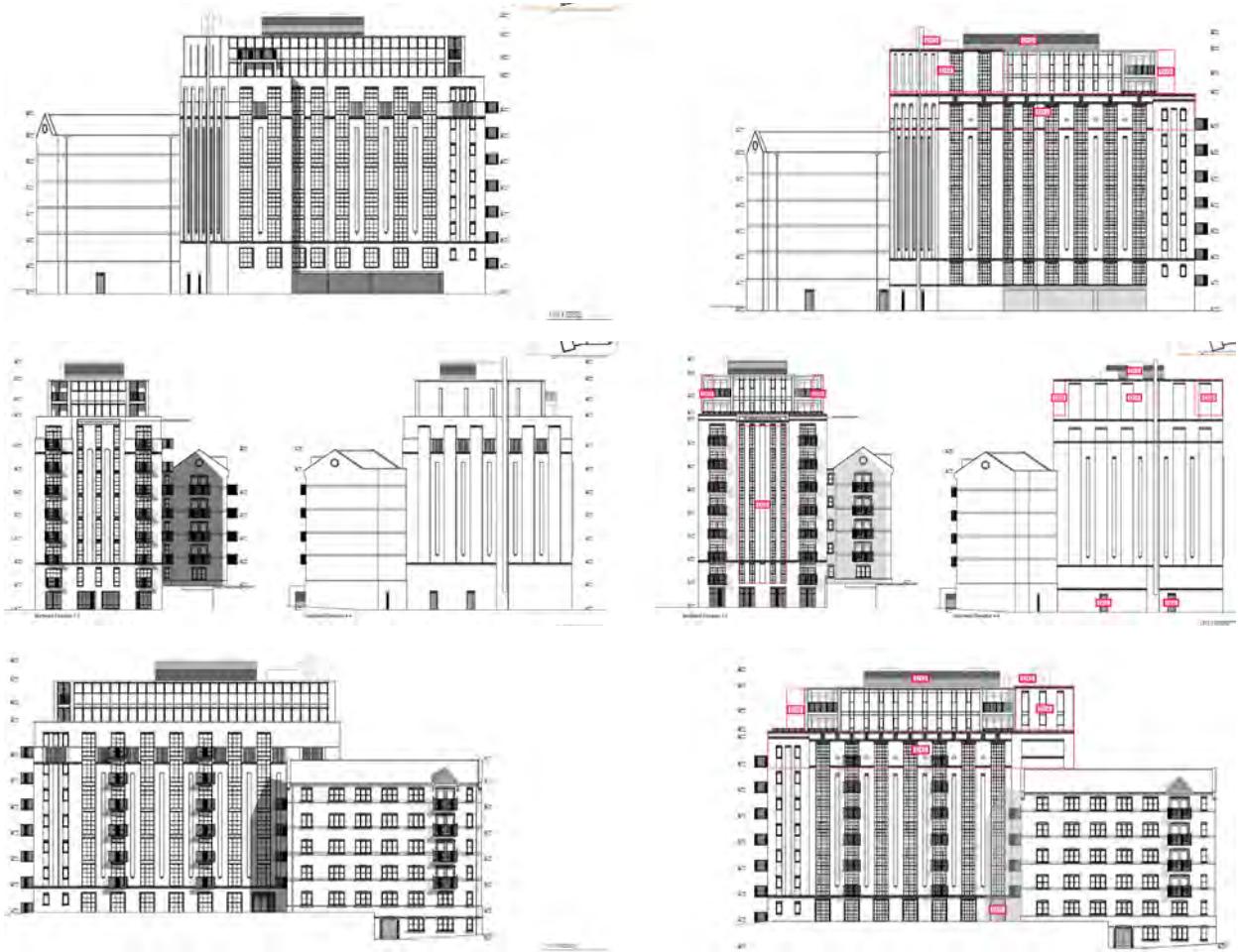
Blocks B & C proposed elevations (south, west, east and north)



Block D proposed elevations (east, south, north and west)

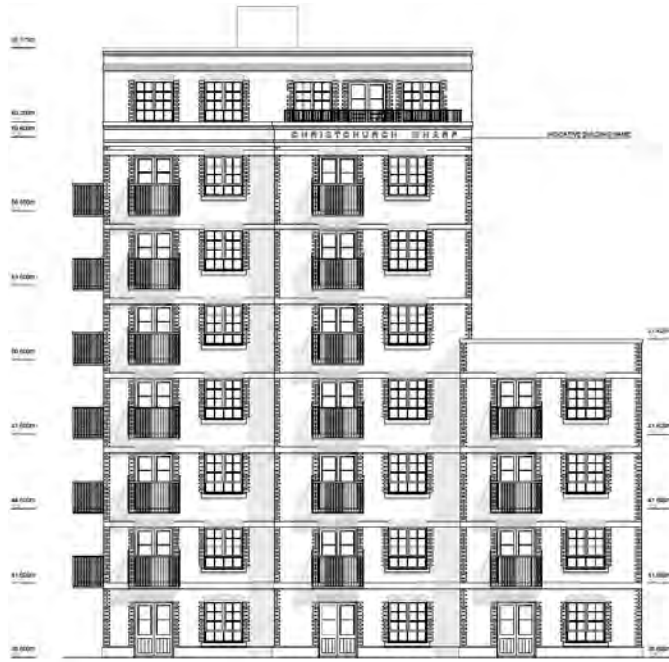


Comparison of approved and as now proposed Block D elevations



Section through the middle of the site looking west, as approved (top) & as proposed (bottom), showing the east elevations of Blocks A, G, F and E

Block E proposed elevations (north, east, south and west)



Northeast Elevation 4-4



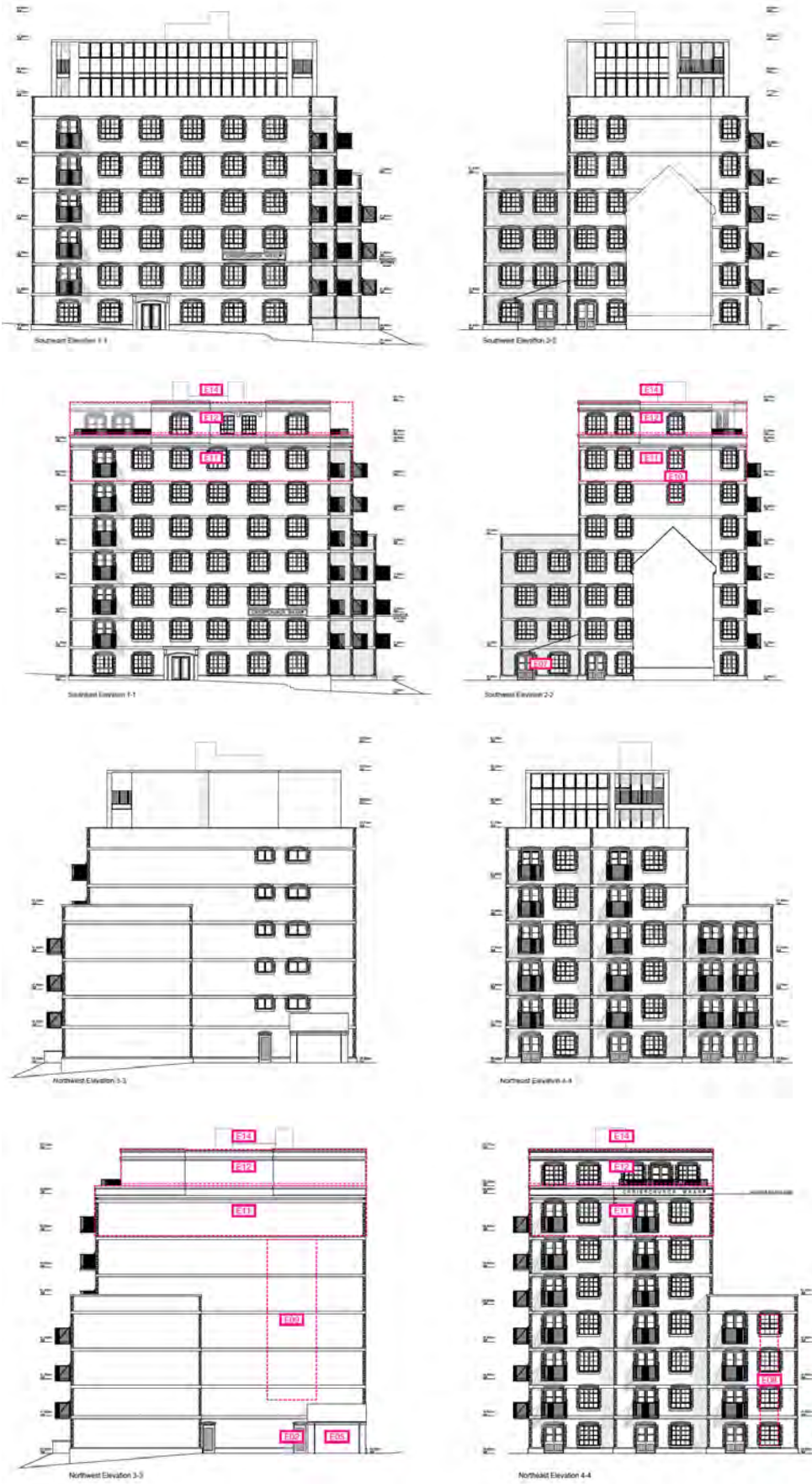
Southeast Elevation 1-1



Southwest Elevation 2-2

Northwest Elevation 3-3

Comparison of allowed on appeal and as now proposed elevations for Block E



Appendix 2 - Appeal (Ref APP/E0345/W/21/3276463) decision notice:



Appeal Decision

Inquiry (Virtual) opened on 26 October 2021

Site visits made on 20 October and 13/14 December 2021

by A J Mageean BA(Hons), BPI, PhD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2022

Appeal Ref: APP/E0345/W/21/3276463

55 Vastern Road, Reading, RG1 8BU

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

The appeal is made by Berkeley Homes (Oxford & Chiltern) Ltd against the decision of Reading Borough Council.

The application Ref 200188, dated 29 January 2020, was refused by notice dated 9 April 2021.

The development proposed is demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road at 55 Vastern Road, Reading, RG1 8BU in accordance with the terms of the application, Ref 200188, dated 29 January 2020, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The Inquiry sat virtually for 15 days between 26 October and 19 November 2021. It was closed in writing on 2 December 2021 following receipt of a completed Section 106 agreement (S106).
3. The description of development includes reference to the retail floorspace being in A3 Use Class. Under the 2020 revisions to the Use Classes Order, the new use class E brings together a number of the previous classes, including A3, into one single use class to allow for change of use without the need for planning permission. However, as the application was submitted prior to 1 September 2020, the Regulations set out that it falls to be determined by reference to A3 Use Class.
4. During the course of the planning application on-site affordable housing was introduced. However, as a result of a viability assessment, the Council and the appellant have agreed that the development cannot viably provide any affordable housing at this time. It is also agreed that the S106 should contain a deferred contributions mechanism. These provisions will be considered at the relevant point in my decision.

5. The appeal site forms part of an area allocated for development by the adopted Reading Borough Local Plan (the Local Plan). The whole site, as defined within Policy CR11g, formerly accommodated the local power station in Reading, and for much of the 20th Century contained substantial industrial built form. Various other uses have occupied different parts of the allocation area, but at the point of allocation the whole area was owned by Scottish and Southern Energy (SSE), with offices and high voltage electrical equipment remaining on site. Of the 1.24 ha allocated area, 0.48 ha containing the electrical equipment has remained in SSE ownership, with the remaining 0.76 ha forming the appeal site. The implications of the subdivision of the allocation will be considered in my decision.
6. An application to Historic England to consider Listing No 55 Vastern Road was made, and a Building Preservation Notice issued, immediately prior to the Inquiry opening. Whilst the outcome of this application is unknown, its implications are that for a period of six months the building is subject to the same protection as a listed building and any works to the building will require listed building consent (LBC). Therefore, in the event that the appeal is successful, this may be subject to securing LBC.

Main Issues

7. During the course of the Inquiry a series of Addendum Statements of Common Ground (SoCG) were issued. This was of assistance in narrowing the areas of dispute between the Council and the appellant. Specifically, the Third Addendum SoCG identified the fact that a revised option for access through the site to the towpath¹ could be achieved with a gradient of 1:21, as shown on plan 448.LAND.SK.101. As a result, the Highway Authority was satisfied that a suitable access connection to the towpath could be made for both pedestrians and cyclists. I considered that the amendments are minor in nature, such that the nature of the proposal would not be materially altered and that the acceptance of the amended plan would not prejudice the interests of interested parties. Therefore, the Council withdrew its objections relating to the absence of access to the towpath for cyclists.
8. The Fifth Addendum SoCG refers to noise matters, and specifically the treatment of the facades of Blocks B and C that would be affected by noise emanating from the SSE equipment. The appellant prepared detailed plans showing the glazing specifications and Mechanical Ventilation with Heat Recovery that could be used. The Council concluded that the mitigation measures proposed would be sufficient to minimise the impact of nearby noise pollution. As a result, the Reason for Refusal relating to the effect of the proposal on the living conditions of future residents would be overcome. The amendments made are minor, meaning that acceptance of the revised scheme would not prejudice the interests of interested parties. Therefore, subject to a condition specifying the revised glazing and ventilation details, I do not consider that it is necessary to consider this matter further.
9. The S106 provides a number of obligations which address the Council's seventh reason for refusing the planning application.
10. The remaining main issues addressed at the Inquiry were:

¹ Also referred to as the Thames Path

- The effect of the proposed development in design terms with particular reference to the quality and effectiveness of the proposed north-south link through the site and the setting and character of the River Thames and the Thames Path;
- The effect of the proposed development on 55 Vastern Road, a non-designated heritage asset;
- The effect of the proposed development on the natural environment with particular reference to marginal habitats and large canopy trees;
- Whether it has been demonstrated that the proposal would be part of a comprehensive approach to the development of the Riverside sub-area of the Station/River Major Opportunity Area; and,
- Other planning matters, including the benefits to be weighed in the planning balance.

Reasons

11. The first main issue refers to design and covers matters raised in relation to the effectiveness of the north-south link and the effect of the scheme on the Riverside. For clarity and convenience I have dealt with these under separate headings.

Design

North-south link

Policy context

12. The North-South link across the Station/River Major Opportunity Area (MOA) has been a long-standing policy priority for the Council. It is aimed at reconnecting the area north of the Station with the rest of the central area. The importance of such a link in helping to facilitate greater pedestrian and cycle permeability, and removing barriers to access, was set out in the Reading Central Area Action Plan (RCAAP), adopted in 2009, and earlier planning documents. This vision was captured in RCAAP Policy RC1, which was supplemented in 2010 by the adoption of the guidance in the Reading Station Area Framework (RSAF).
13. Policy RC1 provisions were largely identical to those set out in current LP Policy CR11, requiring that development will help facilitate greater pedestrian and cycle permeability, particularly on the key movement corridors. Policy CR11 sets out that North-south links centred on the Station are of particular importance, and that development will front onto and provide visual interest to existing and future pedestrian routes and open spaces. Of specific relevance to current deliberations is the fact that Policy CR11v) refers to the requirement for a *direct landscaped link between the Station and the River Thames*.
14. The provisions for the area identified as CR11g, the Riverside sub-area, encompass the whole of the area formerly within SSE ownership. This sets out the more specific requirement that development should *continue the high-quality route including a green link from the north of the Station to the*

Christchurch Bridge. This is illustrated in the Strategy diagram at Figure 5.3 with the link travelling from the Station through the Riverside site and across the Bridge. The supporting text further sets out that achieving the north-south link is the main priority for the site, and this should be given substantial weight in development management. It seems reasonable to assume that the specific reference within this text to visual links helping to change the perception of the area north of the Station as a separate entity *if provided*, is of direct relevance to the priorities for the Riverside sub-area. The supporting text also confirms that the more detailed guidance contained in the RSAF continues to apply. Whilst somewhat dated, the RSAF remains of relevance as a guiding framework.

15. The RSAF refers to the particular significance of views along the direct north-south link between the Station and the Thames, *where there should be an unbroken line of sight*. This is illustrated by the suggested location of new views from the Station looking north and from the River looking south as they appear to indicate the position of the viewing corridor. The Tall Building Strategy (TBS), updated in 2018 following the completion of the Christchurch Bridge (the Bridge) in 2015, refers to the opportunities to create new lines of sight through the area identified by the RSAF, specifically from the Bridge southwards and from the northern Station entrance northwards. Therefore, this would *assist in (the) creation of the north-south link*.
16. Policy CR11 therefore sets out the need for a high-quality direct route through the site as part of the wider north-south link between the Station and the River, with the more specific detail in CR11g referring to the need to continue the link to the Bridge. These provisions focus on improving physical access across this area. Supplementary to this, guidance documents refer to visual links supporting the connectivity from the Centre to the area north of the Station.
17. In practical terms, views of the River itself from the Station are virtually impossible due to the lower level of the River and the inevitability that current and planned built form will create visual obstruction. In particular, the redevelopment of the allocated Aviva site directly north of the Station is likely to involve significant built form. That said the wider landscape setting of the River is apparent from the raised Station concourse. Of greater relevance are the more recent general references to the value of new visual links through the area, with the central Bridge mast providing a potential focal point.
18. Therefore, in determining whether the proposed link complies with Policy CR11, the focus must be on the quality of the route in terms of its a) directness, b) its legibility and attractiveness, including its width and the effectiveness of visual links, and c) its practical utility and safety for both pedestrians and cyclists.

Directness

19. I deal firstly with the directness of the route in terms of its physical alignment between the Station and the River, and more specifically the Bridge.
20. The National Design Guide (NGD) sets out that the layout of the routes and blocks of development are the starting components for good design. Further, the National Model Design Code (NMDC) refers to direct routes making walking and cycling more attractive. This in itself generates activity, thereby making streets feel safer and more attractive.

21. In this case the configuration of the appeal site to exclude the SSE equipment means that a straight link through the Riverside sub-area, as illustrated firstly in the RSAF Framework structure Figure 8.2 and LP Figure 5.3, cannot be delivered. Furthermore, the design principles set out in the Design and Access Statement (DAS) refer to the use of built form to provide a buffer to the retained SSE equipment. This addresses residential amenity matters but adds a further challenge to achieving a direct route through the site.
22. In addressing this challenge, the DAS also refers to the design principle of using buildings to deflect vistas and define the public route through the site. This suggests a means of addressing the restricted width of the central area and is justified with reference to the well-established design principle of 'closure', as advocated by Gordon Cullen. The basis of Cullen's principle is that the linear town system should be cut up into visually digestible and coherent amounts to retain the sense of progression. In some respects this is the antithesis of the approach set out in framework of policy and guidance for the Station MOA, where provisions for the strategic north-south link include the need to visually connect the relatively open northern areas to the high density mixed development in the Centre. Nonetheless, there is merit in considering the sense of a gradually revealing townscape, and the use of landmark elements, when creating a pedestrian scale environment, a point to which I return below.
23. Of greater relevance is the context provided by the morphology of the central streets. Central Reading exhibits a loose grid structure, though there is a high degree of distortion to this. Some main streets are reasonably straight and broadly parallel, notably Friar Street and Broad Street east to west, with loosely connecting streets running north to south. However, beyond this are many winding routes, in which forward views are often deflected by angled building frontages. The Policy CR2 requirement that development build on and respects the existing grid structure layout must be considered in this context.
24. The appeal scheme proposes a route with three changes in direction via the narrow central part of the site. It would include a switchback ramp arrangement for cyclists and wheelchair/pushchair users due to the higher level of the Bridge. I am aware that this route was regarded by the Council as being the best of those possible prior to engaging Mr Doyle as their design expert witness. However, at the Inquiry the directness of the appeal scheme route was compared with Mr Doyle's suggested alternative,² (referred to hereafter as 'the Council's alternative scheme'). This was described as a snaking or serpentine ramp designed to address the changing gradient, located within a direct street.
25. The Council's suggested alternative scheme does illustrate how a more direct path could be achieved. However, this and the other illustrative diagrams provided are not fully conceived. They do not address some fundamental site constraints. In particular, the suggestion that Block C should be removed ignores the issues associated with managing residential development alongside the retained SSE equipment. Rather, the appeal must focus on the acceptability of the appeal scheme as submitted to and refused by the Council in terms of policy and guidance.

² Illustrated primarily as a bird's eye sketch at Figure 34 of Mr Doyle's Proof of Evidence, with the plan of the serpentine ramp at Appendix RA of his Rebuttal Proof.

26. With respect to the acceptability of the switchback arrangement, Local Transport Note 1/20 (LTN 1/20) refers to cycle routes being 'direct' as one of five core principles. More specifically, *cycle routes must flow, feeling direct and logical....users should not feel as if they are having to double back on themselves, turn unnecessarily, or go the long way around.* The interpretation of this guidance depends on local circumstances, and the sense of directness overall, specifically in terms of being the shortest and fastest way of travelling from place to place, rather than detailed consideration of specific route features.
27. The switchback would require cyclists to undertake two turns of around 170 degrees, with a straight section of some 20-25m between. However, the degree of doubling back would be for a relatively short length, with the CGI illustrations indicating that visibility of the forward route would remain apparent whether travelling from north to south or vice versa. Therefore, the overall sense or feel would be of the forward journey, even for cyclists unfamiliar with the route.
28. Finally on directness, the Council's Local Cycling and Walking Infrastructure Plan (LCWIP) provides a Route Selection Tool as a means of assessing directness. This compares cycle/walking route distances with those of vehicular alternatives. Unsurprisingly the appeal scheme achieves a top score of 5 based on comparison with the alternative vehicular route between Vastern Road and Gosbrook Road: it would be 0.815km in comparison with 1.2km. The fact that the Council's suggested alternative scheme routes would be a little shorter than the appeal scheme is in itself of little consequence.
29. Therefore, I find that, when considering the site constraints, the requirement to provide a direct link would be met in practical terms. This would continue the north-south link, connecting with and complementing the existing loose grid framework.

Legibility and attractiveness for users

30. Visual links are an important element of a legible townscape and would greatly assist in improving the sense of connectivity across the MOA. The degree to which visual links between the Station and the River would be possible was the subject of much debate. The Council's suggested alternative scheme illustrates a route configuration in which a view through from the Station to the River could be achieved. However, the extent of built form envisaged on both the Aviva and appeal sites would mean that this would be restricted to a narrow sliver and, in all likelihood, would be obscured by intervening landscaping. Furthermore, this is predicated on the re-modelling of built form, including the removal of Block C.
31. Setting aside the implications of this loss in terms of the reduction in the quantum of development achievable on site, Block C would provide an acoustic screen to the SSE site. Its removal would require a barrier of around 25m in length and 6-9m in height. This could establish greater openness and an opportunity for the provision of more landscaping and seating in the central part of the site. However, the CGI image of an earlier iteration of the appeal scheme showing a 'green' wall at this point suggests that this would be a bland feature. More specifically, it would not provide an active frontage that engages with the street at lower levels, as required by Policy CR2.

32. The townscape implications of the use of buildings to deflect vistas along the route through the site are most apparent at this central point. In journeys from the south the angled end gable of the Coal Drop Building (Block EFG) would be a visible feature. When travelling from the north, the end gable of the Generator Building (Block D) would be prominent in views, followed by that of the Goods Office (Block C). However, the suggestion that these buildings would terminate forward vistas is an exaggeration of their effect. They would not occupy the whole of these forward views. Rather, some visibility of the onward route would be retained, becoming more prominent as users approach each of these points. This sense of an unfolding townscape would be supported by the varied form and elevational treatment of these buildings, and the presence of focal points at either end of the route, particularly the emerging view of the Bridge mast when travelling north. Whilst not being as clearly legible as a more direct route, this is an effective and reasonable response to the site constraints.
33. In these circumstances the fact that a straighter route would not require wayfinding measures is a moot point. As it stands, the use of tools such as public art works, changing surface and building materials along the route, in addition to signage to support the legibility of the route is entirely sensible. The Council suggests that visitors arriving at the Station and seeking directions to the River would require a detailed description of the appeal scheme route when compared with the Council's suggested alternative scheme. However, this underestimates the degree to which visual cues would assist with self-navigation. It also greatly exaggerates the possibility that the River landscape could be visible from anywhere below the Station concourse.
34. Turning to consider the width of the route through the site, the importance of the route as part of the wider travel network for pedestrians and cyclists has been well established in local policy and guidance. It is therefore reasonable to consider this strategic link as being quite high up in the movement hierarchy. The NMDC establishes that the width of the street, along with the height of buildings, relates to its place in the street hierarchy.
35. The proposed route would be 4m wide as it enters the site from the Bridge and through the switchbacks. It would reduce to around 3m for much of its remaining length towards Vastern Road. This would meet the required technical standards. Furthermore, CGI Image 1 illustrates that the straight stretch running alongside Block C would have some low-level landscaping running either side, along with the vehicular access route, and so would feel reasonably open, providing good intervisibility between users.
36. It has been suggested that there would be a visual 'pinch point' between the northern gable of the Goods Office and the southern gable of the Coal Drop Building. However, as noted above, views south from this point would gain a sense of space from the adjacent vehicular access and landscaping. From this point looking north, a greater degree of openness would be derived from the larger opening between the buildings fronting the River, with a view through to the Bridge mast and the openness of the Meadows beyond. Seen in this context, it is my view that the route would not appear unduly narrow or constrained at this point.
37. Beyond the site, the fact that other parts of the north-south route are of greater width indicates a response to their context rather than highlighting any

deficiency in the appeal scheme. For instance, the fact that the Bridge itself has a width of over 6m on its northern side, reducing to around 3.5m as it approaches the appeal site, indicates the need for cyclists to proceed with caution as they travel towards the central urban area. Other improvements made elsewhere on the north-south link incorporate elements of significantly greater width, for example the Station Road footways. However, the position of Station Road adjacent to Reading Station and its role as a focal point for bus travel, mean that greater capacity is required for it to function as part of the transport hub, rather than just a connecting link. Overall, therefore, my view is that the width of the route would be adequate and appropriate in its context, and therefore it would not have a restrictive or throttling effect on the overall north-south route.

38. Finally, in terms of legibility and attractiveness, it is agreed that this route would be set within a landscaped corridor. That said, the amount of soft landscaped space overall would be modest and somewhat fragmented, particularly in the central and southern sections of the site where urban characteristics would predominate. The extent of soft landscaping offered by the appeal proposals compared with the Council's suggested alternative scheme³ indicate that it may be possible to reconfigure the route to gain slightly more amenity space in a more useable arrangement. Nonetheless, given the significant space constraints, the landscaping provided by the appeal scheme would, in basic terms, meet the requirement for a 'green link' through the site.

39. Overall I find that the route would be legible and attractive for users.

Practical utility and safety matters

40. The question of whether the switchback configuration would be required to slow cyclists down is not clear cut. The guidance in LTN 1/20 refers to research which shows that cyclists alter their behaviour according to the density of pedestrian traffic so that, as pedestrian flows rise, cyclists tend to ride more slowly. Whilst it will rarely be necessary to provide physical calming features to slow cyclists down on shared use routes, the guidance notes that it may be necessary to encourage cyclists to reduce their speed at certain points, such as in areas of high localised pedestrian activity or where there are steep gradients. Where measures are required they can include horizontal deflection, though these should be used sparingly and only in response to site-specific problems that cannot be addressed in another way.

41. From the evidence before me and what I observed on site, it does not appear that cyclists currently travel at excessive speeds on the Bridge or its associated ramps. Therefore, the need for speed reduction measures is questionable. Nonetheless, the northern entrance to the appeal site from the Bridge would mark the transition from the open and less busy Christchurch Meadows to the area of greater activity associated with the approach to the urban centre. The route south into the site, after a slight rise over the towpath, would progress as a straight route, with cyclists likely to retain a degree of momentum from the descent off the Bridge. The first switchback would therefore appear to be located at a sensible and reasonable point to alert cyclists to this change in character and the need to proceed with greater caution.

³ As set out in the Sixth Addendum Statement of Common Ground.

42. The use of two switchbacks may not strictly be necessary from a safety perspective, noting that should there be a need for cyclists to respond to the increased level of pedestrian activity, they will generally do so without such measures. That said, the provision of such deflecting devices is in part a response to the various site challenges, not least the need to rise up to meet Bridge level.
43. On In practical terms there is no evidence before me that turns of 170 degrees would be difficult to execute on a bicycle, and I am satisfied that the correct turning circles would be provided for tandem bicycles or those with trailers.
44. The plans illustrate that the connection from the Bridge into the site would require an initial slight rise in height, of around 0.38m, to meet the top of the podium created by the ground level parking to Block D. The removal of the podium would, it is suggested, result in a modest reduction in the height from which the ramp would need to descend, with the serpentine ramp of the Council's alternative scheme being designed on this basis. Whilst that may be the case, this point is predicated on the assumptions that the quantum of development on site could be reduced and that the Highway Authority would accept further reductions in parking provision in this location. Such speculation does not assist with the task of assessing the scheme as currently proposed. For similar reasons it is not necessary to consider the safety, or otherwise, of the Council's suggested alternative scheme. Furthermore, as the Council's ramp design is presented as a proving drawing, this does not provide clear evidence that a more direct route which addresses the site challenges could be provided.
45. In addition to the switchbacks, two stairways would allow pedestrians to follow a more direct route. Rather than creating an unfair two-tier system that excludes some users, I believe that users would see this as providing flexible and practical access solutions. The specific criticism that there would be a blind spot where the staircase adjacent to the café joins the main route has not been raised elsewhere as a specific safety concern. Given the generous width of the route at this point and the fact that cyclists would be slowing down as they pass between Block D and the Café building towards the switchback, it is unlikely that this would be problematic. More generally, there is no evidence before me that this route would lead to conflict and collisions between different user groups.
46. I therefore find that practical utility and safety considerations have been appropriately addressed and that technical requirements have been met.

Conclusions on north-south link

47. Overall therefore, I find that the route responds to the need to balance competing space pressures, along with the practical and technical constraints associated with developing this site. It would deliver a strategic link for pedestrian and cycle access between the Bridge and the Station, specifically connecting the podium adjacent to the Bridge with Vastern Road. The minimum of 3m width would meet with relevant technical standards. It is now also agreed that the appeal scheme would provide a link for pedestrians and cyclists to both the Bridge and the River towpath.
48. I have found that compromises would have to be made to accommodate this important route within the challenges posed by this site. I have also

acknowledged that there may be other ways of accommodating a more generous and direct route, though with a lower quantum of development overall. However, I have found that the scheme before me meets the requirements of Policy CR11ii), CR11iii) and CR11g, in terms of offering a suitably direct, legible and visually attractive route, including effective visual links. I have also found that the route would be functionally acceptable in practical utility and safety terms, for both pedestrians and cyclists. Furthermore, the north-south link offered would assist in realising the RSAF vision of a route which connects the area north of the Station to the Centre. Overall, therefore, the appeal scheme would meet the policy requirement for the provision of a high-quality link, befitting the strategic importance of the north-south route.

49. The scheme would also comply with the relevant aspects of other policies, including Policy EN11 requiring the provision of accessible leisure and recreational opportunities, enhancing the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse; Policy CC7 which seeks the creation of a high quality public realm, including contributing to ease of movement and permeability, and legibility, creating safe and accessible environments that meet the needs of all; Policy CR2 which requires development to build on and respect the grid layout and contribute to enhanced ease of movement through and around the central area; Policy CR3 supporting public access to watercourses; Policy TR3 requiring that development should not be detrimental to the safety of users of the transport network, including pedestrians and cyclists; and Policy TR4 which expects development to improve access for cyclists, and to integrate cycling through the provision of new facilities.
50. In reaching these conclusions I have considered the observations of the Reading Cycle Campaign, specifically their comment that the development of this site *involves a once in a generation opportunity to provide a key active travel link for Reading*. The provision of this key link within the wider north-south route would be a notable benefit of the appeal scheme.

Riverside

51. Relevant policy and guidance provisions relate on the one hand to the development of the allocated site as part of the MOA and on the other to the protection of the River setting. In considering whether the appeal proposals would be in accordance with these provisions, my reasoning will focus firstly on whether the riverside development would provide a suitable gateway to the MOA, before turning to consider whether the scale and massing of Blocks D and E would be appropriate in the riverside setting. I will then consider the effect on the towpath, and whether a policy compliant setback from the Riverbank would be provided.

Gateway to the MOA

52. The RSAF guidance setting out the development framework for the MOA includes *area massing principles*. These indicate that the approach to building mass should be dramatic, with a new cluster of taller buildings forming a distinctive skyline for the Station Area. Benchmark heights, which may be modified upwards or downwards in appropriate circumstances, are suggested for each main building block. Illustrative proposals provide an indicative vision

- that would comply with the RSAF guidance. The appeal site is also within a Preferred Tall Building Location, the Station Area Cluster, as set out in the TBS.
53. The RSAF recommended benchmark heights for the two blocks that cover the whole area of the CR11g allocated site are 6 storeys for the eastern block and 4 storeys for the western block. That said, a somewhat different arrangement is suggested in the RSAF illustrative proposals, which are provided as an aid to establishing the potential density and massing of development by presenting a possible scheme that would comply with the provisions of this Framework. These illustrative proposals suggest two prominent cylindrical buildings, some 10 to 12 storeys in height, adjacent to the River as a gateway to the site. They appear to 'puncture' the general dome massing pattern where the Bridge would adjoin the riverbank, suggesting that they would mark this important place. Behind this it appears that lower-level buildings, perhaps aligning with the benchmark heights, would run through the centre of the site.
54. Building heights within the appeal scheme would vary, being of greatest height at the River and Vastern Road frontages. More specifically, Block D would be 10 storeys at the River frontage, dropping to 6 storeys. Block E would be 8 storeys at the River frontage, dropping to four and three storeys. Whilst recognising that the appeal site has a smaller area than the allocated site, my view is that the approach to massing and storey height would, in general terms, reflect the parameters established by the RSAF illustrative proposal.
55. The point at which the gateway to the Station MOA is apparent would be determined by the relationship between the Bridge structure and Blocks D and E. The Bridge itself is a significant structure as it spans the wide point across the River and its mast is some 39m in height. As such it is a landmark feature and a navigational tool along this stretch of the River. Nonetheless, as it is a lightweight structure, its appearance is not striking in the context of significant built form in the vicinity of the River. The role of the Bridge as a gateway must be realistically considered, particularly with an awareness of the scale of further planned development in the MOA.
56. The presence of Blocks D and E would not undermine the role of the Bridge as a landmark in views along the River corridor, and from the Meadows, as it would continue to appear as a distinctive feature set against the openness of the River. On the approach to the appeal site across the Bridge, the lightness of this structure would start to appear subsumed by built form of the scale and mass proposed. Pushing back the frontage of Block D, as the Council suggests, would not significantly alter this situation as, when travelling across the Bridge the overall profile of built form along the River frontage would remain.
57. That said, my view is that the gateway function, the sense of there being a transition between distinctive areas or districts, would be achieved by the presence of Blocks D and E and the space between them. This gap would not have the degree of openness suggested in the RSAF illustrations, as the whole of the allocated site frontage is not available. Blocks D and E would also extend more deeply into the site than the relatively slender blocks of the RSAF illustration. Nonetheless the splayed gap between them would be sufficient to achieve a sense of spaciousness, softened through landscaping, to frame a welcoming entrance which would clearly mark the arrival into the MOA. There would also be a significant stepping down in building height through the centre of the site, highlighting the visual effectiveness of the taller buildings as a

gateway. Further, the development as a whole would be subordinate to the 'crown' around the Station, supporting the RSAF vision.

58. The DAS sets out that in design terms Block D would be a *grand brick-built power station inspired building*, taking cues from iconic Victorian power stations. Specific reference is made to the use of subtle brick details and large cathedral-esque apertures. The DAS therefore suggests that the so derived architectural precedent relates to mass/scale as well as detailing, not an unreasonable starting point given the former use of the site.
59. Block D presents a narrow frontage to the River with a deeper return into the site. As such, it exhibits the basic rectilinear plan form apparent in the turbine halls associated with riverside power stations. However, closer examination of typical height to width ratios of this typology indicates that the height of Block D would be too great in relation to its width to emulate the three-dimensional proportions of these structures. The suggestion that setting back Block D would create a slimmer tower-like structure which also features in this typology is in itself an imprecise comparator. Whilst it may be that this alteration would open up the River frontage, and be more reflective of the generous riverside spaces that can be associated with the typology, I must assess the scheme before me.
60. In general terms, the fact that the design rationale for Block D, and to a lesser degree Block E, draw on the former power station influence in terms of materials, detailing and fenestration as well as scale, is an appropriate response to the site history and context. My view is this would suitably represent the threshold point of the journey towards the urban centre.
61. Reference is made to built form of significant mass and height being present at bridging points over the River Thames and the River Kennet. These locations can to a large extent be distinguished from the appeal site in that they represent vehicular rather than pedestrian/cycle crossings. In particular, the more significant of these, Reading, Cavendish, Bridge Street and Forbury Road Bridges are major 3-4 lane vehicular thoroughfares. Others, such as the King Street and Duke Street Bridges, are over the modest width of canalised sections of the Kennet. The Gas Works Road Bridge is a modest inner urban route flanked by urban form of significant scale.
62. Other than the most generalised sense of these crossing points accommodating buildings of greater scale than their surrounds, there is little to be gained from this review. That said, some broad comparison of relevance can be made to the gateway function of Reading Bridge, which represents the transition between the open Meadow areas north of the River and the urban centre, marked by the gateway presence of Reading Bridge House and Clearwater Court.
63. Drawing these threads together, I find that the riverside frontage would reflect the parameters established by policy and guidance, and would provide an appropriate gateway to the MOA.

Riverside setting

64. The Council refers to *statement of environmental opportunity 4* relating to the Chilterns National Character Area, which sets out the need to design and locate development to maintain landscape character, and to adapt or remove existing

- development where this would significantly strengthen landscape character. The more specific provisions of LP Policy CR4 refer to the need to add to or maintain the setting and character of the Thames. Policy EN11 sets out that development in the vicinity of watercourses should enhance the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse, and create a high-quality public realm.
65. The supporting text to Policy EN11 sets out that the River Thames and River Kennet are of different characters, with the Thames remaining largely natural, *although it meets the edge of the town centre on the south bank between Caversham and Reading Bridges*. The Kennet is regarded as being similarly rural in the southwest of the Borough but with *a stronger integration into the fabric of the town centre*, reflecting the fact that it is highly contained by built form and urban infrastructure as it passes through the urban centre. Therefore, development is required to recognise and build on these distinct characters.
66. I take from this policy approach a requirement for development to support the character of these waterway environments, though recognising that it is not necessarily possible or appropriate to do so where strongly urban influences are apparent. This point is reinforced by the supporting text to Policy CR3 which also refers to the need to respect the distinctive character of watercourses, recognising that *the Kennet generally runs through more urban higher density areas, whilst the Thames retains its sense of tranquillity*.
67. Policy EN13 refers to the requirement that development should not detract from the character or appearance of a Major Landscape Feature (MLF), one of which is the Thames Valley. The supporting text sets out that whilst Reading is primarily urban in character, it benefits from *a number of natural features that have remained largely undeveloped*. This urban context means that *the preservation of these features as a backdrop is of particular importance*. These provisions provide further support to the need for careful consideration of the landscape effects of riverside development, noting the need to enhance the character of the MLF for its own sake and as a distinctive setting for its wider urban context.
68. The character assessment associated with the TBS identifies the River as part of the King's Meadows character area. This is noted as having high sensitivity to tall buildings and is a well-maintained recreational resource providing open views. However, directly to the south, the Vastern Road character area is noted as being unexceptional and of low sensitivity and therefore an appropriate location for tall buildings, if located away from north and western boundaries. Accordingly, a balanced approach is required to reflect the planning needs of these adjacent areas.
69. The River Thames landscape between the Reading and Caversham Bridges is characterised by the large scale of the River itself and the presence of other natural features, such as the mature trees on Fry's Island and the open landscape of Christchurch Meadows. There is an overriding sense of generous spaciousness and verdancy, in which the winding course of the River, amid mature landscaping, does evoke some sense of rurality. That said, the extent to which it appears as a natural feature, and the sense of tranquillity, are both compromised by evidence of the proximity of the urban centre. This is both in terms of background noise and the presence of built form of significant mass

- set close to the southern towpath, with relatively limited tree cover. The fact that the southern bank forms an urban edge is therefore clearly apparent.
70. It is accepted that built form of substantial scale should come forward on the appeal site. This was recognised in the RSAF vision, which also set out that there should be an area of public space at the point at which the north-south spine meets the River, though it was noted that this would not be large in size due to space constraints.
71. The existing pattern of built form and riverside space along the southern side of the River between Caversham and Reading Bridges varies. To the east Reading Bridge House stands taller relative to the towpath than Block D as proposed, although Reading Bridge House is set over 4m further back from the riverbank. Clearwater Court is somewhat lower than Block D relative to the towpath, closer to Block E in height. However, notwithstanding the central space revealed by the opening between its two wings, Clearwater Court is of significant mass relative to the River, with its frontage being around 7.2m from the riverbank at its closest point.
72. Beyond this, other buildings are mostly of lesser height than proposed Blocks D and E relative to the towpath, though all but Lynmouth Court and Reading Bridge House occupy a significantly greater frontage width. Also, all but Norman Place and Reading Bridge House are positioned closer to the riverbank than Blocks D and E would be, thereby limiting the riverside space and the amount of landscape softening. In this context my view is that, whilst the relationship of Blocks D and E to the River frontage is not replicated along this stretch of River, there is sufficient variety of buildings of scale close to the riverbank, and amounts of riverside space, to accommodate this development without it appearing out of place. Further west, the extended frontage towards Caversham Bridge does allow for greater spaciousness relative to the River frontage, though this is further away from the spatial context of the MOA.
73. Looking more specifically at the visual effects of the appeal scheme, the Townscape and Visual Impact Assessment (TVIA) View P6A represents a photomontage of the oblique view gained from Reading Bridge. Block D and to a lesser degree Block E would appear as significant additions to the River frontage, particularly given the contrast with the existing void. In this view Block D can be seen to extend back deeply into the site, though the appearance of this bulky structure would be softened by the poplar trees to the east and the frontage planting, the articulation of the frontages and the gap between the buildings, as well as the significant amount of glazing and the top storey setbacks which do suggest a lightness of structure.
74. The addition of significant built form would mean that there would, nonetheless, be an urbanising effect on this view, and views from adjacent areas of the Meadows. This was to a large extent anticipated by the RSAF vision. The depth of Block D would have greater presence than the slender structure illustrated in the RSAF, though not disproportionately so, and these structures are shown at least as close to the River, perhaps closer. Further, the tall building development envisaged within the TBS Station Area Cluster suggests that, in views from Reading Bridge towards the Station, there would be an awareness of the rising skyline in close proximity to the appeal site.
75. In views from the west of the appeal site, the wire frame diagram at CD1.68 showing the development as a backdrop to Lynmouth Road also illustrates that

significant built form would extend deeply into the site. It suggests built form above benchmark heights would extend further back into the site than appears in the RSAF illustrative proposal, though quickly dropping to below benchmark height at the Coal Drop Building. Moreover, in views in and around the River, visibility of the western side of the development would be greatly restricted by existing buildings and the presence of Fry's Island. In views further west from Caversham Bridge (view P3), the appeal scheme would appear against the backdrop of existing buildings and emerging central development.

76. In both landscape and visual terms the presence of Blocks D and E would be significant additions which would be at odds with the requirement that the River should retain a natural character. However, I have noted the urbanising influences present along this stretch of the River. Whilst no major changes to the riverside itself are planned, the fact is that further policy-led change to the southern backdrop of the River landscape is inevitable. In these circumstances my view is that riverside development of this form and scale would not be disproportionate. Furthermore, the high-quality design, a contemporary interpretation of the architectural history of the site, would result in an enhancement of this stretch of the River, noting also the opening up of and planting along the riverside frontage.

Other considerations

77. The Thames Path is an important route, along which the appeal site currently presents a blank and unattractive frontage, with the perforated metal screens alongside the Bridge ramp appearing to enclose this space. The increased set back from the River would introduce a moderate opening-up of the space, softened by landscaping. Where the development would front onto the towpath, the appellant's illustrative view indicates that the closest element would be the grills associated with ground level car parking. Whilst not as 'active' as the presence of ground floor living accommodation, this would be supplemented by the large windows and overlooking balconies to the first floor accommodation. Pedestrian and cycle traffic across the Bridge connection over the towpath would also be visible. These features would all support the sense of there being activity close by, and natural surveillance of this route.
78. Overall therefore, the scheme would meet the requirements of both Policy CR3 for development adjacent to watercourses to enhance their appearance and provide active elevations, and Policy CR11iii) requiring development to front onto and provide visual interest to pedestrian routes and open spaces.
79. Policy CR11g requires that development be set back at least 10m from the top of the bank of the River. This is also reflected in the Policy EN11 requirement that development should be at least 10m back from the watercourse wherever practicable. The stepped frontages of Blocks D and E would mean that the degree of setback is not consistent. The appellant's evidence illustrates that the area where the set back is in excess of 10m is 63.68m². The area where the setback is below 10m is 2.21m², representing a small incursion. Whilst these requirements were not in place at the time the RSAF was produced, as things stand this would represent a minor breach of Policy CR11g.

Conclusion on Riverside

80. This analysis has demonstrated the tensions between the policy objectives of realising the vision for the redevelopment of the MOA, specifically achieving the integration of the CR11g Riverside area with the Centre, whilst at the same time protecting and enhancing the character of the River as a MLF.
81. The RSAF vision, and its policy grounding in CR11, establish the principle of significant development across the site as part of the ambition of extending the Centre northwards towards the River, with the site having an important gateway role. The design response before me has sought to realise this aspiration by responding to the history and character of the area and presenting a visually distinctive and attractive frontage to the River, and a gateway into the site. The setback from the riverbank, the creation of accessible riverside space, as well as planting along this frontage, would assist the integration with and enhancement of the River environment. This scheme would represent significantly more than a basic improvement of a utilitarian void.
82. Overall, therefore, I find that the proposal would have an acceptable effect on the setting and character of the River Thames and the Thames Path. In this respect it would meet the requirements of Policies CC7 and CR2 in relation to high design quality and well-designed public spaces. In terms of the effect on River character, I have also found that the development would meet the general requirements of Policies CR3, CR4, EN11 and EN13 as set out above.
83. More specifically, it would also meet the provisions of Policy CR11 v) in terms of the requirement to provide additional areas of open space where possible. The supporting text to Policy CR11 refers to the more detailed guidance relating to developing the MOA set out in the RSAF. The RSAF makes reference to variations in benchmark heights being subject to a test of 'exceptionality', considering whether this can be justified in terms of realising urban design or other major planning benefits, or whether it has been demonstrated that potential impacts can be mitigated. My view is that the benchmark heights are useful as a reference point. That said, the height variation shown in the RSAF illustrative proposals supports a conclusion that the appeal scheme is within reasonable parameters, respecting the vision set out in this guidance. Moreover, the resulting design is acceptable in Policy terms. It would also meet the aspirations set out in the National Planning Policy Framework (the Framework) paragraph 126 for high quality, beautiful and sustainable buildings and places.
84. Finally, I have identified a minor breach in relation to the requirements of Policy's CR11g and EN11 that development be set back a minimum of 10m from the watercourse. I will return to this matter in the overall balance.

Heritage Asset - Locally Listed Building

85. The locally listed building (LLB) would be demolished as part of the appeal development. What follows is an assessment of the significance of the LLB, followed by a review of the heritage implications of the appeal scheme.

Significance

86. The LLB is a modest two-storey building fronting onto Vastern Road. It is the last remaining element of the Reading Power Plant, an early electrical power generating station. The site as a whole represented an example of the industrialisation of UK regional towns. The LLB dates from around 1903 and formed the main site office, including carriage entrance. The main electrical works were located to the rear, adjacent to the River. The adjoining two- and three- storey building extending along the rest of the Vastern Road frontage appears to be of similar vintage, though is not historically associated with the electrical works.
87. Whilst the local listing of buildings is a relatively new concept, the principles of selection should be based on the Historic England listing criteria relating to evidential, historic, aesthetic and communal values. The LLB has been assessed on this basis.
88. It is agreed that the building is associated with the local architectural firm Albury and Brown. Further, it is reasonable to suppose that the building was designed by Frederick William Albury, a prominent Reading architect of the Edwardian period, designer of a number of prominent Reading buildings, and a Fellow of the RIBA. He was also a Director on the Board of the Reading Electrical Power Company. In this sense the building's connection with a prominent local figure of that period is of interest. However, with the exception of references to two buildings in Oxford, there is limited evidence of Albury's influence beyond Reading. Therefore, this aspect of historic interest is of little more than local value.
89. The built development on the site as a whole was an example of early industrial architecture and, as the last remaining visible element of this, the LLB is of historical significance locally. 'Completeness' is usually of overriding importance in assessing the significance of such infrastructure sites for statutory listing purposes, and only the most important power stations are listable. It therefore follows that, as only a fragment of the electric power station remains, it can attract limited significance in this regard.
90. It is agreed that the design and finish of the Vastern Road frontage is of high quality, befitting a building of some civic importance. Nonetheless there is little in the visible built fabric to demonstrably link the building to its functional origins. Whilst the carriage entrance is an unusual feature, this could relate to a number of commercial uses. Furthermore, as a last surviving remnant of the electric works, it is now not possible to appreciate the context for its development as part of the edge of town industrialisation of Reading. The buildings historic interest is somewhat undermined by this fact.
91. The aesthetic interest of the building is derived in the main from the Vastern Road frontage, particularly in terms of its detailed design, the use of high quality materials, and the high standard of workmanship represented. It reflects the eclectic fashion of the time, combining decorative stonework elements with distinctive red brick to give the building an appearance of some grandeur beyond its modest size. This is compromised by unsympathetic alterations, particularly the replacement of the door in the bay with a window and the use of upvc window frames. The archway is also boarded up, though this can be seen internally, with the original Edwardian timber frame windows in the front room looking onto the carriageway.

92. Internally, the building retains some historic features typical of the period. However, its plan form has been altered in places, and the original staircase and chimneypieces lost. Overall, the interior does not have any appreciable heritage value.
93. Therefore, the building does have historic significance in its associations with the arrival of electricity in Reading, the importance of which was recognised by the involvement of Albury as a prominent local architect. Some heritage interest also comes from the aesthetic value of the front elevation as the 'public face' of the electric works. In reaching an overall view on significance I have had regard to the Council's application for the LLB to be statutorily listed. This was initiated as a result of an awareness of the implications of planning permission being granted, rather than any material change in the Council's assessment of significance.
94. There is no evidence before me of the building being particularly rare or unique, other than in local terms, nor is there evidence of it meeting the statutory listing criteria for a building of this nature. Therefore, these values are of local heritage interest and are not of any greater level of significance or standing than is represented by the local list. It follows that I can only afford this heritage asset low level, modest significance overall.

Heritage implications of appeal scheme

95. Policy EN1 seeks to protect heritage assets, including those on the local list. Policy EN4 refers specifically to locally important heritage assets, requiring development to conserve architectural, archaeological or historic significance. Planning permission resulting in harm or loss may be granted *only where it can be demonstrated that the benefits of development significantly outweigh the asset's significance*. The Framework paragraph 203 states that the effect of a proposal on the significance of a non-designated heritage asset should be taken into account in determining the application, and that in doing so *a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*. Therefore, in requiring benefits to *significantly* outweigh significance, Policy EN4 sets a slightly more onerous test than the *balanced judgement* required by the Framework.
96. Policy CR11 provisions for the River/Station MOA forms the wider context for considering whether the loss of the LLB can be justified. There is clearly a tension between the retention of the LLB and the high-density development of the site envisaged by the LP. Nonetheless, the appeal scheme would result in the total loss of this non-designated heritage asset. In considering whether the justification provided would be at least commensurate with this harm, it is relevant to review the options for the reuse and retention of the LLB.
97. Based on the information before the Inquiry, the parties agreed that technically it would be possible to retain the existing structure, either through its reuse or the retention of its façade. Looking firstly at the principle of re-using of the building as part of the appeal scheme, its peripheral location means that it would not be desirable or practical for the LLB to function as a main site entrance. More specifically, it would be most logical and practical for the main circulation core of Block B to be positioned centrally, as in the appeal proposal.

Therefore, even if the LLB were to be used for some communal purpose such as an internal hallway or bicycle entrance, as it would be located some distance from the primary circulation core, it would be unlikely to be used by residents. Its practical utility would therefore be limited.

98. Various options around façade retention have been considered. As a starting point it is widely acknowledged that this approach inevitably results in various levels of harm to the ability to appreciate the heritage interest and significance of buildings. If in this case it were to simply involve the front façade of the LLB being set against the backdrop of the taller building, it would appear incongruous as it would be detached from any other reference point. The example of façade retention at the Great Expectations Public House is not comparable as this is set within a street of frontages of similar scale, with rebuilding at a lower level to the rear. This structure therefore retains a significant presence in the street scene in its own right.
99. It was also suggested that the two-storey façade of the LLB could be retained, including some of the depth of its current structure, with the frontage of the new building rising up from this, extending some design elements. More specifically it was suggested that greater visual integration could be achieved if the development were to be stepped down towards the LLB, so that there would only be a further two storeys above it. This would be of a similar scale to the western side of Block B on the Vastern Road frontage. However, once again, with this approach there would be little relating the building to its context, or to tie it to its functional origins. There would also be implications in terms of a reduction in the number of dwellings that could be provided, a point to be considered as part of the overall balance.
100. Contrasting elevational materials and design elements are proposed throughout the appeal scheme to reflect the site's history. This includes the use of blue brick bands to define the first two storeys of the Block B Vastern Road frontage, seeking to achieve articulation of and visual interest for people passing this frontage. This simple design feature does not in itself indicate that, in visual terms, a successful integration of the LLB could be achieved.
101. Setting aside concerns about heritage impacts and design integration, options to retain the LLB, whether the façade alone or some/all of the building, would entail extensive and delicate engineering operations. This would be necessary to stabilise the historic fabric through some sort of internal or external support structure, as well as other internal alterations to enable its adaptation. This would inevitably cause harm to and loss of historic fabric. Consideration must also be given to whether such a response would be proportionate to the level of significance of the LLB.
102. The LLB was not identified specifically as a townscape receptor within the appellant's TVIA, meaning that the effects of the development on it were not specifically considered within this document. Also, the DAS contains some factual inaccuracies and errors relating to the LLB. Nonetheless, the presence of the LLB did directly inform the DAS, supported by the assessment of significance set out in the appellant's Heritage Statement. Overall, the

appellant gives proportionate and reasonable consideration to the implications of development and options for LLB.

103. It is agreed that the appeal scheme seeks to respond to the historic context by including design cues taken from the LLB. This would be, for example, through the use of blue brick quoining, contrasting red brick details, stone string courses and heads, and also a nod to the ground level decorative archway. This would represent a modest and straightforward interpretation of design elements of the LLB and other predecessor buildings. It would seek to reflect distinctive elements rather than represent them specifically as some sort of pastiche design. In this sense it would comply with that part of Policy EN4 which requires that *replacement buildings should draw upon heritage elements of the previous design, incorporating historical qualities that made the previous building significant.*

104. My attention has been drawn to a recently dismissed appeal relating to the proposed demolition of a locally listed building at 71-73 Caversham Road, known as Dowson's Maltings. This structure occupies a prominent corner position and, whilst much altered, is of significant scale. It also connects visually with more modestly scaled development in the surrounding streets. It appears to have been a Victorian warehouse constructed for use as maltings, with brewing being important to Reading at that time. The Inspector found that the original use as maltings could be appreciated and that there was a sense of architectural cohesion with the surrounding area. As these functional and visual connections are not present in relation to the current LLB, a distinction in terms of the level of heritage significance present can be drawn. Furthermore, unlike the appeal site, the Dowson's Malting site is not part of the area allocated for comprehensive development.

Conclusion on LLB

105. As the appeal development would result in the total loss of a LLB there would be conflict with Policies EN1 and EN4, which seek to protect and conserve non-designated heritage assets. These policies allow for consideration of whether there would be clear and convincing justification for such loss, usually in the form of public benefits, and whether such benefits outweigh, or significantly outweigh, significance. There would also be conflict with Policy CR3v. which refers to the need to conserve and enhance the historic environment of the centre and the significance of heritage assets.

106. As a starting point I have concluded that the LLB can be afforded no more than a low level and modest degree of significance overall. Set against this the policy provisions for the development of the MOA are of relevance and, within this context, the implications of reuse and retention options must be considered. I have found that the options considered would themselves cause harm to the heritage significance of the LLB through loss of fabric and ability to appreciate its original form. Further, the effective integration of remaining elements with the appeal development would raise considerable practical challenges. Overall, my view is that the appellant's approach to using the site's industrial heritage to inform the design of the appeal buildings would be an appropriate and proportionate response to these circumstances.

107. In order to make the heritage balance it is necessary to consider the public benefits of the scheme. I will return to this in the concluding section.

108. The third main issue considered at the Inquiry refers to the effect of the proposed development on the natural environment with, particular reference to marginal habitats and large canopy trees. For clarity and convenience I have dealt with these matters under separate headings.

Natural environment

Marginal habitats

109. The River Thames is an important wildlife corridor, qualifying as a Habitat of Principal Importance for the purpose of conserving biodiversity. This relates in part to the marginal vegetation and other riparian habitats that form part of the river system. Marginal vegetation (MV) is herbaceous vegetation located at or just below water level on the margins of watercourses, as distinct from other bankside vegetation. Overall, the parties agree that, in terms of its ecological value, the River and its habitats are of Borough importance.

110. Whilst precise details of the overall extent of marginal habitat (MH) within Reading Borough were not presented to the Inquiry, in the vicinity of the urban area of Reading its presence is patchy. The MV introduced at the time of the construction of the Bridge in 2015 was in the form of pre-planted coir rolls positioned along the south riverbank between the bridge ramps, and partly adjacent to the appeal site. A narrow strip of wildflower grassland was also planted along the bank, which is currently an area of uncut grassland into which some of the semi-aquatic vegetation has grown. It is agreed that this area of MV, referred to as MVA1, now amounts to 70m² of MV (15m² in the coir rolls and 55m² on the riverbank). A further length of coir roll was installed to the south-east of the eastern bridge ramp, referred to as MVA2. There is no suggestion that MVA2 would be affected by the development.

111. As a starting point it is agreed that the 'Ellenberg indicator values' give the MV species present a light value of 7, described as *plants generally in well-lit places, but also occurring in partial shade*. This describes a range of possibilities in terms of shade tolerance, or intolerance. Beyond this, the cases of the main parties present greatly differing viewpoints and conclusions in terms of the shading effects of the appeal scheme on MVA1, the implications of the mitigation hierarchy and any compensation requirements. I review each in turn below.

Impact of shading on MV

112. I viewed MV at a range of waterside locations on my site visit in mid-December. Whilst the evidence on this point is not conclusive, it did appear that some species of MV were growing in heavily shaded conditions, even during winter months. This included the shade cast by a line of Leyland Cypress trees adjacent to the Kennet and Avon Canal. The shaded MV was less vigorous in comparison with close by areas that are not overtopped by the tree canopies. Nonetheless the species present looked reasonably healthy along most of this stretch. It appeared that a visible gap in MV related to a

wildfowl grazing point, judging by the presence of feathers, and not to a particular gap in tree cover. The other locations referred to by the parties adjacent to the River at Hills Meadow Park and Kings Meadow Park are shaded by deciduous trees adjacent to the riverbank. This also indicated that some species of MV can and do grow in heavily shaded situations. Where MV was absent, it appeared that other factors were at play, such as disturbance by walkers and anglers.

113. Turning to consider the current condition of MVA1, this area of MV has established with varying success. The appellants' sunlight assessment provides an overview of the number of sunlight hours across this section of the River between March and September. When existing sunlight exposure is compared with the MV present, it does appear that the established central section is located where exposure is generally between a minimum of 4-5 hours and over 6 hours (and up to almost 14 hours) over the main growing season. The areas where MV has failed relate to the eastern and western extents where exposure is much less than this, generally less than 2 hours.
114. Looking specifically at the eastern end, shading is caused by the descending ramp and the poplar trees to the south. This has created a highly enclosed environment, exacerbated in recent times by the growth of scrub and tall ruderal plants on the immediately adjacent bankside. At the opposite western end of MVA1, the final 2m of coir roll have also failed to establish. This is close to the point where the Bridge reaches the bank, generating additional shading from the Bridge itself and the descending stairs, as well as scrub and tall ruderal vegetation which also appears on the bank around this point. Of note is the fact that this area does not appear to have been managed, meaning that damaged coir rolls have not been repaired, and also that competing tall ruderal and scrub vegetation has established over a significant area of the bankside. Without management, it is likely that tall ruderal and scrub vegetation would spread further.
115. It therefore appears that the parts of MVA1 that have not established have been placed in challenging situations with restricted access to light and the presence of competing vegetation. Observations from the other MV locations suggest that some species of MV can grow in heavy shade. However, as shade is cast by trees, they do not replicate the shading cast by solid built form. They do not, therefore, provide a direct comparison with the effects of shading from the appeal scheme. On this point it is relevant that Building Research Establishment (BRE) guidance on sunlight calculations indicates that whether trees should be included depends on the type of shade they produce, and that normally they need not be included, partly because the dappled shade of a tree is more pleasant than the deep shade of a building.
116. With the appeal scheme in place a significant proportion of MVA1 would see a reduction in daily sunlight exposure during the growing season. This would amount to a reduction from over 6 hours (and up to almost 14 hours), to around 2-4 hours. The appellant agrees that there would be some impact on MV leading to a slight reduction in vigour and a loss of small areas of MH already struggling to establish. The Environment Agency's (EA) assessment is

that the development would be *likely to reduce the vigour of this planting and may result in the loss of some species*. This is at odds with the Council's conclusion that MVA1 would be likely to fail in its entirety.

117. The Dawson and Haslam paper referred to by the Council does not particularly assist with this analysis as it refers in the main to the shading effects of MV itself in terms of aquatic plant control. Submerged aquatic vegetation is distinct from the emergent nature of MV. The paper promotes the control of vigorous aquatic plants occupying central river and therefore less shaded positions by using the half-shade created by bankside planting. Whilst still referring to aquatic plant growth, of relevance is the reference made to the complexities involved in predicting growing conditions, noting situations in which aquatic growth has been appreciable even where there has been full shade. This is due to the presence of general skylight.

118. The evidence before me is not conclusive on this point. Nonetheless, the nature of the shade caused by the evergreen trees adjacent to the Kennet and Avon Canal does strongly suggest that some species of MV can tolerate a high degree of shade, perhaps due to the continued presence of general skylight.

119. I therefore conclude that the development proposed would be most likely to result in reduced vigour to MVA1, and a reduction in the extent to which it would spread further, though there is nothing before me to indicate that this area would be likely to fail completely. That said, the fact that tall ruderal and scrub vegetation has colonised the more shaded parts of the bankside suggests that, with the additional shade caused by the development, this would be likely to spread more rapidly, posing further challenge to the vigour and extent of the MV. As such, a greater than modest effect on the extent and health of MVA1 cannot be ruled out.

120. The Framework paragraph 180a) refers to situations where there is significant harm to biodiversity resulting from a development. In determining whether significant harm would be likely in this case, the 'precautionary principle' is to be considered. The glossary to the Guidelines for Ecological Impact Assessment (EcIA) sets out that the precautionary principle means *that the absence of complete information should not preclude precautionary action to mitigate the risk of significant harm to the environment*. The Council relies on the specific, and perhaps more cautious, descriptor within the EcIA that *in cases of reasonable doubt, where it is not possible to robustly justify a conclusion of no significant effect, a significant effect should be assumed*.

121. Assistance with the practical application of the principle is derived from two legal judgements. The general proposition set out in the Kenyon judgement⁴ is that the principle will only apply if there is *a reasonable doubt in the mind of the primary decision-maker* (§66), meaning that it does not apply simply because someone else takes a different view. The other legal authority relates to a fracking case,⁵ in which it was found that the existence of scientific doubt or dispute did not necessarily require the engagement of a precautionary

⁴ R (Kenyon) v SSHCLG [2020] EWCA Civ 302

⁵ Preston New Road Action Group v SSCLG [2018] EWCA Civ 9

approach. I take from this that the precautionary approach should be engaged where there can be reasonable doubt about the effects of the development, specifically in terms of whether the appeal proposal would have a significant impact on MVA1.

122. On the basis of the evidence before me, including what I was able to see on site, it is most likely that there would be some moderate harm to MVA1 in terms of lost vigour. However, a significantly harmful effect, which would be of Borough significance, cannot be ruled out.

Implications of the mitigation hierarchy

123. A precautionary approach means that it is necessary to apply the mitigation hierarchy. As set out in paragraph 180a) of the Framework and section B of Policy EN12, the mitigation hierarchy seeks firstly to avoid impacts, then to minimise them, then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.

124. Considering firstly whether harm could be avoided or minimised, the Council's case is that even if Block D were to be set back to reduce the level of overshadowing, a significant quantum of housing could be delivered on this site. Further, this is presented in the context of the Council being on course to deliver housing in excess of the required figures over the development plan period. On the other hand, the appellant refers to the importance of maximising housing delivery in this highly sustainable location, as well as harm in terms of the loss of enclosure and definition in townscape terms if Blocks D and E were to be set back/reduced in height. Setting aside design matters, my view is that given that the site is allocated for 250-370 dwellings, it is reasonable to expect that its development would involve comprehensive site coverage and relatively high buildings, making the avoidance of impact challenging.

125. On-site measures to rehabilitate or restore biodiversity would not be appropriate, noting the specific nature and high distinctiveness of MH. Therefore, in these circumstances, in considering whether harm could be adequately compensated for, Policy EN12 sets out that the provision of off-site compensation shall be calculated in accordance with nationally or locally recognised guidance and metrics.

Adequacy of off-site compensation

126. The appellant's position is that the condition of the MV overall would not change. Nonetheless, as a precautionary measure, the appellant proposes the replacement of 8m of coir roll at the eastern end of MVA1, and at MVA2 the addition of a 53m length of new coir roll and a 53m length of brushwood roll into which MV would grow. The total area would be 34.2m² of new MV.

127. The parties have applied a combination of the DEFRA 2.0 and DEFRA 3.0 Biodiversity Metric (the Metric), a practical tool used to measure gains and losses of biodiversity in England. It has been used to assess the biodiversity value of the existing MVA1 in terms of habitat units (HU), the effect of the change in terms of those HU, and the value of the proposed compensation.

The Metric involves some subjective evaluation and comes with a 'health warning' indicating that its outputs should not be considered as absolute values but provide a proxy for the relative biodiversity worth of a site pre- and post-intervention. The greatly varying conclusions of the parties on the outcomes of the Metric indicate that subjective evaluation relates to both the data inputs and the interpretation of value elements.

128. As a starting point the parties agree that the pre-intervention condition of the MV should be assessed on the basis of the closest category habitat type in the Metric: wetland-reedbeds. However, the initial and most significant discrepancy between the respective positions of the parties relates to the fact that the Council's calculations assume that there would be a significant effect on the total quantity of 0.007 ha of MV adjacent to the site. In contrast the appellant has included the MV in the coir rolls only (0.0015 ha), excluding the MV on the bank (0.0055 ha), suggesting that there is no evidence of a significant impact on this area. However, the appellant's sunlight exposure study shows that there would be a reduction in sunlight reaching the MV on the bankside area from generally over 5 hours per day to around 2-4 hours per day in March and September. For the remaining spring and summer months the reduction would be from over 6 hours (and up to almost 14 hours per day) to around 2-5 hours per day for most of this area. Therefore, the change in environmental conditions would be likely to have some effect on the growth of bankside MV.
129. It may well be the case that post-development, the bankside area could continue to meet 5 out of 6 of the Metric core condition criteria for wetland habitats. However, as the appellant notes, it is appropriate to consider other non-listed criteria that would affect the condition of MV. My view is therefore that the effect on bankside MV should be considered as part of the overall assessment of the effect of the development on MV. That said, the weight that should be attached to harm to this area is moderated by the fact that, as noted above, the future resilience of this area of MV in its current circumstances is uncertain.
130. The Council's Metric calculations are based on an assessment of the full area of MV, that is 0.007 ha, and appear to set out all necessary factors, whereas the appellant's figures are less transparent. I have therefore considered the component elements of the Council's calculations alongside the appellant's critique and suggestion of alternatives, as a basis for reaching a view on the adequacy of the compensation proposed.
131. The Council has assessed the value of this wetland area in terms of HU based on it being either in 'good' or 'moderate' condition. It appears that the area relating to the coir rolls fulfils all 6 of the Metric's core condition assessment criteria, meaning that it could be considered to fall within the 'good' condition category. That said, the existing heavy shading from the Bridge and ramps greatly limits the ecological functionality value of this area, and the Bridge is an unnatural physical obstruction to the wildlife using the MV. Whilst this is not listed as a criterion, it has clearly affected the establishment and condition of the MV. As such, in line with the principles set out in the Metric user guide

which highlights the need to apply ecological principles and consider local conditions alongside the Metric outputs, my view is that the 'moderate' condition category is more appropriate for assessing this MV.

132. As the bankside vegetation does not meet the non-negotiable condition criteria requiring that the water table is at or near the surface throughout the year, its current condition can be no greater than moderate. On this basis the Council gives a pre-intervention value to MVA1 of 0.10 HU.
133. The post-intervention effect of development on MVA1 in terms of HU is then calculated. I have established that it is most likely that the MV would survive in poor condition, rather than not surviving, post-development. In these circumstances the Council sets out that MVA1 would have a value of 0.05 HU, reflecting a loss of 0.05 HU.
134. Turning to the value of the off-site compensation in terms of HU, the starting point is to consider the value of the river habitat pre-development. The appellant suggests that deducting a figure for the value in HU represented by the area of river in which compensation planting will take place is a significant error, with reference to a point in the Metric guidance which specifically excludes coir rolls from in-water encroachment calculations. However, this part of the methodology applies only to linear habitat biodiversity calculations and not the area habitat biodiversity calculations used by the experts in this case. Such a deduction is therefore appropriate.
135. Whilst the River is a distinct habitat in Reading, there is no specific habitat type for rivers in the Metric. The nearest classifications are either 'lakes-artificial lake or pond' (lake/pond) or 'lakes-reservoir' (reservoir). The lake/pond type relates to an enclosed artificial standing water body and falls into a low distinctiveness category. The reservoir type refers to an artificial water body for water supply/irrigation, falling into the medium distinctiveness category.
136. In considering the most appropriate classification, this is an impoverished section of the River Thames, lacking significant natural vegetation, experiencing high levels of boat traffic/moorings and adversely affected by large numbers of wildfowl. This is reflected by the fact that the EA designate this part of the River as a Heavily Modified Water Body for navigation, recreation and flood protection reasons, and have classified it as having Moderate Ecological Potential in 2016, failing for invertebrates and phosphates. Nonetheless, it appears that the EA classification correlates most closely with the 'medium' distinctiveness category reservoir habitat type, rather than the low distinctiveness category of enclosed artificial standing water.
137. At this point the Council's calculations assume that 20m² of new MV would be created, whereas it has subsequently been agreed that an additional 34.2m² of MV would be created at MVA2. Therefore, the assessed value of the river area lost to the new MV as 0.02 HU is an underestimate. However, the fact that the Council also gives a post-intervention value to the new MV of 0.02m², effectively suggesting that the intervention would have zero benefit in habitat

terms is, it seems, a further indication of the challenge of applying the Metric. I understand that some of the issues here relate to the relatively small habitat areas involved and the fact that figures in the model are rounded.

138. The overall outcome of the Council's application of the Metric is the suggestion that compensatory habitat of between 80m² (based on an additional 0.04 HU) and 542m² (based on an additional 0.13 HU) would be required. In contrast the appellants calculations, based on the smaller area of MV within the coir rolls,⁶ suggest that the additional 34.2m² of MV would be appropriate compensation for the 15m² coir roll MV. This is based on the Metric giving existing MV twice the value of new areas.
139. The disparity between the party's calculations means that a clear conclusion on the adequacy of the compensation proposed in numerical terms is not possible. It suggests that a degree of pragmatism is required. The principles and rules guiding the Metric's biodiversity assessments state that losses of habitat are to be compensated for on a 'like for like' or 'like for better' basis, particularly for high distinctiveness habitats. In this case the future health and stability of this unmanaged area without the development in place is uncertain given the challenging circumstances, particularly the presence of competing vegetation. On this basis I have noted that less than full weight should be attached to possible harm to the bankside MV. Further, with the development in place it would be unlikely that MVA1 would disappear. In these circumstances I do not consider that an area greater than the current total size of MVA1, as suggested by the Council, to be necessary.
140. Set against this, the adequacy of the appellant's proposed 34m² of MH must be considered. Of relevance is the fact that in this location the River is more open and with a shallower depth than at MVA1, giving greater potential for the MV to thrive. Also, brushwood bundles would be placed alongside the new coir rolls acting as a buffer to boat wash and the effects of wildfowl, thereby increasing its resilience. Further, the greater width of coir rolls would offer a more sustainable long-term option for enhancing biodiversity compared with the existing single width coir roll. Finally, and perhaps most significantly, the provisions of the S106 set out that this area would be managed in perpetuity, in accordance with an agreed Ecological Works Scheme. The Council questions the additionality of the MV proposed at MVA2, observing that where the existing fence has collapsed the MV has extended into the river. However, I have highlighted the consequences of not managing new areas of MH in this environment. In this sense the potential biodiversity benefits offered by the appellants proposal to enhance MV provision are of considerable weight.

Conclusion on marginal habitats

141. I therefore find that, noting both the condition of existing MV and the quality of the compensation proposed, any harmful effects caused by the proposed development would be adequately addressed. The proposal would therefore comply with the requirements of Policy EN11 in relation to the protection and

⁶ Using, as far as possible, comparable inputs to the Council, these calculations suggest that the existing MV has a value of 0.0207 HU (in moderate condition), reducing to 0.0104 HU (poor). The loss of river would be 0.0079 HU (lake/pond), and the new MV would provide 0.0326 HU (good condition).

enhancement of Reading's waterspaces, so that they can continue to contribute to local and regional biodiversity and ecology. The provision of off-site compensation would also meet the requirements of Policy EN12 in demonstrating that there would be no net loss of biodiversity. Whilst the requirement to calculate off-site compensation using recognised metrics has proved challenging, overall I have found that the compensation proposed would be a proportionate and reasonable response to this situation. Similarly, in the terms of the Framework paragraph 180a), I find that, on the basis that harm cannot be avoided, there would be adequate compensation.

Large canopy trees

142. It is agreed that the overall quantity of tree cover proposed is appropriate. However, the disagreement relates specifically to the type of riverside trees proposed and the fact that only one of the riverside trees would have a large canopy. Linked to this is also the question of whether there would be sufficient space within the riverside buffer for a sustainable long-term relationship between the riverside buildings and further large canopy trees at this part of the site. The matters to be considered relate to the extent of tree cover in terms of biodiversity and climatic considerations, and the landscape and visual implications of the scheme both in terms of its setting and the quality of riverside public realm created by the appeal scheme.
143. The latter point is closely connected to urban design considerations relating to Riverside Development, as considered earlier in my decision. In this section I focus on the nature of the tree cover that should be provided and also the sites general landscape setting.
144. An early iteration of the appeal scheme included a selection of broadleaved wide canopy trees (in the mature form) along the River frontage. Such trees are defined as 'large canopy' (LC), meaning that they would ultimately become large trees (20m+ in height) with a broad spreading canopy. However, the Council's concerns regarding the potential for overshadowing and future conflict with the appeal buildings resulted in the substitution of several of the LC trees with more fastigate varieties. Such cultivars are naturally tall and upright with branches more or less parallel with the main stem, thereby providing a narrower crown spread. The response was suggested to maintain a sustainable long-term relationship between the riverside buildings and trees.
145. Policy EN14 sets out the importance of improving tree cover within the Borough to maintain and enhance the character and appearance of the area in which a site is located, thereby supporting biodiversity and contributing to measures to reduce carbon and adapt to climate change. No reference is made to LC trees within the Policy, though the supporting text sets out the need to use appropriate LC trees, reflecting the fact that environmental improvements in terms of biodiversity and climate adaptation are achieved more effectively by LC trees. In simple terms, the larger the canopy spread of the tree the greater the support provided to wildlife, the greater the carbon capture and other climatic benefits, particularly in terms of summer shading and improvement in air quality.

146. The adopted Sustainable Design and Construction SPD reiterates the beneficial effects of, and preference for, LC trees. Similarly, the adopted Tree Strategy sets out the importance of planting LC species wherever feasible, targeting priority areas for tree planting based on factors such as canopy cover and air pollution. In these respects, the appeal site is located in both a 'low canopy cover' ward, where the aim is to secure immediate improvement, and a designated Air Quality Management Area (AQMA). As most of the trees proposed are not LC varieties, the contribution to improvements in canopy cover and AQMA objectives would be less than optimal.
147. The Framework paragraph 131 also sets out the importance of tree planting, along with the requirement to ensure that *the right trees are planted in the right places*. This practical concern is with ensuring that proposed trees can be successfully integrated to achieve their optimum size without concerns about future conflict with built form or other infrastructure. Of particular relevance in this regard is the requirement in Policy EN11 that development be set back at least 10m from watercourses wherever practicable, and the site-specific requirement in Policy CR11g that development be set back at least 10m from the top of the riverbank. Notwithstanding the fact that this is a minimum requirement, it has more or less been met by the appeal scheme and slightly exceeded in places. However, it remains that this area would not be of sufficient width to accommodate a line of LC trees. The appellant's suggested compromise is therefore a reflection of this constraint.
148. Turning to the implications for landscape and visual character, I have considered policy provisions relating to the protection of the River environs as part of the Riverside Development section. With reference to Policies EN11, EN13 and CR3 I found a requirement for development to support the natural character of waterway environments, though recognising that it is not necessarily possible to do so where strongly urban influences are apparent.
149. The River Thames is a MLF, to be protected for its own sake and as a distinctive setting for its wider urban context. I have recognised that this area is characterised by an overriding sense of generous spaciousness and greenery. That said, the fact that the southern riverbank forms an urban edge is apparent, with built form of significant mass set close to the southern towpath with relatively limited tree cover. It is also accepted that built form of substantial scale should come forward on the appeal site.
150. The RSAF vision sets out that an area of high-quality public realm would also be accommodated here, where the north-south spine meets the River, though notes that this would not be large in size due to space constraints. The degree to which it was envisaged that this area would be able to accommodate significant tree canopies adjacent to the River is therefore uncertain.
151. In practical terms the 10m set back could accommodate trees which, whilst with relatively modest canopies, would be of significant mature height and could provide a degree of softening of this frontage. The central tree, an oak, and therefore a LC variety would, when mature, further assist in softening and would also provide a focal point along the river frontage. Therefore my view is that, in the context of the development envisaged for this area, the trees

proposed would represent a reasonable response to the setting. They would follow the principle that the right trees should be planted in the right places, and would also enhance the landscape provision along the southern riverbank.

152. Drawing these threads together, there are tensions between the need on the one hand to secure the high-density development of the site, and on the other the aim to deliver LC trees and protect and enhance the character of the MLF. In terms of tree types, the riverside canopy cover proposed would be less than optimal in terms of delivering environmental benefits. The proposal would not fully comply with the requirements of Policy EN11 and CR11g for development to be set back a minimum of 10m from the River. Nonetheless, the appeal scheme would represent a minor technical breach of this requirement, with the fact remaining that even if a strict 10m set back were to be observed, it would not be of sufficient width to support LC trees.

153. The tree types selected could be accommodated without future conflict, a principle supported by the Tree Strategy and the Framework paragraph 131. I have also found that the scheme would relate reasonably well to the landscape character of the south bank of the River, reflecting its proximity to the urban centre and securing some landscape improvements. It would therefore comply with the relevant provisions of Policies EN11, EN13 and EN14. It would also comply with the provisions of Policies CC7, CR2 and CR4 in relation to the provision of green infrastructure and landscaping, and adding to the setting and character of the Thames.

154. Overall, this is a compromise position in which a high-density scheme would be accommodated with some softening of the frontage and some environmental benefits. Nonetheless, the appeal scheme does offer broad compliance with policy and guidance.

Comprehensive development

155. In past discussions about the development of the CR11g Riverside area the site owner, SSE, have indicated their intention that the entire site would be comprehensively redeveloped. Past feasibility studies illustrate various approaches to development, including retaining and encapsulating electricity transmission equipment below new buildings. Representations were made to the Council in 2017 and 2018 seeking to secure alterations to the emerging LP. This related to a suggested extension of the tall building cluster to include the site and a request that the 10m riverside setback be relaxed to 5m. These representations indicated that such alterations would allow maximisation of potential riverside development, presumably by allowing taller buildings closer to the River. Further, the riverside frontage development would generate the high values required to support the relocation of the central electricity transformers, thereby opening up this part of the site for the desired central pedestrian/cycle link.

156. It appears that the failure of these representations to result in amendments to the LP led to the conclusion that moving the substations and transformers within the site or to another location was financially unviable. As a result, the part of the site no longer required for operations was sold on. Evidence to the Inquiry indicates that SSE have no plans to relocate their equipment, with the

strategic requirement for the substations and transformers *highly unlikely to change in the short or long-term.*

157. Whilst ideally the development of Policy CR11 sub-areas should be undertaken comprehensively, it is recognised that some parts may be developed to different timescales. It is agreed that the responsibility falls to the appellant to provide sufficient information to demonstrate that the appeal scheme is part of a comprehensive approach to the development of the sub-area. Policy CR11viii) requires that such an approach should not prevent neighbouring sites from fulfilling the aspirations of this Policy for the Station/River MOA and Central Reading. Specifically, the supporting text sets out that *it is vital that there is clear regard for the rest of the sub-area and that planning applications are accompanied by information that addresses how the development will relate to the potential or planned development of neighbouring sites.* Further, Policy CR2f. requires development to be designed with consideration of adjacent development sites. It should not prevent or cause unreasonable burdens on the future development of those sites.
158. It would be unreasonable to expect a fully developed scheme setting out the height and form of buildings and detailing parking and open space provision. Nonetheless, my view is that, given the unique nature of the site and the unusual central configuration of its two parts, some sense of visual and functional integration and complementarity should be apparent.
159. The sketch plan provided with the appellant's DAS shows the approximate locations and footprints of four development blocks, two as linear blocks against the eastern boundary and two internal blocks abutting the appeal scheme Blocks C and D. Parking courts and broad indications of landscaping are shown separating the buildings, with a link from Vastern Road to the towpath and also a connection between the two sites. In reviewing the scheme, Design South East welcomed this consideration of how the appeal scheme would relate to the remainder of the site. Nonetheless, it was left to the Council to assess the *possible future relationship as part of their consideration of this scheme and their aspirations for the wider site long term.*
160. The sketch plan presents some cause for concern relating to the possible future development of the adjoining site. The appeal site commands much of the River frontage, with the remaining 19m constrained by the presence of the mature poplar trees to the east. Block D is positioned in order to maximise the benefits of this aspect, being as close as possible to the eastern site boundary and River, with windows and balconies on its eastern elevation up to 10 stories. This would mean that the remaining narrow river frontage of the SSE site, an area attracting premium development values, would be effectively blighted. This outcome is suggested in the DAS sketch plan. The appellant's position is that the open frontage would allow views through to the River from three of the blocks. This may be so, but these views would be highly restricted.
161. The suggested movement patterns indicate a duplication of the north-south link, with the nature of the central connection between the two sites not being clear. It would be unlikely that the tight gap between Blocks C and D could function effectively as a vehicular/emergency access route, suggesting that a further vehicular access point would be required from the Vastern Road frontage. The appellant has suggested that alterations could address such concerns. However, without further clarity about the nature of such

modifications, it remains doubtful that effective and efficient internal and external circulation patterns could be achieved. Whilst permeability is to be supported, particularly on north-south links, practical uncertainties undermine any suggested benefit in this regard.

162. The sketch plan suggests that the built coverage of the site would be around 30%, suggesting an inefficient use of the site, noting the Housing and Economic Land Availability Assessment aspiration for 43% coverage on sites such as this. Whilst the appellant again suggests that alterations to the layout could perhaps address this point, there is little evidence of how significant increases in built coverage could be achieved and the use of available space optimised. There are other matters of concern about the development potential of the remaining site area, such as the small footprints and the limited aspects of two of the blocks.
163. I have already referred to the considerable constraints and challenges of developing the appeal site in view of its relationship with the remaining part of the CR11g site. In particular, the management of the retained transformer equipment has visual and acoustic implications, as well as other technical constraints. In this regard buildings cannot be placed within 2m of the boundary of the central part of the site. There is also a requirement for a 3m high 'blast wall' around the central part of the scheme. This would be created along the boundary to the south of Block D, east of Block C and the northernmost element of Block B. It does appear that this would be the most efficient way of managing these ongoing constraints. The resulting blank walls without fenestration would relate to those elevations directly facing the central transformers. The fact that this would result in an unusable 2m gap between buildings appears difficult to resolve.
164. That said, it is possible that the resolution of this and other matters could be achieved through reviewing the configuration or omission of some elements of the appeal scheme. For example, it may be possible to accommodate a block of around 13m width on the frontage of the SSE site, though this would require the omission of either some of the northern extent of Block D, or at least some of the windows and balconies on its eastern elevation.
165. Addressing these concerns would have townscape implications. For example, it may not be desirable in townscape terms for there to be a significant reduction to the pattern of fenestration on the eastern elevation of Block D, given its visual prominence. It is also inevitable that such changes would result in some loss of dwelling yield on the appeal site.
166. Nonetheless, I consider it appropriate to address the concerns highlighted to provide some assurance that the development potential for the remaining site would not be unduly impeded. Further matters relate to the fact that the development of the remaining SSE site presents challenges in terms of managing the removal or integration of the remaining transformer equipment, and the presence of both the line of mature poplar trees and the existing offices to the east. Proper consideration of these points would support the principle that the whole of the allocated area should have the potential to come forward as envisaged by Policy CR11.
167. I have noted that SSE have clearly stated that they do not envisage the site coming forward for development any time soon. Nor do they envisage the appeal scheme jeopardising the future development of the remaining site area.

However, it is not clear from the correspondence provided that specific consideration has been given to the remaining site challenges. I note particularly that earlier representations made much of the abnormal costs involved in relocating electricity infrastructure, and therefore the need for development value to be maximised. Furthermore, whilst no specific evidence was presented on this point, in the current climate it is reasonable to speculate on the likelihood of changes in the way electricity is delivered in the future, leading to questions about the longevity of the current infrastructure. Such considerations have not been addressed, directly or indirectly.

168. I therefore conclude that it has not been demonstrated that the proposal would be part of a comprehensive approach to the development of the Riverside sub-area of the MOA. In particular, concerns regarding the viability of development on the remaining part of the site, the effectiveness of movement patterns within and between the sites and the efficiency of the use of the remaining site area have been identified. In these regards there would be conflict with the requirements of Policies CR11viii) and CR2f., as set out above.

Other Matters

Matters raised by the Rule 6 and interested parties

169. Whilst they do not form matters of dispute between the Council and the appellant, I have had careful regard to the range of other considerations raised by the Rule 6 Party and other interested groups and individuals during the course of the Inquiry. Some are addressed elsewhere in my decision. My thoughts on others are set out here.

170. The appeal site is highly accessible brownfield land. There is general acceptance that the allocated area, and the wider MOA, will contribute towards providing a high-density mix of uses. Of specific relevance is the fact that the Framework paragraph 191 sets out the need to make efficient use of such underused land. In this context the quantum of development sought falls within the general parameters set by Policy CR11g. The indicative potential for the allocated area is between 250 and 370 dwellings, which on a proportionate basis suggests that a range of between 152 and 226 dwellings would be appropriate on the appeal site. At 209 dwellings the appeal scheme would be at the higher end of this spectrum, though would be within acceptable parameters, providing other relevant policy requirements are met.

171. The suggestion that the remaining central portion of the allocated site could potentially accommodate taller buildings is not unreasonable, noting that it is set away from the River and the sensitive residential areas to the west. However, this would not in itself undermine the merits of the appeal scheme. On this point the supporting text to Policy CR11 states that whilst indicative capacity figures are included, actual development capacity can vary significantly on high density town centre sites, providing that high-quality well-designed development can be achieved.

172. The appeal scheme has sought to respond to the proximity of the site to the residential streets to the west by positioning buildings of lower height in the most sensitive locations. Specifically the parts of Blocks C and B positioned parallel to Lynmouth Road, would comprise three to four storey elements. Policy CC8 seeks to safeguard the living conditions of the residents of existing properties in terms of privacy, overbearing development and outlook. It sets

out that a minimum back-to-back distance of 20m is usually appropriate, although circumstances on individual sites may enable dwellings to be closer without a detrimental effect on privacy. In this case, whilst the relationship would be back-to-front, the fact that this distance would be between 25 and 29m suggests that this would be sufficient to ensure that privacy would be protected. Most balconies on this Block B and Block C elevation would be set further away from the Lynmouth Road properties.

173. Some overlooking of the rear gardens of the Lynmouth Road properties would be possible. However, it is unrealistic to expect total privacy within inner urban environments such as this. For example, several of the Lynmouth Road properties have accommodation within their roof spaces, enabling greater overlooking of adjacent rear gardens than previously. That said, whilst deciduous trees on the site boundary would not block views year-round, their presence would soften views and provide a sense of screening and separation.
174. There would be less of a gap between the southernmost Lynmouth Road property and Block A, though as Block A would be of two storeys adjoining the rear garden area any harm in this regard would be limited. The close relationship between Block FG and the northern end of Lynmouth Road would be managed by the absence of windows above ground floor at the southern end of this Block.
175. The presence of higher-level development in Blocks A, B, D and E may suggest that overlooking would occur. However, intervisibility would be greatly restricted by the fact that these blocks would be set back some distance from the windowed elevations and gardens, and also by the acute angles of view.
176. In spatial terms the contrast between the currently open car park occupying most of the appeal site and the appearance of the appeal scheme would be stark, noting particularly the heights reached by elements of Blocks D and B, and to a lesser extent Blocks A and E. Nonetheless, there would be much less of a contrast between the heights of those elements most closely adjacent to existing residential areas, so that a sense of moderated scaling up would be achieved. In this context my view is that the appeal scheme would not appear unduly overbearing.
177. Similarly, the appeal scheme would result in loss of light to existing properties which currently benefit from the large degree of openness on the appeal site. Amendments made to the scheme post-submission have sought to improve daylight and sunlight provision. Lynmouth Court would be the most affected by the proposals. Some windows would see their vertical sky component obstructed to below 27%, though the fact that some of the rooms have less affected windows on other elevations would be a mitigating factor. The overall loss of sunlight would be largely within the BRE guidelines.
178. There would also be some loss of daylight for rear windows and garden areas of even numbered properties on Lynmouth Road. Light loss would be managed by the lower heights of buildings both in the centre of the site and relating to those portions of Blocks FG and Block A closest to the Lynmouth Road properties. Whilst light loss effects can be generally characterised as minor adverse, this would not be unreasonable in this urban context. Residents of existing properties further away from the appeal site, such as Thames Court, may experience some light loss, though this would be within BRE guidelines.

179. Reference is also made to intrusive levels of artificial light impacting on the living conditions of existing residents. Should this scheme be acceptable in other regards, details of external lighting could be required by condition so that its effects would be managed. Overall, I find that the appeal scheme would not have any unacceptably detrimental impacts on the living environment of the occupiers of existing residential properties.
180. I have also considered the points raised about the overshadowing of the River and Meadows, and the suggestion that the mast of the Bridge can be used as a proxy in this regard. However, in comparison with the mast, the riverside blocks would be both notably lower and set back further south. Whilst it is possible that during the winter months the long shadows cast by riverside blocks could reach across to the Meadows, it is unlikely that they would extend across the entirety of this area. I have addressed the implications of shading for River habitats and there is nothing further before me to suggest harm in terms of shading.
181. The management of the trees planted close to the boundary with the Lynmouth Road properties could be linked to an appropriate landscape management condition to avoid damage to properties. This would enable matters such as the height difference between the site and the rear gardens of these properties, measured on site to be a little over 1m, to be managed using appropriate barriers.
182. Reference is made to concerns about the opportunity for crime created by the access road adjacent to the rear of the Lynmouth Road properties. However, the presence of trees along with densely planted hedgerow would provide a defensible boundary and buffer between the shared boundary and the parallel parking spaces/roadway on the appeal site.
183. Given the limited car ownership envisaged, residents of the new development would be likely to make use of home deliveries. The traffic forecasts relating to servicing and delivery vehicles has used an industry standard TRICs assessment. This is based on data gained from a range of similar residential developments, all with parking ratios of less than one space per unit. This suggests that on average there would be around 19 servicing and delivery trips daily, around two to three vehicles per hour. The site would provide several locations for deliveries. Therefore, even if a number were to coincide, it is unlikely that this would have any material impacts on surrounding roads. Whilst the closure of the local supermarket could have some effect on home delivery levels, the assessment data suggests that this would be within acceptable parameters. Further, parking controls would be put in place to ensure that residents of the development would be unable to park on surrounding streets. Therefore the appeal scheme would be unlikely to lead to traffic congestion locally.
184. The appeal scheme has been designed to accord with local and national policy in relation to flooding and surface water drainage. Specifically, it would introduce soft landscaping, permeable paving materials and underground rainwater storage. This would enable improvements in surface water management and associated impacts on the gardens of adjacent properties. The measures incorporated could be required via planning condition.
185. Development on this scale would inevitably lead to increased demand for and pressure on local facilities and services. There is nothing before me to indicate

that the scheme would have undesirable impacts in this regard. Further, proximity to a major public transport hub, along with the proposed improvements to walking and cycling provision, would assist in supporting access to a wide range of services and facilities via sustainable travel choices.

186. The evidence before me indicates that the appellant has sought to respond to many of the matters raised by interested parties as the scheme has evolved. Given the close proximity of neighbouring properties it is inevitable that concerns remain. Overall I find that the points raised have been adequately addressed.

Housing land supply

187. It is a matter of common ground that the Council can demonstrate a supply of housing land in excess of five years. This is based on the objectively assessed housing need examined as part of the LP, adopted in November 2019. The resulting housing requirement remains current for a period of five years, or longer if reviewed and found not to require updating. In circumstances other than this housing land supply must be calculated using the standard method set out in the Planning Practice Guidance (PPG).

188. These circumstances are at least several years away. There is therefore no policy basis for applying the standard method to the current situation. As such, these provisions are of limited relevance to the determination of this appeal.

189. The fact that much housing land supply comes from previously developed land means that many sites are in existing use, or there are other competing uses, so that there is uncertainty about anticipated delivery in terms of both quantum and timing than, say, greenfield sites. Such uncertainty and change is managed by setting lapse rates at various levels, only removing these when development starts on site. As a result, changes to site specific supply have meant that, at the time of the Inquiry, the Council was on course to deliver some 1,275 dwellings above the LP requirement over the plan period to 2036.

190. That said, the direction of travel is that pressure to deliver housing will continue. The Government priority of significantly boosting the supply of housing (Framework paragraph 60) is supported by LP Policy H1 which sets the housing requirement at a minimum level, that is *at least an additional 15,847 homes*. Whilst there may be speculation around the impacts of Brexit, and a greater prevalence of working from home following Covid, there is nothing before me to indicate any change in this overriding priority.

191. It may well be that at this point in time the appeal site does not need to be developed for the Council to meet its housing requirement figures. Nonetheless, it has the potential to accommodate a significant number of much needed new homes in a highly sustainable location, with associated environmental benefits. Whether or not the appeal scheme is required to meet the totality of supply across the wider plan period, it remains that securing a policy compliant housing scheme is of benefit to supply right now. Therefore this consideration should be afforded significant weight.

Planning Obligations

192. The submitted S106 sets out a range of obligations. These include:

- An affordable housing deferred contribution mechanism. This is considered further below.
- Various highways/ transport related works stemming from LP Policies TR1, TR3, TR5, CC9 and CR11 relating to the improvement of transport infrastructure. These include:
 - Provision of a new north-south link connecting Vastern Road to the Bridge and associated infrastructure/signage
 - Provision of a new direct link from the site onto the towpath
 - Footway improvements and an upgraded site entrance onto Lynmouth Road
 - A contribution of £200,000 towards a new crossing on Vastern Road
 - Provision of transport mitigation measures to include:
 - Residential Travel Plan
 - An on-site car club
- A contribution of £100,000 towards improving existing open space or providing new open space and leisure facilities, linked to the requirement of LP Policy EN9 to make provision for open space based on the needs of the development.
- An employment and skills financial contribution of £46,487.50 which would be used to fund employment, skills and training initiatives. This is in line with the provisions of LP Policy CC9 relating to securing infrastructure.
- A carbon offsetting contribution relating to the provisions of LP Policy H5c which expects major new build residential development to achieve zero carbon homes standards. A minimum a 35% improvement over Building Regulations standards is required, with the remainder secured as a financial contribution to offsetting, as is the case here.
- The requirement for off-site ecological mitigation in line with the requirements of Policy EN12. This was considered in relation to the effect of the appeal scheme on marginal habitats.

193. These provisions were addressed in evidence and by the CIL Compliance Statement submitted by the Council. This sets out the basis of the obligations in respect of policy and guidance. There is no dispute regarding these obligations, which address key elements of the scheme. The contributions are directly related to the proposal and are necessary to make the development acceptable in planning terms. The obligations meet the tests set out at paragraph 57 of the Framework and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

194. Some of the provisions, including the open space contribution, the employment and skills contribution, the carbon offsetting contribution and the off-site ecological mitigation, are designed to mitigate the impact of the

proposal. These elements therefore do not provide benefits in favour of the appeal proposals. However, others can be viewed as benefits and are considered as part of the planning balance.

195. With reference to the affordable housing deferred contributions mechanism, LP Policy H3 sets out that *on sites of 10 or more dwellings, 30% of the total dwellings will be in the form of affordable housing. However, in all cases where proposals fall short of the policy target as a result of viability considerations... the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.* More specifically, the Council's adopted Affordable Housing Supplementary Planning Document (2021)(SPD) sets out that *where a reduced contribution to affordable housing was agreed at application stage, a mechanism should be included within the S106 agreement that ensures that a proportion of increased profits are secured for affordable housing.* A formula for the calculation of the deferred contribution is set out in the SPD.

196. At application stage the scheme proposed 20.57% affordable units. However, based on the submission of a viability assessment by the appellant, and the Council's review of this document, I agree that the development cannot viably support the provision of affordable housing at this point in time. It is also agreed that the S106 should contain a deferred contributions mechanism, so that if the viability of the scheme improves at a future point an appropriate contribution can be sought. This would be directed towards schemes aimed at meeting housing needs within the Borough. I agree that any affordable housing contribution achieved in this way would be directly related to the development and would be fairly related in scale and kind.

Planning balance and conclusion

197. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 establish a statutory presumption in favour of the Development Plan which must be observed. The vision for the development of the allocated area as part of the extension of central Reading northwards has been in place for some 20 years. The challenge of delivering this vision on the appeal site has highlighted the need to address and reconcile tensions between policy and guidance relating to the unique location of the site between the urban core and the River.

198. The proposal would comply with key elements of the planning policy framework for the Borough, and for the site. Specifically, the principle of residential-led mixed use development of this inner urban site as part of the expansion of the core of the town centre northwards is firmly established in the LP. The establishment of a connection to the major north-south movement corridor would support a strategic planning objective. In these regards this highly accessible location is ideally suited to the proposed high-density development with low car dependency. Further, the high-quality design which reflects the history of the site, has regard to its riverside setting, and connects key elements of the MOA with the rest of central Reading, would make a significant contribution to the overall environmental improvement of this area. The scheme would also provide a suitable response to the natural environment, with any harmful effects on MV addressed by an appropriate level of mitigation.

199. Whilst there is a high degree of compliance with policy requirements, I have identified conflict in relation to the loss of the LLB and with provisions relating to the requirement to demonstrate that the proposal would be part of a comprehensive approach to the development of the Station/River MOA. I have also found technical conflict with the policy requirement for development to be set back 10m from the riverbank. I will consider the weight to be given to these harms before turning to the benefits of the appeal scheme.
200. The loss of the LLB must be considered against the requirements of Policy EN1 that the loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits. The Policy EN4 test is that benefits should significantly outweigh significance. I concluded that the LLB can be afforded no more than a low level and modest degree of significance. I also found that, in the context of the site allocation, the approach to using the site's industrial heritage to inform the design of the appeal buildings would be an appropriate response. It may be possible to deliver the benefits of this development whilst in some way retaining the LLB. However, I have addressed the practical challenges of reuse/retention in my reasoning. Furthermore, I must consider the appeal scheme as presented.
201. I have considered the current application for listing this building. If this were to succeed, then the legal requirement that special regard must be had to preserving its special interest would apply. Further, the Framework sets out that great weight must be given to the conservation of designated heritage assets, and that any harm requires clear and convincing justification. In these circumstances I give the loss of the LLB significant weight.
202. I turn next to the requirement to demonstrate that the proposal would be part of a comprehensive approach to the development of this sub-area, as set out in Policies CR11viii) and CR2f. The specific concerns identified include the viability of development on the remaining part of the site and the effectiveness of movement patterns within and between the sites. There is considerable uncertainty over the future of the remaining part of the allocated area, with the owners suggesting that it is not likely to come forward in the short or long term. This does raise questions about whether development on the appeal site should be predicated on ensuring the feasibility of development options on this site. I raise this point noting also that any changes to accommodate a comprehensive scheme would be likely to lead to a reduction in the quantum of development on the appeal site. Current viability matters have already led to the withdrawal of on-site affordable housing, highlighting the challenge of achieving an economically robust scheme overall.
203. More generally, I have also had regard to the fact that the appeal scheme would secure the development of a substantial portion of the Riverside allocation, a site of great importance as a link between the town centre, the River, the Meadows and beyond. The challenges of designing a policy-compliant scheme in terms of transport links, providing a high-density mixed-use scheme that responds to the River setting and adjacent residential areas, whilst also managing the presence of the adjacent SSE equipment and achieving the highest quality of design, has been considerable. Nonetheless, I must give this policy conflict significant weight.
204. Finally, I consider the breach of policy provisions relating to the requirement that development be set back at least 10m from the River to be a minor

matter, noting that in net terms this requirement would be achieved. I therefore give this conflict modest weight.

205. Set against these harms, the appeal scheme would deliver a significant amount of new housing on part of an allocated brownfield site in a highly sustainable location. At the present time the site, and the quantum of housing proposed, may not be needed for the Council to meet its LP housing requirement figures. Nonetheless, the housing requirement is set at a minimum level. In the context of the importance of boosting the delivery of homes nationally, housing supply considerations must attract significant beneficial weight.
206. The scheme would deliver a key section of the north-south pedestrian and cycle link, connecting the Bridge and River towpath with the Station. It would provide an important link supporting the Council's aspirations for this key movement corridor, enabling sustainable and healthy travel choices. The opening up of the riverside area and provision of a café would support the attractiveness of this route. The continuation of this north-south link is a policy requirement. Nonetheless, this has been a policy objective for some 20 years, with the supporting text to Policy CR11g setting out that achieving the north-south link is the main priority for the site and should be given substantial weight in development management. Further, given the evident challenges of achieving a viable route through the site, my view is that securing the delivery of this important piece of infrastructure would be a benefit attracting significant weight.
207. There is dispute as to the extent to which financial contributions towards the provision of a pedestrian/cycle crossing facility over Vastern Road would be a benefit. Nonetheless, as this would support connectivity across the wider north-south sustainable travel corridor, it should be afforded beneficial weight in the balance.
208. There would be wider social, economic and environmental benefits associated with urban development of this nature, though collectively such generic benefits attract no more than moderate weight. Other considerations, such as biodiversity net gain, the employment and skills contribution, the open space/leisure contribution, the carbon off-setting contribution and the provision of flood protection measures would mitigate against the effects of the development on social, economic and environmental infrastructure. They are therefore required to make the development acceptable in planning terms and do not attract beneficial weight.
209. The scheme would not be able to viably support affordable housing. A deferred contributions mechanism would be secured via the S106 and could convey additional benefits, though I cannot give this weight at this stage.
210. Turning to the final balance, on the one hand I have identified harms which carry weight against the appeal proposal. Set against this are a number of public benefits which carry beneficial weight that is demonstrably above policy compliance. When seen in the context of the significant benefits associated with managing the regeneration of the site as a whole, my view is that the policy harms identified would be clearly outweighed.
211. Section 38(6) requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. In this

case whilst I have identified a high degree of policy compliance, there remains conflict with some provisions of the development plan. However, the beneficial elements identified represent material considerations which indicate that a decision which does not fully accord with the development plan may be taken.

212. For the reasons set out above I conclude that the appeal should succeed.

A J Mageean

INSPECTOR

Conditions

213. I have considered the conditions put forward by the main parties against the relevant advice within the Framework and PPG. I have amended the wording of some conditions as necessary so that they meet the relevant tests.
214. In addition to the standard time limit condition, a condition specifying the approved plans provides certainty (Condition 2). Condition 3 relating to materials is required in the interests of visual amenity and ensuring that the new development responds positively to the local context and character.
215. Conditions relating to a Construction Method Statement (Condition 4), hours of construction/demolition (Condition 20) and burning waste on site (Condition 21) are required to protect the amenity of the neighbouring residents and local land uses, the character of the area, highway safety and air quality.
216. Conditions relating to land contamination (Condition 5), remediation (Conditions 6, 7 and 8), and land gas (Condition 10) are required to ensure that the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. Condition 9 relating to groundworks is required to protect the water environment.
217. Condition 12 relating to crime prevention is necessary to ensure that the development can be safely accessed by intended users, to protect the amenity of future occupiers and in the interests of protecting the character and appearance of the buildings and wider area.
218. Conditions requiring development to be carried out in accordance with the submitted flood risk assessment (Condition 13) and the completion of a sustainable drainage scheme (Condition 14) are required to reduce the risk of/prevent flooding on site or elsewhere.
219. Conditions relating to the operation of mechanical plant (Condition 16) and the odour assessment of the café (Condition 17) are required to safeguard the amenity of the occupiers of adjoining properties and the environment of the area generally. Conditions restricting the café hours of deliveries/waste collection (Condition 18) and hours of opening/operation (Condition 19) are required to protect local residents from unreasonable disturbance. Condition 15 relating to bins stores is required to ensure sufficient provision is made for the storage and collection of refuse and in the interests of visual amenity.

Condition 47 referring to the glazing and ventilation provision in Block B is required to safeguard the living conditions of future occupants from noise and disturbance

220. Conditions relating to the recording of details of the locally listed building (Condition 22) and requiring a contract for completion of the redevelopment of the site to be secured prior to demolition works (Condition 23) are necessary in the interests of recording this non-designated heritage asset and ensuring that it is not lost unnecessarily. Condition 11 refers to archaeological field investigations and is necessary to ensure the preservation of heritage assets present on site in a manner appropriate to their significance.
221. Condition 24 relating to the dwelling mix is required to ensure that the development meets the identified housing needs of different groups.
222. Condition 25 referring to active window displays in the non-residential unit is required in the interests of a vibrant and attractive streetscene and improving active surveillance. Condition 26 requiring details of photovoltaics is necessary to secure measures to adapt to climate change, in the interests of visual amenity and to protect local context and character.
223. Condition 27 requires the details of at least 11 wheelchair adaptable units to be provided and is necessary to ensure both a suitable standard of accommodation for future occupiers and that the internal layout of the building is able to respond to the changing accessibility requirements of future occupiers. Condition 42 requiring the details and ongoing provision of a DDA compliant route to accessible parking bays is necessary to ensure adequate provision that meets the needs of future occupiers.
224. Conditions requiring details of hard and soft landscaping (Condition 28), the submission of a landscape management plan (Condition 30) and an arboricultural method statement (Condition 31) are necessary to ensure the protection and enhancement of the local environment and its ongoing maintenance and management. Conditions requiring details of boundary treatments (Condition 29) and details of external lighting (Condition 32) are necessary to protect the privacy of adjoining and future occupiers and to ensure the enhancement of the local environment. Condition 33 requiring details of privacy screens and their permanent retention for some Block D and E units is necessary to safeguard the living conditions of the occupiers of adjoining residential units.
225. Condition 34 requiring details of on-site public art is necessary to enhance the appearance of the development and provide visual interest.
226. Condition 35 requiring the provision of parking spaces prior to occupation is necessary to meet the needs of residents, and to reduce the likelihood of highway safety issues associated with on street parking. Conditions requiring the provision of vehicular access (Condition 36) and visibility splays (Condition 37) prior to the occupation of dwellings are necessary in the interests of highway safety. Condition 38 refers to the provision of cycle parking facilities prior to occupation and is required to support sustainable travel choices. Condition 48 requiring details of the towpath connection is necessary to ensure that a suitable access connection to the towpath is made for both pedestrians and cyclists, thereby supporting sustainable travel choices.

227. Conditions requiring details of postal addresses to ensure that future residents are not eligible for parking permits (Condition 39) and requiring details of parking restrictions to be provided to prospective occupiers (Condition 40) are necessary in the interests of managing parking levels and to ensure that the development does not harm the amenities of the occupiers of neighbouring residential properties by adding to the high levels of on-street car-parking in the area. Condition 49 referring to a car parking management plan is required to support the safety and convenience of all highway users.
228. Condition 41 requiring the provision of an electric vehicle charging scheme is necessary in the interests of environmentally sustainable transport.
229. Conditions referring to biodiversity enhancements (Condition 43) and the need to demonstrate a net biodiversity gain of at least 10% (Condition 44) are required to ensure compliance with relevant policy and legislation. Condition 45 requiring details of internal and external lighting relates to nature conservation objectives and is necessary to manage the impact of light pollution from artificial light on the natural environment. Condition 46 relating to a construction environmental management plan is required to minimise impacts on biodiversity.

APPEARANCES

FOR THE APPELLANT:

Timothy Corner QC assisted by Alex Shattock, they called:

David Taylor BA(Hons) DipArch ARB RIBA Patrick Clark BA, MA Lsc Arch, CMLI	Design Director, Berkeley Homes Associate Landscape Planner, Barton Willmore
Scott Witchalls MSc, MCILT, MIHT	Director of Transport and Infrastructure, Stantec
James Weeks MA, IHBC	Director, Built Heritage Consultancy
John Barnes BSc, PGDip	Director/Owner, eb7
Iain Corbyn MA (Oxon) MSc CEnv MCIEEM	Managing Director, Ecoconsult Ltd
Kim Cohen BSc, MCD, MRTPI	Planning Partner, Barton Willmore

FOR THE LOCAL PLANNING AUTHORITY:

David Lintott assisted by Ruchi Parekh, they called:

Michael Doyle BA(Hons), DipUD, DipTP, MRTPI	Principal, Doyle Design
Darren Cook	Transport Development Control Manager, Reading Borough Council
Bruce Edgar IHBC, MPhil, ICOMOS (UK), MPIA, BArch	Conservation and Urban Design Officer, Reading Borough Council
Christopher Rumbold	Corporate Asset Management Team Leader, Reading Borough Council
Mark Worringham BA (Hons) MSc MRTPI	Planning Policy Team Leader, Reading Borough Council
Giles Sutton BSc (Hons) MSc CEnv MCIEEM	Owner/Director GS Ecology Ltd
Sarah Hanson BSc, ABC L4 Dip Arb, MArborA	Natural Environment Officer, Reading Borough Council
Jonathan Markwell BSc (Hons) MSc LRTPI	Principal Planning Officer, Reading Borough Council

FOR THE THAMES PATH RESIDENTS ASSOCIATION:

Sebouh Sarafian BSc CIMA

INQUIRY DOCUMENTS

- 1 Letter regarding SSE Local Plan Representations
- 2 Representation by SSE to Draft Local Plan June 2017
- 3 Representation by SSE to Pre-Submission Draft Local Plan January 2018
- 4 Appellant Opening Submissions
- 5 Council Opening Submissions
- 6 CD 143: Designing for walking, cycling and horse-riding
- 7 Photographic evidence illustrating width restrictions on NCN Route 5
- 8 Erratum to Mr Cooks Rebuttal Proof of Evidence
- 9 Representation by Krys Jankowski
- 10 Local Cycling and Walking Infrastructure Plan (LCWIP) 2019
- 11 Mr Bruce Heritage SoC/PoE erratum
- 12 Appeal decision APP/E0345/W/20/3263270
- 13 Representation against statutory listing of 55 Vastern Road from Built Heritage Consultancy
- 14 Representation to the Inquiry from SSE
- 15 Agenda for Heritage round table discussion
- 16 Third Addendum Statement of Common Ground: Transport
- 17 Fourth Addendum Statement of Common Ground: Ecology
- 18 Fifth Addendum Statement of Common Ground: Noise
- 19 Agenda for Housing Land Supply round table discussion
- 20 Agenda for Rule 6 Party and interested parties round table discussion
- 21 Representation by Sahil Atreja
- 22 Photographic evidence from Iain Corbyn (08/11/21)
- 23 Updated planning conditions
- 24 Draft Section 106 Agreement
- 25 Section 106 Agreement Comparison
- 26 Revisions to suggested conditions 14 and 39
- 27 Location plan for marginal habitat photographs
- 28 Rule 6 Party Closing Statement
- 29 Section 106 agreement 19 November 2021
- 30 S106 Annexure 1 – Plan 1 Site Boundary Plan
- 31 S106 Annexure 2 – Plan 2 Highway Improvement Plan
- 32 S106 Annexure 3 – Plan 3 North-South Link Plan
- 33 S106 Annexure 4 – Plan 4 Ecological Works Plan
- 34 S106 Annexure 5 – Framework Travel Plan
- 35 S106 Annexure 6 – Viability Assessment
- 36 S106 Annexure 7 – Plan 5 Parks plus Play Areas map of Reading
- 37 S106 Annexure 8 – Plan 6 Christchurch Café Plan
- 38 Sixth Addendum Statement of Common Ground
- 39 Council Closing Submissions
- 40 Appellant Closing Submissions
- 41 Appellant Additional Legal Authorities
- 42 Section 106 Agreement Part 1 of 2 Signed 1 December 2021
- 43 Section 106 Agreement Part 2 of 2 Signed 1 December 2021

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

448.PL.SP.003 Existing Block Plan, as received 04/02/2020
RT3190463P0001 Existing Ground Floor Plan, as received 04/02/2020
RT3190463P0002 Existing First Floor Plan, as received 04/02/2020
RT3190463P0003 Existing Second Floor Plan, as received 04/02/2020
RT3190463P0004 Rev A South, East and North 1 Elevations, as received 05/03/2020
RT3190463P0005 North 2 and West Elevations, as received 04/02/2020
RT3190463P0006 Street Scene South and West, as received 04/02/2020
RT3190463P0007 Street Scene North, as received 04/02/2020
448.PL.SL.001 Rev B Site Location Plan Application Boundary, as received 10/06/2020
448.PL.A.100 Rev B Block A _Ground - Third Floor, as received 01/06/2020
448.PL.A.101 Rev B Block A _Fourth - Roof Floor, as received 01/06/2020
448.PL.A.200 Rev B Block A _Elevations, as received 01/06/2020
448.PL.A.300 Rev B Block A _Section A-A, B-B and C-C, as received 01/06/2020
448.PL.BC.100 Rev D Block BC _Ground Floor Plan, as received 12/11/2020
448.PL.BC.200 Rev D Block B and C _Southwest Elevation, as received 05/11/2021
448.PL.BC.201 Rev D Block B and C _Southeast Elevation, as received 05/11/2021
448.PL.BC.202 Rev E Block B and C _Northeast Elevation, as received 05/11/2021
448.PL.BC.203 Rev D Block B and C _Northwest Elevation, as received 05/11/2021
448.PL.BC.300 Rev D Block BC _Section A-A and B-B, as received 05/11/2021
448.PL.BC.301 Rev D Block BC _Section C-C, as received 05/11/2021
448.PL.D.100 Rev C Block D _Ground Floor Plan, as received 10/12/2020
448.PL.D.101 Rev C Block D _First Floor Plan, as received 10/12/2020
448.PL.D.102 Rev B Block D _Second Floor Plan, as received 10/12/2020
448.PL.D.103 Rev B Block D _Third Floor Plan, as received 10/12/2020
448.PL.D.104 Rev B Block D _Fourth Floor Plan, as received 10/12/2020
448.PL.D.105 Rev B Block D _Fifth Floor Plan, as received 10/12/2020
448.PL.D.106 Rev B Block D _Sixth Floor Plan, as received 10/12/2020
448.PL.D.107 Rev B Block D _Seventh Floor Plan, as received 10/12/2020
448.PL.D.108 Rev B Block D _Eighth Floor Plan, as received 10/12/2020
448.PL.D.109 Rev B Block D _Ninth Floor Plan, as received 10/12/2020
448.PL.D.110 Rev B Block D _Roof Floor, as received 10/12/2020
448.PL.D.200 Rev C Block D _Southeast Elevation, as received 10/12/2020
448.PL.D.201 Rev C Block D _Northeast and Southwest Elevation, as received 10/12/2020
448.PL.D.202 Rev B Block D _Northwest Elevation, as received 10/12/2020
448.PL.D.203 Rev A Block D _Southwest Elevation, as received 10/12/2020
448.PL.D.300 Rev B Block D _Section A-A and B-B, as received 10/12/2020

448.PL.EFG.100 Rev A Block EFG_Ground Floor Plan, as received 01/06/2020
448.PL.EFG.101 Rev A Block EFG_First Floor Plan, as received 01/06/2020
448.PL.EFG.102 Rev A Block EFG_Second Floor Plan, as received 01/06/2020
448.PL.EFG.103 Rev A Block EFG_Third Floor Plan, as received 01/06/2020
448.PL.EFG.104 Rev A Block EFG_Fourth Floor Plan, as received 01/06/2020
448.PL.EFG.105 Rev A Block EFG_Fifth Floor Plan, as received 01/06/2020
448.PL.EFG.106 Rev A Block EFG_Sixth Floor Plan, as received 01/06/2020
448.PL.EFG.107 Rev A Block EFG_Seventh Floor Plan, as received 01/06/2020
448.PL.EFG.108 Rev A Block EFG_Roof Plan, as received 01/06/2020
448.PL.EFG.200 Rev B Block E_Southeast and Southwest Elevation, as received 01/06/2020
448.PL.EFG.201 Rev B Block E_Northwest and Northeast Elevation, as received 01/06/2020
448.PL.EFG.202 Rev C Block FG_Southwest, Southeast and Northwest Elevation, as received 01/06/2020
448.PL.EFG.300 Rev B Block EFG_Section A-A, B-B and C-C, as received 01/06/2020
448.PL.H.100 Rev A Cafe_Floor Plans, as received 28/02/2020
448.PL.H.200 Rev A Cafe_Elevations, as received 28/02/2020
448.PL.200 Rev A Context Site Elevation_River Front, as received 28/02/2020
448.PL.201 Rev A Context Site Elevation_Vastern Road, as received 28/02/2020
448.PL.202 Rev A Context Site Elevation_Street Section, as received 28/02/2020
448.PL.203 Context Site Elevation_Street Section, as received 28/02/2020
448.PL.204 Context Site Elevation_Lynmouth Road, as received 28/02/2020
448.PL.SS.300 Rev A Site Sections_Section A-A, E-E, as received 28/02/2020
448.PL.SS.301 Rev A Site Sections_Section B-B, C-C, D-D, as received 28/02/2020
448.PL.SL.002 Rev E Illustrative Masterplan, as received 07/10/2020
448.PL.SL.003 Enclosure Plan, as received 28/02/2020
448.300.LAND.001 Christchurch Bridge Connection Section, as received 28/02/2020
448.LAND.SK.101 Towpath Access – 1:21, as received 05/11/2021
448.PL.BC.V.100 Block B and C– Glazing and Ventilation Plans– MVHR Proposal, as received 05/11/2021
448.PL.BC.V.101 Block B and C – First Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.102 Block B and C – Second Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.103 Block B and C – Third Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.104 Block B and C – Fourth Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.105 Block B and C – Fifth Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.106 Block B and C – Sixth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.107 Block B and C – Seventh Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.108 Block B and C – Eighth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.109 Block B and C – Ninth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.110 Block B and C – Tenth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.111 Block B and C – Roof Plan – MVHR Proposal, as received 05/11/2021

3. No development [excluding demolition] shall commence beyond foundation level of the relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D – The Generator / The Turbine Hall; (e) Block E – Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café) until a schedule of the materials to be used in the construction of the external surfaces of the relevant building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site of a minimum 1m² each - approved details to then be retained on site and available for inspection throughout the duration of the construction of the development) specifying the brickwork, mortar, joint profile and bond. The development shall be carried out and thereafter maintained in accordance with the details approved.
4. No development shall commence on site, including any works of demolition, until a site-specific Demolition and Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:
 - a) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
 - b) Provisions to be made for the control of noise coming from the site during demolition and construction;
 - c) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements;
 - d) Details of parking arrangements for site operatives and visitors;
 - e) Location on site for storage of plant and materials used in constructing the development;
 - f) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
 - g) Identification of any footpath closures or road closures needed during construction;
 - h) Required wheel washing facilities on site;
 - i) A scheme for recycling waste resulting from the construction works.
 - j) Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

5. No development shall commence on site [excluding demolition and any preparatory works necessary to complete characterisation of site contamination] until an assessment of the nature and extent of contamination has been submitted to and been approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 - a) a survey of the extent, scale and nature of contamination;
 - b) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems, and
 - archaeological sites and ancient monuments.
6. No development shall commence on site [excluding demolition and any preparatory works necessary to complete characterisation of site contamination] until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
7. The approved remediation scheme under Condition 6 shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority prior to the first occupation of relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café).
8. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site and the contamination reported in writing to the Local Planning Authority.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme,

together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

9. No development shall commence on site [excluding demolition and any preparatory works necessary to inform de-watering and foundation details] until such time as a scheme to:

- a) secure de-watering of the site
- b) specify the form of foundations has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details.

10. Land gas:

- a) Site investigation: No development shall take place until a detailed land gas site investigation has been carried out by a competent person to fully and effectively characterise the nature and extent of land gas and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then proceed in strict accordance with the measures approved.
- b) Remediation scheme to be submitted: No development shall take place until a scheme showing how the development is to be protected against the possibility of land gas has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the development is first occupied and those measures incorporated into the development shall thereafter be retained.
- c) Implementation of Approved Remediation Scheme: The land gas remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to any part of the accommodation hereby approved is occupied.

11. No development, other than demolition to ground level and excluding the breaking up and removal of floor slabs, foundations and other below ground obstructions, shall take place within the application area until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy (if required) which will be submitted to and approved in writing by the Local Planning Authority. The provision of the approved

mitigation strategy will be completed prior to the commencement of the development.

12. Prior to commencement of works above slab level, written details of the security strategy shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G) and the approved details shall be retained and maintained as such thereafter.
13. The development shall be carried out in accordance with the submitted Flood Risk Assessment dated January 2020 (by Peter Brett Associates /Stantec Project Ref: 47500/4001) and the following mitigation measures it details:
 - Finished floor levels within the residential accommodations of Blocks A-G shall be set no lower than 38.60m above Ordnance Datum (AOD); and,
 - Compensatory storage shall be provided in accordance with plan 47500/4001/003 Flood Storage Analysis at Appendix E of the Flood Risk Assessment.These design proposals take account of potential future flood alleviation work. These mitigation measures shall be fully implemented prior to occupation in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
14. Prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall;) (e) Block E - Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G) of the development hereby permitted, the sustainable drainage scheme for the site shall be completed in accordance with the submitted and approved details within the Proposed Drainage Strategy (by Peter Brett Associates/Stantec Doc Ref R0001 Rev A dated 22/01/2020, as received 04/02/2020). The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
15. Prior to the first occupation of any residential / commercial unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G; (h) Café) details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to the first occupation of the relevant building and shall not be used for any purpose other than bin storage at all times thereafter.

16. No mechanical plant associated with the development shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) from any plant associated with the development as measured at a point 1m external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1m external to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to at least the same standard.
17. Prior to the first use of the café premises an odour assessment shall be carried out and a detailed scheme for odour mitigation to include scaled plans, odour control specifications and a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018 guidance when assessing potential odours and selecting appropriate odour control methods. The development shall be carried out and maintained thereafter in accordance with the approved scheme.
18. Deliveries and/or waste collection to the café premises shall only take place between the following hours: 0700 - 2100 hours Mondays to Saturdays and 0900 - 1900 hours on Sundays and Bank or Statutory Holidays.
19. The café premises shall only be open for customers between 0600-2200 hours Mondays to Saturdays and 0800 - 2000 hours on Sundays and Bank or Statutory Holidays.
20. Construction, demolition or associated deliveries shall only take place between 0800 - 1800 hours Mondays to Fridays, and 0800 - 1300 hours on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.
21. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
22. Prior to its demolition, details of the recording of the former entrance lodge building at 55 Vastern Road, following as a minimum the Level 2 guidance set out in "Understanding Historic Buildings, A Guide to Good Practice" (Historic England 2016) (or any document which supersedes this document), shall be submitted to and approved in writing by the Local Planning Authority.

23. The demolition works in relation to the locally listed building hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made, as confirmed in details to be submitted to and approved in writing by the Local Planning Authority prior to any demolition works commencing.
24. No change to the unit mix (61 x 1-bedroom units, 136 x 2-bedroom units and 12 x 3-bedroom units) shall be made to the development hereby permitted.
25. Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), the non-residential unit hereby approved shall retain 'active window displays' along the length of the frontages, without the installation of window vinyls, roller shutters, or similar which would obscure visibility between the public realm and the unit during the unit's operating hours.
26. Prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block D - The Turbine Hall) full details of the proposed roof mounted Photovoltaics shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a [roof] plan showing the location and position of the Photovoltaics, their dimensions, manufactures specification, and ongoing maintenance arrangements. The approved Photovoltaics shall thereafter be installed in accordance with these approved details and maintained in good working order to the satisfaction of the Local Planning Authority.
27. Prior to the first occupation of any residential unit hereby approved, details of at least 11 wheelchair adaptable units (as per Part M of Building Regulations) shall be submitted to and approved in writing by the Local Planning Authority. The wheelchair adaptable residential units shall remain wheelchair adaptable residential units thereafter.
28. No development shall commence on site (barring demolition works) until a comprehensive scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) Proposed finished ground and floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas;
 - b) Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);
 - c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;

- d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting; and,
- e) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

- 29. Prior to first occupation of the development hereby approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. Where appropriate the boundary treatment shall include the provision of mammal gaps. The boundary treatment shall be implemented in accordance with the approved plan before any part of the development hereby approved is occupied and retained as such thereafter.
- 30. Prior to the commencement of the development (barring demolition) a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall thereafter be carried out in accordance with the approved details and for the period specified.
- 31. No development shall commence on site (including demolition or preparatory works) until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings, both within and adjacent to the site, has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.
- 32. Prior to first occupation or the use first commenced, full details of all external lighting to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the lights, specifications, height, luminance; lens shape/beam pattern and orientation, any hoods/shades, and an isolux contour map to show light spill levels (down to 2 lux if operating between 23:00 - 07:00, or down to 10 lux if operating only between 07:00 - 23:00) and showing

neighbouring buildings. The details shall demonstrate that light levels will not exceed the relevant guidance lux levels specified in the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and shall also demonstrate how glare will be controlled. The approved scheme shall thereafter be installed before first occupation of the buildings or use commenced and the external lighting shall thereafter be maintained and operated in accordance with the approved details.

33. Prior to the first occupation of the residential units at (a) 8th floor level at Block D – The Turbine Hall and (b) 6th floor level at Block E – Christchurch Wharf, details of privacy screens (to include the location and position of the screens, their dimensions, design and manufactures specification, and ongoing maintenance arrangements) shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens will be installed before the first occupation of the relevant residential units hereby approved and shall be permanently maintained as such.
34. Prior to the first occupation of any residential unit hereby approved, details of a scheme providing on-site public art (including a sculpture on the north-south route through the site) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed before the first occupation of any residential unit within Block B (The Goods Warehouse fronting Vastern Road) and shall thereafter be maintained in accordance with the approved details.
35. No dwelling within the relevant building ((a) Block B The Goods Warehouse; (b) Block C The Goods Office; (c) Block D The Turbine Hall / The Generator) hereby permitted shall be occupied until all of the relevant vehicle parking space(s): (a) 12 vehicle parking spaces on 448.PL.BC.100 Rev D Block BC_Ground Floor Plan, as received 12/11/2020; (b) 12 externally located vehicle spaces on 448.PL.SL.003 Enclosure Plan, as received 28/02/2020; (c) 26 vehicle parking spaces on 448.PL.D.100 Rev C Block D_Ground Floor Plan, as received 10/12/2020) have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter.
36. No dwelling/building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.
37. No building shall be occupied until all the visibility splays shown on the approved drawings 47500/5500/001 and 47500/5500/007 as received 10/06/2020 have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m above the carriageway level and maintained as such.
38. No dwelling/building hereby permitted shall be occupied until the bicycle parking facility for that dwelling/building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

39. Prior to works above slab level of the development hereby permitted the Local Planning Authority shall be provided with the property's full postal address to allow the Council to exclude the property(s) from the list of those eligible for residents parking permits. The notification shall be sent to the Local Planning Authority quoting the application reference specified on this Notice.
40. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.
41. Prior to the first occupation of any residential unit within the relevant building ((a) Block B The Goods Warehouse; (b) Block D The Turbine Hall / The Generator) details of an electric vehicle charging Scheme comprising a layout plan and detailed specification for a minimum of (a) 2 charging points and (b) 4 charging points serving the relevant buildings shall be submitted to and approved in writing by the Local Planning Authority.
No dwelling within the relevant building shall be first occupied until the Scheme for that building has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.
42. No development (barring demolition) shall commence on site until a plan showing a dedicated DDA compliant pedestrian route to and from the accessible parking bays located along the west of the spine road is submitted to and been approved in writing by the Local Planning Authority. This pedestrian route shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details at all times.
43. No development (barring demolition) shall commence on site until full details (including maintenance details and schedules) of an on-site biodiversity enhancement scheme, to include a suite of integral bird and bat boxes, tiles and bricks on the new buildings, is submitted to and approved in writing by the Local Planning Authority. The scheme is to include a programme for implementation and ongoing maintenance. The biodiversity enhancement scheme shall thereafter be implemented and adhered to in accordance with agreed programme.
44. No development (barring demolition) hereby permitted shall commence until a Biodiversity Impact Assessment Calculation using the DEFRA 3 Metric (or its successor) based on the landscaping plans submitted under Condition 28 and the offsetting scheme detailed in the legal agreement or unilateral undertaking hereby agreed, demonstrating a

net gain of at least 10% in biodiversity units, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

45. Prior to commencement of the development (barring demolition) a report detailing the internal (from windows facing the river) and external lighting scheme and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
- a) A layout plan with beam orientation
 - b) A schedule of equipment
 - c) Measures to avoid glare
 - d) An isolux contour map showing light spillage to 1 lux.

The internal lighting (from windows facing the river) shall thereafter be implemented in accordance with the approved details prior to the first occupation of the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Café).

The external lighting shall thereafter be implemented in accordance with the approved details prior to the first occupation of any residential unit within Block D - The Generator / The Turbine Hall or Block E - Christchurch Wharf, and maintained as such thereafter.

46. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

47. Prior to the first occupation of the relevant residential unit(s) within Block B - The Goods Warehouse all glazing and ventilation details shown on the following approved plans shall have been provided in full:

- 448.PL.BC.V.100 Block B and C – Glazing and Ventilation Plans – MVHR Proposal
- 448.PL.BC.V.101 Block B and C – First Floor Plan – MVHR Proposal
- 448.PL.BC.V.102 Block B and C – Second Floor Plan – MVHR Proposal
- 448.PL.BC.V.103 Block B and C – Third Floor Plan – MVHR Proposal
- 448.PL.BC.V.104 Block B and C – Fourth Floor Plan – MVHR Proposal
- 448.PL.BC.V.105 Block B and C – Fifth Floor Plan – MVHR Proposal
- 448.PL.BC.V.106 Block B and C – Sixth Floor Plan – MVHR Proposal
- 448.PL.BC.V.107 Block B and C – Seventh Floor Plan – MVHR Proposal
- 448.PL.BC.V.108 Block B and C – Eighth Floor Plan – MVHR Proposal
- 448.PL.BC.V.109 Block B and C – Ninth Floor Plan – MVHR Proposal
- 448.PL.BC.V.110 Block B and C – Tenth Floor Plan – MVHR Proposal
- 448.PL.BC.V.111 Block B and C – Roof Plan – MVHR Proposal

The provided glazing and ventilation details shall be retained and maintained as such thereafter.

- 48. Prior to the first occupation of any residential unit within Block E - Christchurch Wharf or Block F - The Coal Drop Building the towpath access leading to the River shall be completed in accordance with approved plan 448.LAND.SK.101 Towpath Access – 1:21. The towpath access shall thereafter be retained and maintained as such thereafter.
- 49. Prior to first occupation of the development hereby approved, a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include full details of how the allocation of the car parking spaces for residents will be distributed and details of the proposed on-site parking enforcement to restrict overspill parking and obstructive servicing operations. Thereafter the approved CPMP shall be implemented in full and for the lifetime of the development.

27 March 2024



Reading

Borough Council

Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Whitley
Planning Application Reference:	231607
Site Address:	40 Bennet Road
Proposed Development	Application for change of use from B2, to sui generis car servicing and MOT garage and/or B2, with two proposed extensions on the Northern frontage and associated alterations.
Applicant:	Cordwallis Commercials (Reading)
Report author	Nathalie Weekes
Deadline:	16 April 2024
Recommendations	Grant, subject to conditions as follows:
Conditions	<ol style="list-style-type: none"> 1. Time limit 3 years 2. Approved Plans 3. Materials to match existing 4. Parking to be provided 5. Cycle parking to be provided 6. Noise associated plant – levels restricted 7. Land gas assessment to be undertaken 8. Sustainability and Energy measure to be provided. 9. Pre-occupation photovoltaic array details to be submitted and approved. 10. Compliance condition relating to hours of demolition /construction works (0800-1800hrs Mondays to Fridays and 0800-1300hrs Saturdays, and not at any time on Sundays and Bank or Statutory Holidays) 11. Pre-occupation Flood Plan to be produced, in accordance with FRA addendum.
Informatives	<ol style="list-style-type: none"> 1. Terms 2. Building Control 3. No bonfires 4. Positive and Proactive 5. Damage to Highway 6. Works affecting highway 7. Complaints about construction 8. Community Infrastructure Levy

1. Executive summary

- 1.1 The proposal is recommended for approval subject to the conditions set out above.
- 1.2 This application seeks to regularise the use classes for activity at the site to include a Sui generis car servicing and MOT use. A small extension is also proposed to increase the MOT provision on site. Permission was granted for an existing MOT bay in 2013. MOT servicing is generally recognised to fall under a Sui generis use class. There are no significant detrimental effects of the proposal, and it is considered that it accords with adopted policies and is recommended to you for approval.

2. Introduction and site description

- 2.1 The application site lies at the western end of Bennet Road at its junction with the A33 Relief Road. The site area measures 0.74 hectares with the bulk of this area located at the northern end of the site, with a taper to just under 10 metres wide at its southern end. It is located within the core employment area EM2d Bennet Road and in an air quality management area.
- 2.2 The uses in the surrounding area are mixed with a car show room on the north side of Bennet Road, distribution and industrial units to the east and south and the Reading Gate Retail Park with Madejski Stadium beyond to the west.



Location Plan

- 2.3 The application is a 'major' development according to the Reading 'Scheme of Delegation' (a change of use being regularised, over 1,000 sqm.) and, therefore is presented to Planning Applications Committee for a decision.

3. The proposal

- 3.1. The proposal is to regularise the activity undertaken on site. The site is used as a depot for heavy goods, public service and commercial vehicles together with workshops or for purposes that fall within Class B2 (General Industry) and associated vehicle parts and sales. MOTs have been provided on site since planning permission was granted for an MOT bay in 2013. A greater emphasis on servicing electric vehicles is proposed and to extend the EV charging facilities on site.

- 3.2. A 478sqm 'L' shaped extension is proposed to enlarge existing storage for parts on site and create a separate working area for servicing and MOTs for smaller vans and electric vehicles, leaving the servicing and MOTs for the larger vehicles in the existing building. The proposed extension will increase the floor area of buildings on site to a total 1588 sqm. Portacabins are currently being used for stock storage on part of the site allocated for the extension and the contents would be moved into a larger storage facility.
- 3.3. Submitted plans and documents:
- 6325.01 Office record drawing
 - 6325.02B Proposed floor plans
 - 6325.03B Proposed elevations
 - RGL-22-3827-01 Topographic site survey plan north
 - RGL-22-3827-02 Topographic site survey plan south
- CIL
- As received 9 November 2023
- Design, access and planning statements, Cordwallis Commercials (Reading), BW Architects Ltd, Updated
- 6325.04A Proposed site location and layout plans
- Addendum to an existing FRA, Innervision Design Ltd, January 2024
- As received 27 February 2024
- 3.4. Community Infrastructure levy (CIL):
- In relation to the community infrastructure levy, the applicant has duly completed a CIL liability form with the submission. The development would be CIL liable as the new build element would be more than 100 sqm. gross internal floor area.

4. Planning history/Building control

- 4.1 121808 Side extension to existing building for use as MOT bay. Permitted 14/05/2013
- 111292 Change of use to HGV, PSV and commercial vehicles depot and workshops or a use within Class B2 (General Industry) together with external alterations, including new doors and an extension to the existing workshop building. Permitted 29/11/2011 at PAC

5. Consultations

- 5.1. Non-statutory:
- RBC Natural Environment – No objections
 - RBC Transport – Additional information has been sought. An update will be provided in advance of the Committee meeting.
 - RBC Environmental Protection - No objections, subject to conditions.
 - RBC – Building control – No comment received at the time of writing the report.
 - RBC – Waste operations – No comment received at the time of writing the report.
- Public:
- Letters were sent to 5, 19, 38, 26-32 Bennet Road and 1-3 Acre Road. A site notices was displayed at the site on 6 March 2024 for comments to be received by 27 March 2024.

A recommendation has been made, which is subject to any comments made up until the end of the consultation period on 27 March 2024. No letters of representation have been received at the time of writing this report, but an update will be provided should any be received.

6. RELEVANT PLANNING POLICY AND GUIDANCE

6.1 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) which states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

6.2 For this Local Planning Authority the development plan is the Reading Borough Local Plan (November 2019). The relevant national / local policies / guidance are:

National Planning Policy Framework (2023). The following chapters are the most relevant (others apply to a lesser extent):

2. Achieving Sustainable Development

6. Building a Strong Competitive Economy

8. Promoting Healthy and Safe Communities

9. Promoting Sustainable Transport

11. Making Effective Use of Land

12. Achieving Well-Designed Places

14. Meeting the Challenge of Climate Change, Flooding and Coastal Change

National Planning Policy Guidance (2014 onwards)

Reading Borough Local Plan (November 2019). The relevant policies are:

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

EN12: Biodiversity and the Green Network

EN14: Trees, Hedges and Woodland

EN15: Air Quality

EN16: Pollution and Water Resources

EN17: Noise Generating Equipment

EN18: Flooding and Drainage

EM1: Provision of Employment Development

- EM2: Location of New Employment Development
- EM4: Maintaining a Variety of Premises
- 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
- RL5: Impact of Main Town Centre Uses

Relevant Supplementary Planning Documents (SPD) are:

- Employment Skills and Training SPD (2013)
- Revised Parking Standards and Design SPD (2011)
- Sustainable Design and Construction SPD (2019)

Other relevant documents:

- Reading Borough Council Tree strategy (2021)

7. APPRAISAL

The main matters to be considered are:

- Land use principles
- Transport/ Parking
- Environmental Matters
- Flood Risk & Drainage
- Natural Environment
- Design Considerations and Effect on Character
- Sustainability
- Equalities impact

Land use principles

- 7.1 Policy CC1 of the Reading Borough Local Plan (RBLP) requires a positive approach to development that reflects the presumption in favour of sustainable development, which lies at the heart of national policy (NPPF).
- 7.2 Policy EM2 identifies relevant locations for where employment development should be located. The site is located in the A33 corridor, within a Core Strategy major employment area for employment uses including industrial, storage and distribution uses. This is because this area's proximity and ease of access to the motorway and trunk road network reduces the requirement for lorries and goods vehicles to have to travel further into the town centre or through residential areas. The application site has particularly good access to the A33 relief road and the principle of using this site for this type of development is considered to comply with this policy. Its specific location is considered to be acceptable in principle. It

should also be noted that the principle of providing MOTs was accepted through the approval of planning policy 121808 (March 2013). An intensification of use on the site, with an expansion of associated sui generis MOT and car services is considered acceptable. The existing services will continue, with a number of local employment opportunities. It would not diminish the supply and availability of units and the Borough will continue to provide for a range of different types of industrial and commercial premises.

Transport/Parking

- 7.3 Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway related matters), and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking related matters relating to development.
- 7.4 A Transport Statement (TS) has been submitted, which considers the potential highway implications arising from the proposed development. The current access will be retained and the resultant total combined area available for parking and turning will be reduced from 6313m² to 5802m². The Council's Transport team have been consulted and advise that there is no in principle objection to the proposal in Transport terms. However additional information has been requested by the transport team to evidence that any intensification of use of the site does not lead to congestion within site resulting in overspill onto the surrounding highway. There are parking restrictions to prevent overspill parking along Bennet Road.
- 7.5 A cycle store is proposed, additional details are required by pre-occupation condition.
- 7.6 In order to be able to fully assess the Transport implications of the proposal the applicant has agreed to submit further details. Should the Council's Transport team raise substantive objections to the further information or consider it insufficient to overcome Transport concerns you will be further advised by way an update report.

Environmental Matters

- 7.7 Noise – Policy CC8 (Safeguarding Amenity) and EN16 (Pollution and Water Resources) require development to not cause a significant detrimental impact to the living environment of existing or new residential properties. There are many other industrial buildings in the vicinity and due to the site location, the proposed extension and additional MOT bay is not considered to cause a significant impact on the surrounding area. A condition on the noise levels of mechanical plant is however recommended. There is no existing residential accommodation close to the site.
- 7.8 Contaminated land – Policy EN16 states that “development will only be permitted on land affected by contamination where it is demonstrated that the contamination and land gas can be satisfactorily managed or remediated so that it is suitable for the proposed end use and will not impact on the groundwater environment, human health, buildings and the wider environment, during demolition and construction phases as well as during the future use of the site.”
- 7.9 The Council's Environmental Protection Team have advised that the application site is located within 250 metres of two former landfill sites and development within this zone has the potential to be adversely affected by landfill gas. As the proposal involves extending an existing building rather than a new build the risk is lower. A land gas assessment and remediation if required condition is recommended.

Flood Risk & Drainage

- 7.10 Local Plan Policy EN18 (Flooding and Sustainable Drainage Systems) states, “Development will be directed to areas at lowest risk of flooding in the first instance...” and “Wherever possible, development should be designed to reduce flood risk, both on- and off-site. The Environment Agency refers to standing advice.

- 7.11 The site is located within Flood Risk Zone 3. And at high risk from surface water flooding. A sequential test analysis of the site considered that it will not increase the risks to life and property arising from flooding. The site will not be occupied during flood events and flood resilience methods will be implemented on site. Due to the size of extension proposed, it is considered acceptable in this instance. A Flood plan condition is recommended to comply with the FRA addendum submitted.

Natural Environment

- 7.12 The site's western boundary abuts a small area of Identified Area of Biodiversity Interest (policy EN12) due to part of Foudry Brook (a Green Link). It is not directly affected by the proposed works and the site consists of a tarmacked area surrounded by metal railings. Measures are proposed to protect the biodiversity interest area when construction is taking place. There are no objections to the proposal from the RBC Natural Environment team as there will be no impact on the adjoining biodiversity interest area and the proposal would not negatively impact or alter any habitat. There is no net biodiversity loss on site, in line with policy EN12.

Design Considerations and Effect on Character

- 7.13 Policy CC7 (Design and The Public Realm) states that "all development must be of high design quality that maintains and enhances the character and appearance of the area".
- 7.14 The use of the site as a depot for heavy goods, public service and commercial vehicles will not be significantly different to the previous use and it will not therefore be detrimental to the existing character and appearance of this core employment area.
- 7.15 The proposal includes relatively minor external changes that do not detract from the commercial building's appearance. Therefore, the design is considered to be appropriate and accord with the character of the wider commercial area, in accordance with Policy CC7.

Sustainability

- 7.16 The overarching sustainability policy, Policy CC2 requires proposals for new development to reduce the consumption of resources and materials and includes that "All major non-residential developments [including refurbishment] meet the most up-to-date BREEAM 'Excellent' standards, where possible". The supporting text (para 4.1.4) accepts that "some types of development, such as industrial uses, warehouses and schools might find it more difficult to meet these standards. In these cases, developments must demonstrate that the standard to be achieved is the highest possible for the development, and at a minimum meets the BREEAM 'Very Good' standard." The supporting SPD recognises that "applications for change of use may fall to be considered as refurbishment depending on the level of internal alterations. The appropriate approach to sustainability will be considered on a case-by-case basis. Requirements...are subject to caveats in the relevant policies (CC2 ...) around viability and achievability."
- 7.17 Policy CC3: Adaptation to Climate Change, requires that "all developments demonstrate how they have been designed to incorporate measures to adapt to climate change."
- 7.18 Policy CC4: Decentralised Energy also requires development to demonstrate how consideration has been given to securing energy for the development from decentralised sources. Supporting text in para. 4.1.19 states that although this policy would mainly apply in Central Reading there would be some potential in South Reading.
- 7.19 Policy CC5 requires minimisation of waste during construction and the life of the development.
- 7.20 Sustainability and Energy Statement has been submitted which includes a BREEAM Scoping Note and a Sustainability Checklist (using that from Appendix 1 of the Sustainable Design and Construction SPD). In order to meet RBC policy requirements, the proposal for a non-residential refurbishment scheme would need to demonstrate BREEAM Excellent

or at the least 50% Very Good and 50% Excellent rating. This would be assessed against the BREEAM Refurbishment and Fit Out Standards 2014 (RFO).

- 7.21 Officer accept that a full BREEAM assessment would be difficult to apply to the type of industrial building proposed. The applicant has stated that an energy audit would be undertaken to reference BREEAM assessment goals. A condition to meet significant sustainability uplift pre-occupation is recommended and to provide the submission and approval of further details of proposed PV.

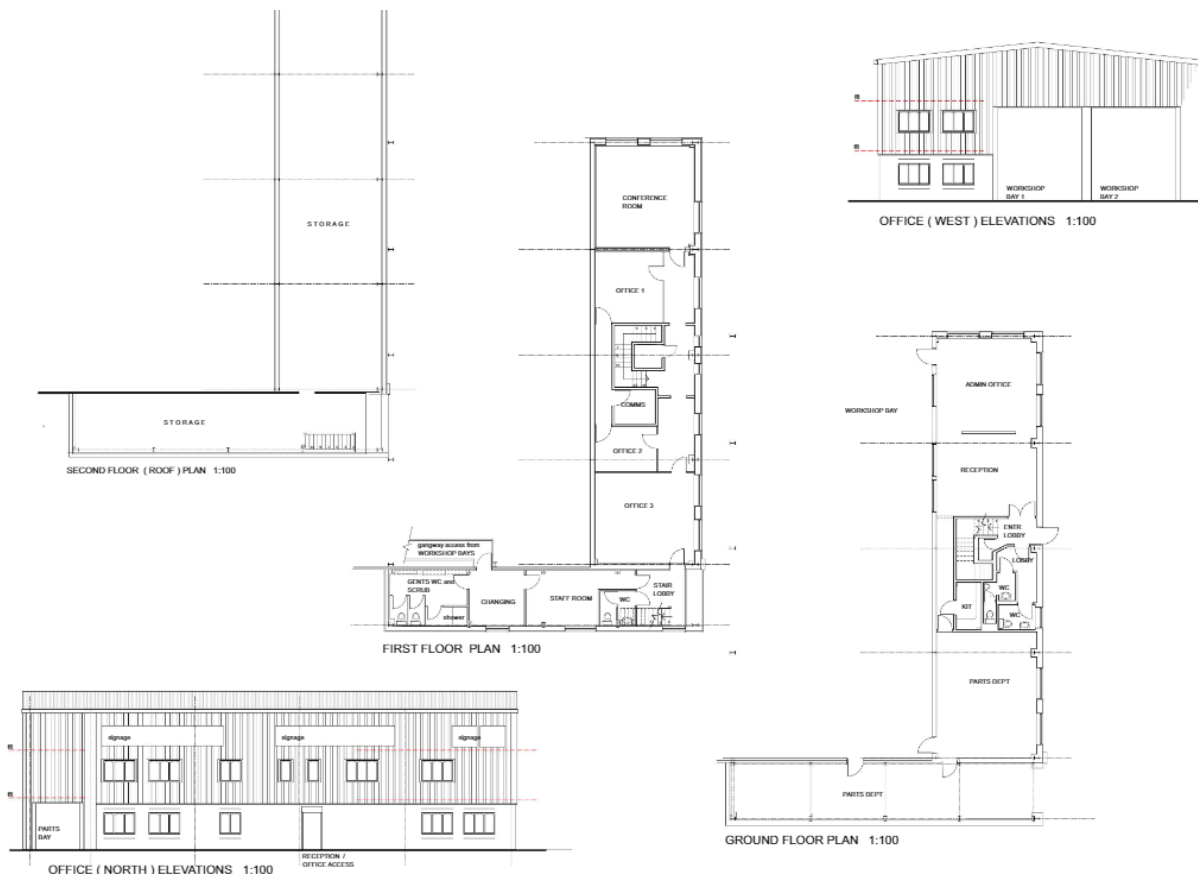
Equalities Impact

- 7.22 When determining an application for planning permission the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the proposed development.

8. CONCLUSION

- 8.1 The proposal would result in the regularising of an additional MOT car servicing use in addition to the B2 use. Although no net biodiversity gain is proposed, the proposed amended use is considered acceptable, it would not harm the character of the surrounding area and is not considered to result in significant harm.
- 8.2 In accordance with the NPPF it would result in sustainable development, utilising previously developed land in a sustainable location.
- 8.3 It is considered that the scheme would address all material matters and that there would be no significant detrimental effects resulting. The application is recommended for approval, subject to the recommended conditions.

Existing Elevations



27 March 2024



Reading

Borough Council

Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Whitley
Planning Application Reference:	240226
Site Address:	Whitley Wood Modular Building, 29-35 Lexington Grove, RG2 8UG
Proposed Development	Erection of Temporary Modular Community Centre for a period of 3 years.
Applicant:	Reading Borough Council – Property Management
Report author	Nathalie Weekes
Deadline:	16 April 2024
Recommendations	Subject to no substantive material concerns being raised from the consultation process which closes on 3 April 2024 delegate to the Assistant Director of Planning, Transport and Public Protection Services to Grant temporary (3 years) planning permission, subject to conditions as follows:
Conditions	<ol style="list-style-type: none"> 1. Temporary Buildings 2. Approved Plans 3. Materials as specified 4. Parking including 3 disabled bays provided 5. Cycle store to be provided 6. Hours of use restriction 7. Amplified sound restriction 9. Noise assessment for associated plant 10. Remediation of noise if needed. 11. Noise Management Plan to be followed 12. Landscaping to be agreed, provided and maintained
Informatives	<ol style="list-style-type: none"> 1. Terms 2. Building Control 3. No bonfires 4. Premises licence may be required 5. Positive and Proactive

1. Executive summary

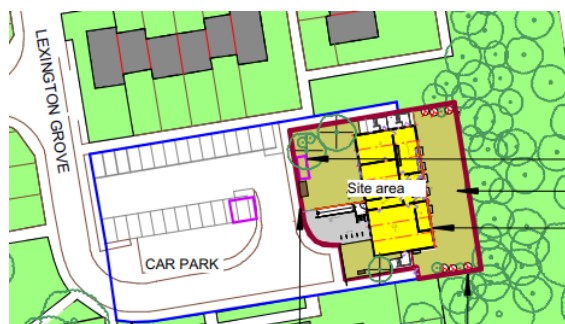
- 1.1 This application seeks ‘retrospective’ permission for a single storey temporary modular building, landscaping and associated works. The temporary building is to provide a community support hub for a 3 year period, whilst a permanent replacement is under consideration. The proposed temporary development is recommended to be approved.

2. Introduction and site description

- 2.1. The application is referred to Committee owing to it being for works on Council owned (Regulation 3) land.
- 2.2. The site is on brownfield land which was once is residential use. The earlier flats were demolished within the past 10 years due to structural reasons. It lies on the very south eastern corner of the Whitley Wood estate next to a car park area, close to the M4 to the south. The site has residential uses to the south, west and north with a thick hedge/tree belt between the site and Whitley Wood Road to the east. There are also a few trees on the western boundary.



Current aerial view



Proposed temporary building and amenity area to the rear



Current hoardings around site showing proposed modular structure

- 2.3. The existing Whitley Wood Community Centre situated to the east of Swallowfield Drive and south of Copenhagen Close has reached the end of its design life and needs to be replaced by the spring of 2024. The locally accessible, temporary replacement proposed at Lexington Grove, can be reached in approximately 6 minutes by foot or 2 minutes by car from the previous community centre location.

3. The proposal

- 3.1. The proposal is part-retrospective in order to provide a community space comprising communal room, store room, meeting and office areas, a kitchen, toilets and amenity area. The application seeks permission to retain the unit for a temporary period of up to 3 years from the date of permission. Amended plans to incorporate the entrance slope and other minor changes will be provided in a PAC update.
- 3.2. The modular unit measures approximately 20.1m in length, 12.05m in depth and 3.6m in height. The walls are proposed to be a green colour cladding, with grey felt roof and UPVC windows.
- 3.3. The applicant explains that retaining community facilities in Whitley Wood is essential to support a wide-ranging group of users. The use would fall under Class F2 Local community.

- 3.4. Proposed works comply with the latest building regulations and incorporate Part M requirements to ensure equal accessible and adaptable access for all users of the Community Centre.
- 3.5. Waste services are proposed to be collected via the main entrance to the site and no changes are proposed to existing waste collection arrangements for Lexington Grove.
- 3.6. Submitted plans and documentation – all received 20 February 2024:
 - Supporting Statement,
 - Design and Access strategy
 - Location Plan,
 - Preliminary ecology appraisal, January 2024
 - E05428_A2701 Rev P2 Existing site location plan
 - E05428_A2702 Rev P2 Proposed location plan.
 - E05428_A2703 Rev P2 Proposed block plan.
 - E05428_A2706 Rev P1 Proposed GA plan.
 - E05428_A2707 Rev P1 Proposed Roof plan
 - E05428_A2704 Rev P1 Proposed elevation

4. Planning history/Building control

- 4.1 101609/REG3 – Erection of Portakabin and new lobby to entrance of community centre and relocation of existing storage container. Whitley Wood Community Centre, Swallowfield Drive. Permitted 18/11/2010
- 210270 - 28-35 Lexington Grove Demolition - notice issued 12/03/2021

5. Consultations

- 5.1. Non-statutory:

RBC Natural Environment – No objections subject to a landscaping condition and assurance that trees on site will be protected. No storage or equipment store should be placed within tree root zones.

RBC Transport – No objections subject to a condition for the requirement of 3 disabled parking bays to be provided and marked out and for secure cycle parking to be provided for visitors to the community centre.

RBC Environmental Protection – No objections, subject to conditions to overcome concerns relating to potential noise and disturbance regarding opening hours, amplified music, lighting, plant, noise remediations scheme and noise management plan due to the close proximity of neighbouring residents.

- 5.2. Public:

Site notices were displayed at the site on 13/03/2024.

The recommendation above seeks, subject to no substantive objections being raised by the end of the consultation period on 3 April 2024, delegated authority to grant. No letters of representation have been received at the time of writing this report, but an update will be provided should any be received.

6. Legal context

- 6.1. 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’. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework 2023
National Planning Guidance 2014 onwards

Reading Borough Local Plan 2019

CC1 Presumption in Favour of Sustainable Development
CC7 Design and the Public Realm
CC8 Safeguarding Amenity
OU1 New and Existing Community Facilities
RL1 Network and Hierarchy of Centres

7. Appraisal

- 7.1. The main considerations are:
- I. Land use principles
 - II. Amenity impacts
 - III. Traffic generation and parking
 - IV. Trees, Ecology and Biodiversity

Land use principles

- 7.2. The previous use as residential has ceased some time ago with the demolition of the previous flats. However, subject to meeting policy requirements for new homes and air quality and traffic noise concerns, it is likely that new residential development (Class C3) would be favourably considered as a continuation of the previous use.
- 7.3. The current proposal seeks permission for a temporary change in use of the land for a 3 year period from C3 residential to F2 Local Community. The applicant has provided satisfactory justification to support the principle for the temporary community use in this location to serve the local residential community.
- 7.4. The land is a brownfield site on which there has been previous development and the proposed temporary modular unit is considered to be acceptable in land use terms as it does not unreasonably reduce any existing community open space, is sited in an accessible location and could be reinstated to provide residential accommodation in future, once a more permanent community centre is established. The rest of this report looks at other relevant material considerations.

Amenity impacts

- 7.5. The location of the temporary community centre is within a residential area. The nearest residential property to the modular unit is 10 metres away (refer to location plan above). Officers consider that neighbour amenity can be protected by requirements for; a noise assessment of heat pump, hours of use controlled, amplified sound controlled, landscaping and boundary treatments to be provided and a management plan to control noise arising from for the use of the community centre. Together, these measures should minimise harm resulting from the temporary use of the building.
- 7.6. With these controls the proposal is considered to comply with Policy CC8 of the Reading Borough Local Plan 2019.

Traffic generation and parking

- 7.7 The proposal does not require additional car parking to be provided as it is located next to a public car park, however 3 disabled parking spaces, drop kerb and tactile paving pedestrian access from the car park to the site and cycle storage provision is required and a condition to provide these elements is recommended.

Trees, Ecology and Biodiversity

- 7.8 Additional information have been requested regarding the protection of trees on site. A condition is recommended for landscaping around the Community Centre to improve its appearance within the public realm and increase biodiversity at the site. The RBC Tree officer has offered to meet with the local community to assist in tree planting and landscaping plans for the site.

Equality implications

- 7.9. 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.
- 7.10. 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.

8. Conclusion

- 8.1 The need for the continuation of community facilities in this area has been demonstrated and justifies the temporary community centre while a permanent solution is created. Any potential detrimental impact of noise or disturbance arising from a 3 year temporary use of the site as a community centre can be mitigated by additional measures required by planning conditions. When considered in the context of national and local planning policies, as detailed in the appraisal above, officers consider that the proposal is acceptable. Therefore this application is recommended for approval subject to the recommended conditions.

Plans

Block Plan



Elevations

