

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 7th December 2022

Ward: Katesgrove

App No.: 220258/FUL

Address: 220 Elgar Road South, Reading

Proposal: Residential redevelopment comprising demolition of existing single storey building and erection of 16 dwellings together with associated works (re-submission of application 210526)

Applicant: Maxika Homes

Major Application: 13-week target decision date: 24th May 2022

Extension of time: 27th January 2023

Planning guarantee 26-week date: 23rd August 2023

RECOMMENDATION

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to:

i) **GRANT** full planning permission, subject to the satisfactory completion of a S106 legal agreement

OR

ii) Refuse full planning permission if the legal agreement is not completed by 27th January 2023 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agree to a later date for completion of the legal agreement)

The S106 to include the following heads of terms:

Affordable Housing

To secure affordable housing consisting of four units (25% provision) on site, to be 3 no. one-bedroom units and 1 no. two-bedroom unit. To be let at Reading Affordable Rent capped at 70% market rent as per published RAR levels.

Together with **EITHER**: The provision of one additional on-site unit of affordable housing to be a two-bedroom unit at 80% of market rent upon implementation, to secure a policy compliant 30% AH.

OR: A Deferred Payment Mechanism in accordance with the Affordable Housing SPD 2021 to provide a financial contribution which equates to a 50/50 profit share in excess of 17.5% on Gross Development Value (GDV) on an open book basis capped at a total sum of £134,891 [one hundred and thirty-four thousand eight hundred and ninety-one in pounds] (*being equivalent to an additional 5% total AH provision*).

The review to be carried out upon substantial completion of the 14th dwelling and to be paid in full prior to occupation of the 14th dwelling.

In the event that a Registered Provider is not secured for the provision of the Affordable Housing on site, the Units to be offered to the Council to be provided by the Council as Affordable Housing. In the event that neither a Registered Provider or the Council can come forward to provide Affordable Housing on-site, the developer to pay to the Council a default

sum equivalent to 12.5% of the Gross Development Value of the development for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) from two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any market housing unit. To be paid prior to first occupation of any market housing unit and index-linked from the date of valuation.

Open Space

To secure an Open Space contribution of £12,500 [twelve thousand five hundred pounds] towards the improvement and extension of facilities within Waterloo Meadows - payable before first occupation.

Employment, Skills and Training

Secure a construction phase Employment Skills and Training Plan or equivalent financial contribution. As calculated in the Council's Employment Skills and Training SPD (2013) - payable on commencement.

Sustainability

To secure a Zero Carbon Offset contribution of £24,154.20 [twenty four thousand, one hundred and fifty four pounds and twenty pence], as per SPD 2019 a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a Section 106 contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30-year period). As per formula in SPD.

General

Contribution towards monitoring costs plus a separate commitment to pay the Council's reasonable legal costs in connection with the proposed S106 Agreement will be payable whether or not the Agreement is completed.

Any unexpended contributions to be repaid within ten years beginning with the start of the Financial Year after the final (including phased contributions) obligation payment for each obligation is received. In accordance with Policy CC9.

All financial contributions index-linked from the date of permission.

CONDITIONS TO INCLUDE:

1. TL1 - Full - time limit - three years
2. Approved Plans
3. Materials (to be approved)
4. Vehicle Parking (as specified)
5. EV Charging Points
6. Vehicular Access (as specified)
7. Set Back of Gates
8. Cycle Parking (pre-commencement)
9. Refuse Collection (to be approved)
10. Parking Permits 1 (notification to LPA)
11. Parking Permits 2 (notification to occupants)
12. Construction Method Statement (pre-commencement)
13. Hours of construction/demolition
14. No burning on site
15. Contaminated Land Assessment (pre-commencement)
16. Remediation Scheme (pre-commencement)
17. Remediation Scheme (implement and verification)
18. Unidentified Contamination
19. Biodiversity Enhancements

20. Crime Prevention (pre-commencement)
21. Sustainable Drainage (pre-commencement)
22. Sustainable Drainage (as specified)
23. Retaining Communal Outdoor Space unobstructed for the use of residents
24. Submission and approval of hard and soft landscaping (pre-commencement)
25. Boundary treatment
26. External Lighting
27. SAP Assessment - Major - design stage
28. SAP Assessment - Major - As Built

INFORMATIVES TO INCLUDE:

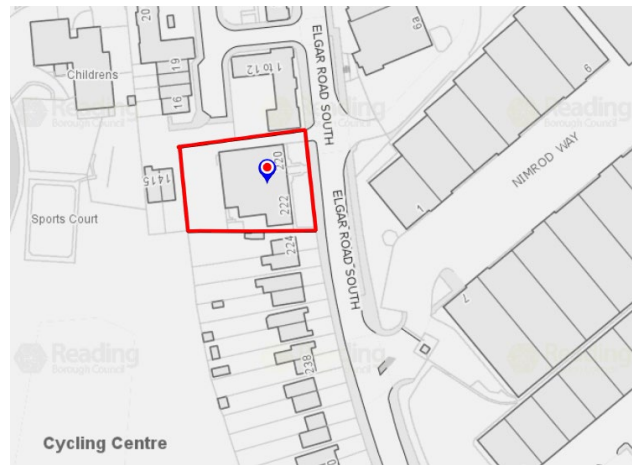
- Positive and Proactive
- Pre-commencement conditions
- Highways
- S106
- Terms and Conditions
- Building Regulations
- Complaints about construction
- Encroachment
- Contamination
- Noise between residential properties
- CIL
- Parking Permits
- Thames Water

Delegate to the Head of Legal Services and Head of Planning Development and Regulatory Services to make such changes or additions to the conditions and obligations as may reasonably be required in order to complete/issue the above permissions.

1. INTRODUCTION

- 1.1 The application site is rectangular in shape and is located on the western side of Elgar Road South as shown on the location plan below. The site consists of a large single storey flat roof building with parking at the rear. There are residential properties to the north, south and west of the site. To the east of the site is Nimrod Way Industrial Estate. To the west is the River Kennet and Waterloo Meadows which is classified as a Local Green Space in Policy EN7 of the Reading Borough Local Plan. The Kennet and Holy Brook Meadows is allocated in Policy EN13 as a Major Landscape Feature.
- 1.2 Half of the site is currently occupied by the Driving Standards Agency (DSA) and the other half was previously used as an office occupied by the Electrical Services Company who vacated in October 2019. Whilst in employment use, the site is not located within a designated Core Employment Area.
- 1.3 The application is brought to Planning Applications Committee as it is a major scheme.

Location Plan



2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 The proposal is for the demolition of the existing single storey building and the erection of a 3-storey building consisting of 16 units (8 x 1b2p, 4 x 2b3p, 3 x 2b4p, 1 x 3b5p) with associated landscaping and 12 car parking spaces.
- 2.2 The following plans and supporting documents were submitted:

Received 23rd February 2022:

- Drawing No: 0001 Rev P1 - Block and Location Plan
- Drawing No: 1000 Rev P1 - Existing Site Plan
- Drawing No: 1001 Rev P1 - Existing Roof Plan
- Drawing No: 1200 Rev P1 - Existing Elevations
- Drawing No: 2000 Rev P6 - Proposed Site Plan
- Drawing No: 2100 Rev P6 - Proposed GF Plan
- Drawing No: 2101 Rev P6 - Proposed FF Plan
- Drawing No: 2102 Rev P5 - Proposed SF Plan
- Drawing No: 2104 Rev P5 - Proposed Roof Plan
- Drawing No: 2200 Rev P5 - Proposed Street Elevation
- Drawing No: 2201 Rev P6 - Proposed East-West Elevation
- Drawing No: 2202 Rev P6 - Proposed North-South Elevation
- Planning Statement
- Sustainability Statement
- Preliminary Ecological Appraisal
- Biodiversity Report
- Daylight and Sunlight Report
- Daylight and Sunlight Addendum
- Financial Viability Assessment - Addendum Update

The following amended plans were submitted on 27th April 2022:

- Drawing No: 2000 Rev P7 - Proposed Site Plan
- Drawing No: 2100 Rev P7 - Proposed GF Plan
- Drawing No: 2101 Rev P7 - Proposed FF Plan
- Drawing No: 2102 Rev P6 - Proposed SF Plan
- Drawing No: 2202 Rev P7 - Proposed North-South Elevation

The following amended plans and information were submitted on 23rd May 2022:

- Drawing No: 2000 Rev P8 - Proposed Site Plan
- Drawing No: 2100 Rev P8 - Proposed GF Plan
- Drawing No: 2102 Rev P7 - Proposed SF Plan
- Drawing No: 2103 Rev P1 - Proposed SF Mezzanine Plan
- Drawing No: 2104 Rev P6 - Proposed Roof Plan
- Drawing No: 2200 Rev P6 - Proposed Street Elevation
- Drawing No: 2201 Rev P7 - Proposed East-West Elevation
- Drawing No: 2202 Rev P8 - Proposed North-South Elevation
- Proposed Scheme Accommodation Schedule

The following amended plans were submitted on 16th June 2022:

- Drawing No: 2000 Rev P9 - Proposed Site Plan
- Drawing No: 2200 Rev P7 - Proposed Street Elevation
- Drawing No: 2201 Rev P8 - Proposed East-West Elevation
- Drawing No: SK10 - Proposed Sketch Section

The following information was submitted on 20th July 2022:

- Financial Viability Assessment and appendices

The following information was submitted on 21st August 2022:

- Surface Water Drainage Strategy

The following information was submitted on 7th September 2022:

- Surface Water Drainage Strategy (Status: 2nd Issue - Sept 22)

The following further plan was submitted on 16th November 2022:

- Drawing No: 2001 Rev P1 - Proposed Site Levels Plan

The following further plans were submitted on 25th November 2022:

- Drawing No: NJC-001 Rev 1 - Delivery Van Swept Path Tracking
- Drawing No: NJC-002 Rev 1 - Refuse Vehicle Swept Path Tracking

- 2.3 Community Infrastructure Levy (CIL): the applicant has duly completed a CIL liability form with the submission. The proposed C3 use is CIL liable and the estimated amount of CIL chargeable from the proposed scheme would be £119,100 (rounded) based on £156.24 (2022 indexed figure) per sqm of Gross Internal Area (GIA).

3. RELEVANT PLANNING HISTORY

89/01089/OUT (Civica Ref: 891394) - Construction of light industrial 'Hi-tech' unit plus onsite parking (renewal of planning permission 86TP802). Refused 23/11/1989.

92/00871/GOV (Civica Ref: 920541) - Change of use from office (B1) to driving test centre (sui generis). Observations sent 06/01/1993.

09/01870/FUL (Civica Ref: 091872) - Change of use from B1 offices to D1 Church Use. Refused 31/12/2009.

201146/PREAPP - Pre-application advice for the proposed development of 22 apartments with associated landscaping and parking. Observations sent 28/10/2020.

210526/FUL - Residential redevelopment comprising demolition of existing single storey building and erection of 18 dwellings together with associated works. Refused 06/12/2021 and dismissed at appeal 09/08/2022.

3.1 This application was refused for the following reasons:

1. By reason of its excessive scale, height and massing, the proposed development would be overly-dominant in the streetscene of this part of Elgar Road. It would be particularly out of scale with and overbearing to the pair of semi-detached houses at 224/226 Elgar Road. The flank walls of the blocks would be long, tall and given the gaps in the streetscene would be very noticeable and harmful, particularly given the protruding elements which are not harmonious with the main block. In addition, the design fails to provide a sufficient landscaped setting for the large building. For the above reasons, the proposal is considered to be an overdevelopment and a poor design response which fails to respect the prevailing urban grain and would be harmful to the streetscene of Elgar Road (South) and the abrupt step-change in height/scale to 224/226 Elgar Road would be harmful to Waterloo Meadows through intensive adjacent development, contrary to policies CC7 (Design and the Public Realm) and EN7 (Local Green Space and Public Open Space) of the Reading Borough Local Plan (2019).

2. The development proposes a layout with flats to the front and rear of the site accessed by a side entrance door leading to a long corridor and stairwell. This is a poor and insecure choice of layout with no legible front door/entrance feature and instead the communal door is approached along a secluded side vehicle access. The entrance door would be a narrow and unwelcoming entrance with no overlooking from habitable windows in the development and dwarfed in scale and importance by the adjacent bin store doors. The above design flaws would fail to create a safe and accessible environment, where crime and disorder or fear of crime can undermine quality of life or community cohesion for future residents, contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough Local Plan (2019).

3. The layout with the internal entrance corridor results in the ground floor flats facing the streets being provided with patios and amenity spaces fronting the street. This is not a characteristic of the area and would become a poor design solution, as these areas will be inhabited, personalised and defended at ground floor level as private gardens. Further, there may be pressure for residents to seek high secure fencing and with the stepped building line and patios to the front will produce a cluttered streetscene. The cluster of Juliet balconies proposed on the front elevation will add to this cluttered appearance. These aspects of the design would fail to respond positively to the local context and character and therefore would be harmful to the streetscene, the amenities of the area and provide unacceptable living conditions for the occupiers of the development, contrary to policies CC7 (Design and the Public Realm), CC8 (Safeguarding Amenity) of the Reading Borough Local Plan (2019) and H10 (Private and Communal Outdoor Space) of the Reading Borough Local Plan (2019).

4. The proposal would be substandard in terms of amenity space for the number of flats, which is not reflective of the context of development in the

vicinity. Due to the amount of site coverage by the proposed flats and the amount of parking proposed there is limited opportunity for secluded landscaped amenity space to be provided to serve the future residents. For these reasons, the proposal would fail to provide a suitable level of landscaping or amenity space for the development, contrary to policies CC7 (Design and the Public Realm), CC8 (Safeguarding Amenity) of the Reading Borough Local Plan (2019) and EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan (2019).

5. The cycle store shown is substandard in terms of dimensions and capacity and is in a secluded location, at risk of break-ins. The location and design of the cycle store is therefore unacceptable as it would not provide sufficient, useable cycle parking and it would fail to create a safe and accessible facility, contrary to policies TR5 (Car and Cycle Parking and Electric Vehicle Charging), CC7 (Design and the Public Realm of the Reading Borough Local Plan (2019) and the Council's adopted SPD, 'Revised Parking Standards and Design' (2011).

6. In the absence of sufficient information being submitted at application stage and in the absence of a completed legal agreement to secure a resultant acceptable obligation or contribution towards the provision of affordable housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy H3 (Affordable Housing), CC9 (Securing Infrastructure) of the Reading Borough Local Plan 2019 and the Council's SPDs, 'Adopted Affordable Housing Supplementary Planning Document' (2021) and 'Planning Obligations under Section 106' (2015).

7. Due to the failure to secure a suitable obligation or contribution (as appropriate) in terms of carbon-offsetting or a construction phase Employment and Skills Plan (ESP), the development will not provide suitable mitigation of its impacts on energy use/climate change or the impact on the local labour market, contrary to policies H5 (Standards for New Housing) and CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Council's adopted SPDs, 'Employment, Skills and Training' (2011), 'Sustainable Design and Construction' (2019) and 'Planning Obligations under Section 106' (2015).

- 3.2 Although the description of development refers to 18 dwellings the application was amended during the course of consideration of the application by the Council and the Council's refusal was based on the 16-unit scheme. The retention of the description on that refusal decision was an error.
- 3.3 The Inspector's decision is appended at the end of this report. The Inspector concluded that *'whilst I have sided with the appellant in terms of character and appearance, crime and disorder and bicycle storage, the development has not secured a financial contribution to mitigate against the lack of on-site amenity space, nor has it secured necessary planning obligations with regards to carbon offset measures nor employment and training.'*

This appeal decision is a material consideration in the assessment of the current application and is addressed in the assessment section below.

Refused site plan and elevations



4. CONSULTATIONS

(i) Statutory

4.1 None.

(ii) Non-statutory

Transport

4.2 No objection subject to conditions and informatives, discussed further below.

SuDs Officer

4.3 The Surface Water Drainage Strategy received 07/09/2022 now demonstrates that the proposed discharge rate would be a reduction when compared against the Brownfield runoff rate and provides a pipes network to the attenuation tank and as such this is now acceptable subject to conditions.

Thames Valley Police - Crime Prevention Design Advisor

- 4.4 No objection subject to further recommendations necessary in order to ensure that the development meets the NPPF and the Local Plan and prevent crime and disorder where possible.

Environmental Protection

- 4.5 No objection subject to the conditions and informatives as detailed in the recommendation above.

Natural Environment Trees

- 4.6 This is a resubmission of application ref. 210526 on which occasion Natural Environment provided comments with suggested conditions to secure landscaping details (which ultimately was not the case, as it was refused).

- 4.7 There are no existing trees on site as such tree protection will not be a factor in my assessment.

- 4.8 With reference to the Proposed Site Plan Drg. No. 2000 Rev 7, the following are noted:

- 4.9 The footprint of the building and landscaping are similar to those previously proposed by app ref. 210526, except an additional communal play/sitting area which replaces the cycle storage. In addition, the development is located near to Waterloo Meadow (a substantial area of public open space to the west of the site), which improves access to outdoor amenity space - you may find it appropriate to secure financial contribution towards the maintenance and upkeep of Waterloo Meadow. Therefore, these improvements over the previous scheme make this proposal agreeable in terms of landscaping.

- 4.10 However, the Proposed Site Plan refers to a 'UBU Design Planting/Landscaping Plan' which has not been submitted. I note a UBU produced Planting Plan was submitted for app ref. 210526. This must be submitted again (in amended form, see comments below) so that landscaping principles are demonstrated (species palette). As you are aware, I e-mailed the agent on 5 July 2022 with a request for this plan, but I received no answer.

- 4.11 Ideally, upon submission of said Landscaping Plan, a slight amendment would be well received in terms of planting: I wonder if the evergreen hedge now shown along part of the western boundary could be extended to the entire western boundary. This would provide a privacy screen and improve amenity for the adjacent houses (14 and 15 Park View).

- 4.12 In conclusion, there are no objections to the proposal in principle, but before the application can be supported a Landscape Plan must be submitted (as should a financial contribution towards the maintenance and upkeep of Waterloo meadow be secured if you consider it appropriate). I await submission of this plan prior to a decision so I can suggest appropriate conditions.

- 4.13 For information and to aid with amendments for a future submission, I reiterate the comments to the UBU Planting Plan provided on occasion of app. Ref. 210526:

'Some inconsistencies between the plans and the planting schedule are still outstanding - 7 trees shown on plans, but only 5 on the planting schedule; 1 Prunus avium 'Plena' shown on plans, but not on the planting schedule; the planting plan (albeit acknowledged by the agent) does not show the updated location for cycle storage. These should be addressed before a decision.

Although the updated plans retain the same built / hand standing footprint on site and same set back from the road, significant shrub planting along with additional tree planting is provisioned, which is positive. Still there are some missed opportunities, which should be considered given the low canopy area context, such as green walls or roofs - there appears to be no comment in relation to the omissions of these.

The trees along the Elgar Road South should be of species which grow a medium to large sized crown, depending on the space available - the one in the (east) corner has the most available space, so an ultimately large crown species may be suitable. Also, we are currently discouraging the planting of Prunus as it is an over-represented genus in the Borough. Species details can be secured via condition if/when the application is otherwise supported, but the agent should be made aware of these suggestions.

I note that a significant amount of the 'soft' space at the rear is taken up by planting beds, around the 4 proposed trees, leaving limited grass space and a 'hard area', presumably with seating, as the amenity space. You may wish to consider whether there is therefore sufficient 'usable' amenity space or whether the planting beds should be reduced to allow more lawn area.

As in my previous memo, the maintenance specifications and schedule are only briefly noted on the Planting Plan, therefore these will be secured via condition too - if and when application is supported.'

Planning Officer Note: The Natural Environment Officer confirmed that the inclusion of relevant conditions would be sufficient in this case.

Ecology

- 4.14 A Preliminary Ecological Appraisal has been undertaken to an appropriate standard. The proposals are unlikely to affect protected species or priority habitats and further surveys will not be required. As such, subject to a biodiversity enhancement condition there are no objections on ecological grounds.

Parks & Leisure

- 4.15 No objection subject to a financial contribution due to insufficient amenity space provision.

RBC Valuer

- 4.16 It is agreed that the scheme is non-viable. However, the level of deficit in our findings is substantially less than that of the applicant's FVA. We recommend, if a policy compliant offer is not made, that the scheme is subject to a late-stage review.

Planning Officer Note: This is discussed further, taking into account all considerations, in the S106 section below.

Canal & Rivers Trust

- 4.17 No objection.

Thames Water

- 4.18 No objection subject to informatives.

(iii) **Public/ local consultation and comments received**

- 4.19 Park View - 1-12 (all), 14-19 (all), Elgar Road South - 220 (all), 224-230 (e), Preston Road - 6A and Nimrod Way - Unit 1 Nimrod Industrial Estate were consulted by letter. A site notice was also displayed at the application site.
- 4.20 One letter of representation has been received with regards to overlooking, loss of privacy, loss of light and additional parking pressures in an already crowded area.

5. LEGAL AND PLANNING POLICY CONTEXT

- 5.1 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 also states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.
- 5.2 The following relevant planning policy and guidance is applicable to the assessment of this application:
- 5.3 National Policy - National Planning Policy Framework (NPPF) 2021
Section 2 - Achieving Sustainable Development
Section 4 - Decision Making
Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making Effective Use of Land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
- 5.4 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
EN7: Local Green Space and Public Open Space
EN9: Provision of Open Space
EN10: Access to Open Space
EN12: Biodiversity and the Green Network
EN13: Major Landscape Features and Areas of Outstanding Natural Beauty
EN14: Trees, Hedges and Woodland
EN16: Pollution and Water Resources
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)
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging

- 5.5 Supplementary Planning Document
Affordable Housing (2021)
Revised Parking Standards and Design (Oct 2011)
Planning Obligations under S106 (April 2015)
Sustainable Design and Construction (Dec 2019)
Employment, Skills and Training (2013)
- 5.6 Other Reading Borough Council Corporate documents
Tree Strategy (March 2021)

6. APPRAISAL

- 6.1 The main issues to be considered are:

- a) The principle of development;
- b) Housing Mix;
- c) Design and appearance;
- d) Residential amenity;
- e) Traffic generation and parking;
- f) Natural Environment;
- g) Sustainability;
- h) Sustainable Drainage Systems
- i) S106 (including Affordable Housing)
- j) Other matters

a) Principle of development

- 6.2 Policy EM3 seeks to ensure the overall level of employment land is maintained. Although 220 Elgar Road South is not located within a Core Employment Area, Policy EM3 states that in other areas, the following matters will be considered when assessing proposals which would result in a loss of employment land:-

- (i) *Is access by a choice of means of transport, including access to the strategic road network, poor, and likely to remain poor?*
- (ii) *Is the continued use of the site for employment, including the potential for redevelopment for employment uses, viable?*
- (iii) *Is there a surplus of a similar size and type of accommodation in Reading?*
- (iv) *Would continued employment use of the site detrimentally affect the amenity and character of a residential area?*
- (v) *Is the need for alternative uses stronger than the need for the retention of employment land?*
- (vi) *Would the proposal result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme?*

- 6.3 The site is easily accessible with good links into and out of Reading and the existing use is at odds with the predominantly residential character of this side of Elgar Road South. There is a Core Employment Area opposite (policy EM2f: Elgar Road) and Policy SR3: South of Elgar Road Major Opportunity Area states that this site will be for 330-500 residential dwellings. Although this

site is south of 220 Elgar Road South this section of Elgar Road South is predominantly residential.

- 6.4 The submitted Planning Statement advises that part of the building was recently used as a driving test centre with the remaining office accommodation being vacant for a period of 12 months. Officers therefore consider the principle of residential development is acceptable subject to meeting the relevant planning policies and in the context of other material considerations as detailed below.
- 6.5 The provision of housing would contribute to meeting the need for additional housing within the Borough in accordance with Policy H1, which states that *“Provision will be made for at least an additional 15,847 homes in Reading Borough for the period of 2103-2036.”* This is in line with the NPPF section 5 - Delivering a sufficient supply of homes.

b) Housing Mix

- 6.6 Policy H2 states that wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6, in particular for family homes of three or more bedrooms. As a minimum, on new developments for 10 or more dwellings outside the central area and defined district and local centres, planning decisions will ensure that over 50% of dwellings will be 3 or more bedrooms or more, having regard to all other material considerations.
- 6.7 The scheme comprises 16 flats:
- 8 x 1 bed 2 person
 - 4 x 2 bed 3 person
 - 3 x 2 bed 4 person
 - 1 x 3 bed 5 person
- 6.8 The proposed mix fails to comply with Policy H2 however, which seeks a minimum of 50% of 3 bedroom dwellings (which may take the form of flats) on sites outside the town centre/district centres.
- 6.9 The proposed mix only includes one 3-bedroom flat and is therefore not in accordance with the policy. However, the recent appeal decision also related to the same mix of units, and this did not form a reason for refusal and did not form part of the Inspector’s findings. This is a significant material consideration in respect of the current proposal and it is considered reasonable to conclude the same in this instance given the similarity of the current proposal to the appeal proposal and the recentness of that decision.

c) Design and appearance

- 6.10 Policy CC7 states that *“all development must be of high design quality that maintains and enhances the character and appearance of the area”*. The NPPF in paragraph 130 c) states that planning policies and decisions should ensure that developments *“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”*.

- 6.11 The existing single storey flat roof building occupies a large area of the site and is not considered to make a positive contribution to the appearance of the area which to the west side of Elgar Road South is predominantly residential in nature. The properties to the south of the site are traditional two storey semi-detached properties whilst properties directly to the north are more modern three storey flats with a pair of semi-detached properties directly behind the site, at right angles to it.
- 6.12 The proposed development introduces a 3-storey building in a modern design with a staggered frontage. There are four sections to the building. There are three, three storey gables, which are all the same height and have pitched roofs to the front and hipped roofs at the rear. Each three-storey gable is the same width, although they reduce in depth as they move towards 224 Elgar Road South. There is also a two - storey addition with a steep mono-pitched roof to the side adjacent to the semi-detached property at 224 Elgar Road South and a flat roofed side projecting element at first and second floor adjacent to the existing flats to the north. There is a difference in the levels with the site sloping down from the front to the rear of the site. The proposed development would include reprofiling of the site to bring the ground level of the front of the site down as can be seen in the proposed elevations below.



- 6.13 It is clear that consideration has been given to the relationship with the neighbouring properties and the scheme has been designed around existing constraints of the site such as differing heights of properties on either side of the site which has meant the height of the eaves closest to neighbouring properties has been reduced. The staggered design reflects the existing building line along Elgar Road South which includes the existing flats to the north, which are located close to the footpath, and the semi-detached properties to the south, which are set back with regular front gardens and driveways.
- 6.14 The Council is not averse to modern designs, and providing interest to the street scene is encouraged, however, the Council had previously raised concerns with the staggered design of the proposal and the concern that the proposal was an overdevelopment of the site. However, this view was not

upheld by the Inspector into the recently appealed scheme (as set out under the planning history section 3. above). The Inspector stated the staggered design *“would help create an effective transition between the flats to the north and the semi-detached dwellings to the south, by ensuring the front building line integrates effectively with both sets of properties”* and that *“the design features would again soften the transition between the new flats and the smaller dwellings to the south. In turn, this would help ensure the new flats would integrate effectively with all aspects of the existing street scene.”*

- 6.15 The originally submitted scheme proposed private patios and amenity spaces to the flats fronting the street. However, following officer concern that such spaces were not characteristic of the area and that these would likely be, personalised and fenced off at ground floor level as private gardens, resulting in a cluttered appearance, the applicant agreed to remove them. A condition is recommended requiring all communal landscaped areas around the building to be provided prior to first occupation and retained unobstructed for communal use of the residents at all times thereafter. This includes the areas of defensible space shown in front of Flats 1, 2 and 3.
- 6.16 Where previously Officers had raised concerns with the cluster of Juliet balconies to the street frontage the Inspector concluded that the Juliet balconies *“echo those used along the frontage of the flats to the north”* and *“would be in keeping in terms of design”*.
- 6.17 The Inspector was satisfied that there was sufficient distance between Waterloo Meadows and the proposed development to ensure there was no impact on the character of the park and the applicant has provided CGI images of the proposed scheme, as shown below, to demonstrate how the development will look in context.
- 6.18 As such, and taking the Inspectors comments into consideration, Officers are satisfied that the proposed development would not harm the character and appearance of the area and is in accordance with policies CC7 and EN7 of the Reading Borough Local Plan (2019).

CGI images of the proposed scheme





d) Residential Amenity

6.19 Policy CC8 (Safeguarding Amenity) of the Reading Borough 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, in terms of:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Harm to outlook;
- Noise and disturbance;
- Artificial lighting;
- Vibration;
- Dust and fumes;
- Smell;
- Crime and safety; or
- Wind

Impact on neighbour amenity

6.20 The proposed development is not considered harmful to neighbouring properties. The submitted Site Plan shows the proposal does not encroach on a line taken at 45 degrees from the middle of the closest habitable windows of 224 Elgar Road South and the flats to the north, to ensure adequate light remains. A Daylight & Sunlight Report was submitted with the application, which states the 3 side windows to the block of flats to the north (and closest to the proposed development) serve bathrooms and are not considered as habitable rooms. The flats' remaining south facing windows set back further from the site, are understood to serve bedrooms, living rooms and circulation space. 224 Elgar Road South has two side facing windows at ground and first floor level, which are to non-habitable rooms and a doorway. As non-habitable rooms, these would not be relevant for daylight/sunlight assessment under the BRE guidelines. There are no side facing windows to 14 Park View at the rear, and the report did not consider this property for daylight and sunlight effects nor 16 Park View.

6.21 The report concludes that *“development of a low-rise site will inevitably lead to some degree of change in the prevailing daylight and sunlight levels*

however the scheme responds positively to the closest neighbours.....the results of our technical assessments show that the majority of the neighbours meet the BRE guidelines and whilst there are isolated deviations to 224 Elgar Road South, these are limited to minor changes in the Vertical Sky Component. Given these spaces are served by additional windows which will be unaffected by the proposal, daylight amenity will remain high.....the assessment of sunlight to neighbouring windows has also shown full compliance with the BRE criteria.”

- 6.22 The only side windows are to the north elevation where there are windows on the ground floor to Flat 1, there is a window to Flat 6 on the first floor and Flat 12 on the second floor along with windows on the main corridor and stairwell to the first and second floors. There are two oriel windows to bedrooms on the first and second floors which are angled to face the front of the site. All other windows are front and rear facing.
- 6.23 There is a side-to-side distance of approximately 7.5m between the flats to the north and the proposed development and 5m side to side with 224 Elgar Road South, and the proposal is also significantly lower, adjacent to this neighbouring property. There is approximately 23.5m between the rear of the proposed development and the side elevation of 14 Park View, directly to the rear, which is considered sufficient to avoid any loss of privacy or overlooking. Policy CC8 states a back-to-back distance of 20m is usually appropriate.
- 6.24 Residents of neighbouring properties will notice the proposed development however they are considered a sufficient distance away and as the majority of the windows face the front and the rear this ensures there is no loss of privacy or overlooking. There will be some noise and disturbance from the demolition and construction of the proposed development, which is unavoidable, however, a condition is recommended which restricts the hours of demolition and construction along with required for a Construction Method Statement to be submitted to, and approved in writing by the Local Planning Authority, these conditions are considered relevant to protect residents of neighbouring properties from unreasonable disturbance.
- 6.25 Importantly, the amenity impacts of the proposal will be the same as those which would have arisen with the appeal scheme. The Inspector did not identify any harm to neighbouring amenity, and this is considered to be a strong material consideration in favour of the current proposal. Overall the proposed development is not considered to have a detrimental impact on the living environment of existing residential properties and is in accordance with Policy CC8 of the Reading Borough Local Plan.

Amenity of proposed dwellings

- 6.26 In addition to Policy CC8 above, policies H5 (Standards for New Housing) and H10 (Private and Communal Outdoor Space) also apply. Policy H5 states that new build housing will need to comply with the nationally-prescribed space standards.
- 6.27 A schedule of room sizes has been provided and the proposed flats meet or exceed the nationally-prescribed space standards. The internal layouts are acceptable with adequate sized bedrooms (which meet the size requirements in Policy H5) and living accommodation. The proposed development

therefore provides an acceptable standard of accommodation and is in accordance with Policy H5 of the Reading Borough Local Plan.

Sunlight/daylight

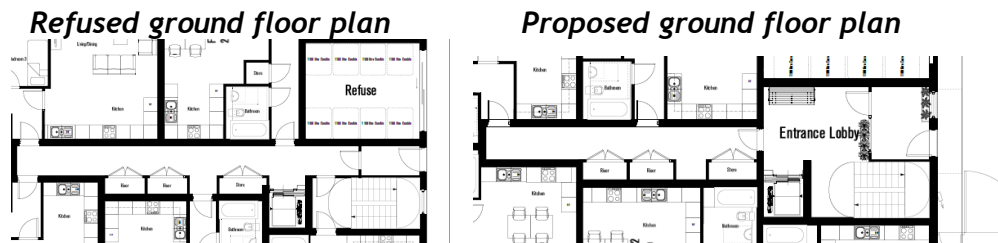
- 6.28 The proposed flats to the front have east facing windows and the proposed flats to the rear have west facing windows. A Daylight & Sunlight Report has been submitted which concludes that the assessment of daylight within the proposed flats has shown that all of the rooms assessed between the ground and first floor levels satisfy the BRE recommendations for internal daylight and the internal sunlight assessments demonstrate that all of the main living spaces will be in exceed of the BRE targets for Annual Probable Sunlight Hours. The report also states that *“daylight and sunlight amenity will only improve to the upper floors as outlook to the units increase.”*

Outdoor space

- 6.29 Policy H10 sets out that *“Dwellings will be provided with functional private or communal open space wherever possible, that allows for suitable sitting-out areas, children’s play areas, home food production, green waste composting, refuse storage, general outdoor storage and drying space. Houses will be provided with private outdoor space whereas flats may be provided with communal outdoor space, balconies and/or roof gardens.”*
- 6.30 Paragraph 4.4.87 of Policy H10 sets out that in the past, the Council has sought the following minimum provisions for private or communal outdoor space and they provide a useful guide for proposals: (b) Flats outside central Reading: 1 and 2 bedroom: 25sqm per flat; 3 or more bedrooms: 40sqm per flat. The proposal would therefore be required to provide 415sqm of communal open space.
- 6.31 The proposal does provide some outdoor amenity space along its front, rear and southern side however, the primary area of useable amenity space is within the south-west corner of the site adjacent to the car park. Compared to the size of the development, this area is considered small and given the number of flats proposed it would be insufficient for the likely number of residents. The proximity of the amenity space to the car park is also considered to dilute its quality for future occupiers. However, the site is located near Waterloo Meadows which would help mitigate against the inadequacy in the on-site outdoor amenity space.
- 6.32 Policy EN9 of the Reading Borough Local Plan states *“on sites of less than 50 dwellings, or in areas not identified as deficient in the provision of open space, new open space provision, improvements or enhancements will be sought, including through appropriate contributions”*. The Council’s Parks & Leisure section have requested a financial contribution of £12,500 which is discussed in section 6.63 below.
- 6.33 Given the proximity to Waterloo Meadows and the applicant’s willingness to provide a financial contribution towards the maintenance and upkeep of Waterloo Meadows, Officers are satisfied that the lack of on-site amenity space could be adequately overcome by way of a financial contribution. As such, the scheme is considered to accord with policies EN9 and H10 of the Reading Borough Local Plan.

Crime and safety

- 6.34 The previously refused scheme provided a poor choice of layout with a narrow and long unwelcoming entrance with limited overlooking from habitable windows and the Crime Prevention Design Advisor raised significant concerns in terms of the security of the site.
- 6.35 The current scheme provides a much-improved layout that is more secure and welcoming, and the introduction of further windows to the side elevation has increased the active surveillance along with a secure lobby.



- 6.36 A security gate is proposed to help prevent unauthorised access into the site and CCTV is also proposed. Due to a lack of specification regarding the CCTV it is not possible to assess whether this adequately covers the vehicle and pedestrian gates, cycle and refuse stores, postage boxes and the main entrance however, this matter can be addressed by way of a suitably worded condition. No information has also been submitted regarding security controls such as access controls to limit access by floor to only relevant residents along with video and audio recording and the ability for both the pedestrian gate and the door to be released from within the dwellings. Again these matters can be secured by way of a condition.
- 6.37 As such, by introducing additional side windows and by securing appropriate conditions Officers are satisfied that the development would create a safe environment for its occupiers, without undue risk in terms of crime and disorder. In this regard, the development would be consistent with Policy CC7 of the Local Plan, which seeks to ensure new development creates a safe and accessible environment, where crime and disorder or fear of crime and disorder does not undermine the quality of life nor community cohesion.

e) Traffic generation and parking

- 6.38 The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. This zone directly surrounds the Central Core and extends to walking distances of 2 kilometres from the centre of Reading. This zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.
- 6.39 The submitted application form states that 12 parking spaces will be provided for the proposed 16 units of which 1 will be a disabled bay and 1 space will have an EV charging point. The dimensions of all the spaces conform to current standards. In accordance with these standards, a total of 18 spaces (rounded up from 17.5) parking spaces are required; this includes 1 visitor parking space. Proposed provision therefore falls short of the Council's current standards.

- 6.40 However, a review of the car ownership data for Katesgrove has been undertaken, taking into account the mix of units, and the proposed development would require 13 spaces. Given that there is only a difference of 1 space, the difference to on street parking will be negligible and therefore will not cause any detrimental issues for Highway safety, therefore a lower provision can be accepted in this instance. Importantly the parking is the same as previously accepted by the appeal Inspector which should be given significant weight in the determination of the current application.
- 6.41 Parking restrictions are in place along Elgar Road South and Elgar Road in the form of time restricted parking bays, single and double yellow lines. The Councils Resident Parking Permit Scheme also operates on some parts of Elgar Road. Future residents of the units would not be entitled to apply for resident or visitor parking permits for the surrounding residential streets. This will ensure that the development does not harm the existing amenities of the neighbouring residential properties by adding to the already high level of on-street car parking in the area. The appropriate conditions and informative will be included within any permission to ensure that the prospective residents are fully informed of the situation regarding parking permits prior to occupying the property.
- 6.42 Policy TR5 requires that 10 % of spaces should provide an active charging point. This equates to 1 EV charging point however 4 charging points are shown on the submitted Site Plan which exceeds the Council's requirements.
- 6.43 Gates are illustrated on the submitted plans, these are set back into the site in excess of 10m and are, therefore, deemed acceptable and the existing access to the site is to be retained. The proposed site plan illustrates a bell mouth access, with access into the site in excess of 5m which will allow for movement of two-way traffic in and out of the site. A pedestrian footway has also been provided from Elgar Road South through the site leading to the parking area and access to the building. Although this is less than the desirable 2m it can be accepted in this instance.
- 6.44 Tracking diagrams have been submitted which illustrate how a delivery vehicle/refuse vehicle would enter and turn on site and have been confirmed as acceptable.
- 6.45 Cycle storage is within the main building in the form of Josta style stands, which would require a height of 2.8m. The number of cycle storage spaces is in excess of the standards; however, specifications of the storage unit has not been provided and a condition is recommended for such detail.
- 6.46 Bin storage is located within the main building adjacent to the main entrance and three of the ground floor flats facing towards Elgar Road South will have to carry their waste more than the maximum recommended distance of 15m as these flats are not linked internally to the main building. Details of how refuse vehicles will enter the site and undertake collections have not been provided, but this can be addressed by way of a condition.
- 6.47 In principle there are no Transport objections to this application as the number of trips generated by the proposed 16 dwellings would be significantly fewer than the existing use which is a DVLA driving test centre. Given the location and size of the development, a construction method statement would be required and a condition is included within the recommendation above.

- 6.48 As such, in transport terms the proposal is considered acceptable in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan (2019) subject to the recommended conditions above.

f) Natural Environment

- 6.49 The site is within a ward containing a low proportion of tree canopy cover which makes planting and soft landscaping more important. An initial landscaping and planting plan was submitted, which includes for areas of soft landscaping and planting, and the Natural Environment Officer confirmed that subject to relevant conditions, to ensure final details are confirmed and agreed, the scheme would be acceptable, and save for a few minor tweaks, is the same as previously accepted by the appeal Inspector.

- 6.50 With regards to Ecology the proposals are unlikely to affect protected species or priority habitats however, in accordance with paragraph 180 d) of the NPPF (2021) *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”*. A condition is included requiring details of biodiversity enhancements including nest bricks and bat boxes, tiles or bricks and native and wildlife friendly landscaping. A condition is also recommended with respect to external lighting to ensure light spillage is minimised.

g) Sustainability

- 6.51 Local Plan Policy H5 ‘Standards for New Housing’ seeks that all new-build housing is built to high design standards. In particular, new housing should adhere to, water efficiency standards in excess of the Building Regulations, zero carbon homes standards (for major schemes), and provide at least 5% of dwellings as wheelchair user units. Policy CC2 (Sustainable Design and Construction) and Policy CC3 (Adaption to Climate Change) seeks that development proposals incorporate measures which take account of climate change.

- 6.52 The applicant has submitted a Sustainability Statement, which concludes that *“a Zero Carbon specification has not been sought on the development. The easiest route to facilitate a Zero Carbon development is to have a Biomass community heating supply all flats. This is not possible to facilitate with the current development proposal. This is due to the lack of substantial plantroom space required to site the biomass boilers and associate fuels. Therefore, a DER/TER [actual dwelling emission rate; target emission rate] improvement of 35% with a Section 106 offset contribution has been sought.”*

- 6.53 The conclusion in the Sustainability Statement continues *“the proposed development achieves a 35% improvement in the DER/TER as a site (block) average. We consider the proposed specification, detailed in Appendix 1, to be sufficient evidence that the development has incorporated a comprehensive set of energy efficiency and renewable energy measures in order to meet the required DER/TER improvement. This will be supplemented by a Section 106 contribution which has been broken down below:”*

- 6.54 The carbon offset calculation as shown in the submitted Sustainability Statement is as follows:

Site Average TER as defined in the Building Regulations 2013 (fuel factor = 1.00)	17.21 kgCO ₂ /m ² /yr
Site Average TER Improvement achieved on-site (35.91%)	6.181 kgCO ₂ /m ² /yr
Site Average TER to be offset through S106 contribution (64.09%)	11.029 kgCO ₂ /m ² /yr
64.09% of TER x total square meters (1,216.71m ²) = total excess CO ₂ emissions annually	13,419.09 kgCO ₂ /m ² /yr = 13.419 tonnes CO ₂ /yr
Annual excess CO ₂ emissions x £1800 = S106 contribution	£24,154.20

- 6.55 The Council's Sustainable Design and Construction SPD states in paragraph 3.11 that *"in achieving Zero Carbon Homes for major residential developments, the preference is that new build residential of ten or more dwellings will achieve a true carbon neutral development on-site. If this is not achievable, it must achieve a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a Section 106 contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30 year period.)"*

- 6.56 Although it is unfortunate that the proposed development cannot achieve Zero Carbon, the submitted Sustainability Statement demonstrates that the development achieves a 35% improvement along with a carbon offsetting in the form of a financial contribution, which will be secured through a S106 legal agreement. Officers are therefore satisfied that the development would be policy compliant in this regard. As with other matters addressed in this report, the sustainability credentials are similar to those of the appeal scheme and were not matters on which the Inspector dismissed the appeal. This weighs strongly in favour of the proposals in this instance.

h) Sustainable Drainage Systems

- 6.57 Policy EN18 requires all major developments to incorporate Sustainable Urban Drainage Systems (SUDS) with runoff rates aiming to reflect greenfield conditions and, in any case, must be no greater than the existing conditions of the site. The applicant has submitted a Surface Water Drainage Strategy which has been reviewed by the Council's SuDs officer who has concluded that the Surface Water Drainage Strategy demonstrates that the proposed drainage rate would be a reduction when compared against the Brownfield runoff rate and provides a pipes' network to the attenuation tank. As such, the proposal complies with Policy EN18 and is considered acceptable subject to the conditions recommended above.

i) S106 (including Affordable Housing)

- 6.58 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:
- Four on -site units (25% provision) let at Reading Affordable Rent capped at 70% market rent as per published RAR levels and a deferred payment contribution
 - Zero carbon offset financial contribution of £24,154.20 based on the Sustainable Design and Construction SPD formula
 - Employment, Skills and Training - construction either a contribution base on the Employment, Skills and Training SPD formula or the submission of a plan
 - Open space financial contribution of £12,500 towards facilities within Waterloo Meadows
- 6.59 Policy H3 requires *“on sites of 10 or more dwellings, 30% of the total dwellings will be in the form of affordable housing;For sites of 10 or more dwellings, provision should be made on site in the first instance with a financial contribution being negotiated to make up the full requirement as appropriate. In all cases where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.”*
- 6.60 The applicant submitted a viability assessment, which has been reviewed by the Council’s Valuer. This review determined that although the level of deficit was considered to be lower than as presented the overall conclusion was that the scheme is not viable. However, following further discussion with the Applicant, an offer of 25% on-site affordable housing at Reading Affordable Rent has been agreed to provide 4 units (3x1 beds and 1x2) bed. This is considered to be a reasonable offer within the context of the viability assessment. The S106 would also include provisions for either securing the additional on-site unit at implementation (to equate to a policy compliant 30%) or a deferred contribution mechanism with a late-stage review for the remaining 5% shortfall. This is in accordance with guidance contained within the Affordable Housing SPD in respect of deferred payments.
- 6.61 The carbon offsetting contribution is required in accordance with Policies CC2 and H5 and set out further in the Sustainability section above.
- 6.62 In accordance with Policy CC9, and the details within the supporting Employment, Skills and Training SPD, an obligation would be included in the S106 for the applicant to either develop an Employment Skills Plan for construction skills, in conjunction with Reading’s Economic and Destination Agency (REDA), or provide a financial contribution.
- 6.63 Policy EN9: Provision of Open Space requires all new developments to make *“provision for appropriate open space based on the needs of the development”*. The open space within the development has no effective recreational green space included within it and the mixture of 1, 2 and 3 bedroom flats indicates families could reside here. As the amenity space provided is insufficient and of limited value it is expected that people will

use Waterloo Meadows for recreational activity and a financial contribution has been included within the heads of terms for the S106 to contribute towards facilities within Waterloo Meadows, which is considered sufficient to adequately mitigate and address the shortfall.

- 6.64 The applicant has confirmed their commitment to these obligations, which would be part of a S106 legal agreement. It is considered that each of the obligations referred to above would comply with the NPPF and Community Infrastructure Levy (CIL) in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

j) Other Matters

Contaminated Land

- 6.65 The site is on potentially contaminated land and a Phase 1 Desk Top Study - Preliminary Risk Assessment was submitted with the previously refused application. The Council's Environmental Protection officers have reviewed the Contaminated Land Risk Assessment and advised that further assessments are necessary. As such, relevant conditions relating to contaminated land are recommended.

Equalities Impact

- 6.66 In determining this application 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 in the Act have or will have different needs, experiences, issues and priorities in relation to the particular 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 development.

7. CONCLUSION

- 7.1 The proposal has been considered in the context of the Reading Borough Local Plan 2019 and the appeal decision in respect of the previous application which represents a significant material consideration in this instance as the current proposal is largely the same.
- 7.2 Having regard to all matters raised and assessing it against the relevant national and local policies, it is concluded that the scheme overall is acceptable. The insufficient on-site amenity space would be sufficiently mitigated through securing an appropriate contribution towards Waterloo Meadows. The proposed 25% on-site affordable housing, albeit not the full policy compliant provision, would be acceptable within the context of the submitted and confirmed financial viability assessment which shows a significant project deficit, and with the inclusion of a deferred payment mechanism within the S106 legal agreement. The proposal would provide additional housing in compliance with national and local policy and would ensure effective use of a brownfield site. Therefore, when applying an overall critical planning balance of all material considerations presented, and the recent appeal decision in particular, the application is recommended for

approval, subject to the recommended conditions and completion of a S106 Legal Agreement.

Case Officer: Alison Amoah

Appendix 1: Appeal Decision for 210526



The Planning Inspectorate

Appeal Decision

Site visit made on 2 August 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 9th August 2022

Appeal Ref: APP/E0345/W/22/3291067

220 Elgar Road South, Reading RG2 0BW

- 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 Mr Paul Smith of Maxika Homes against the decision of Reading Borough Council.
 - The application Ref 210526, dated 29 March 2021, was refused by notice dated 6 December 2021.
 - The development proposed is residential redevelopment comprising demolition of existing single storey building and erection of 16 dwellings together with associated works.
-

Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs has been made by Maxika Homes against Reading Borough Council. This is the subject of a separate decision.

Preliminary Matters

3. During the course of the appeal application, revised plans were submitted to reduce the number of proposed flats from 18 to 16. The description of development used above reflects this revision to the scheme, which has been agreed by the Council.

Main Issues

4. The main issues are:
 - whether the development would make adequate provision for employment and training opportunities, carbon off-set measures and affordable housing, with regard to the need for any associated planning obligations;
 - whether the development would provide acceptable outdoor amenity space for future occupiers;
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on the safety of the local area, with particular regard to crime and disorder; and
 - whether the development would make adequate provision for cycle storage.

<https://www.gov.uk/planning-inspectorate>

Reasons

Planning Obligations

5. Policy H5 of the Reading Borough Local Plan (2019) (Local Plan) requires major development (comprising 10 or more dwellings) to be carbon neutral. Whilst the proposed development would not manage to achieve this requirement, a financial contribution towards off-site measures has been proposed by the appellant, to offset the excess carbon emissions arising from the development. Although the appellant has indicated that a planning obligation would be submitted to secure such mitigation, nothing has been received. In the absence of appropriate mitigation, the development would conflict with Policy H5 as highlighted above, as well as Policy CC9 of the Local Plan, which seeks to ensure infrastructure necessitated by development is properly secured (which can be through off-site payments where appropriate). The development would also conflict with guidance set out in the Council's Planning Obligations SPD¹ and the Sustainable Design and Construction SPD².
6. The Council's Employment, Skills and Training SPD³ requires proposals comprising 10 or more homes to procure an Employment and Skills Plan (ESP) as part of development. The ESP is designed to help promote employment, learning and training opportunities among local people during construction of the development, and should again be secured through appropriate planning obligations. Once again, no agreement to secure these planning obligations has been submitted. As above, the development would therefore conflict with Policy CC9 of the Local Plan, as well as guidance set out in the Employment, Skills and Training SPD and the Planning Obligations SPD.
7. Policy H3 of the Council's Local Plan says all developments comprising 10 or more dwellings should provide at least 30% affordable housing. Based on the findings of its Viability Assessment (VA), the appellant alleges that it would not be viable for the development to provide any affordable housing. Given that the Council has not provided any evidence with regard to the VA, I cannot objectively assess the information submitted, nor the conclusions which have been reached. I therefore make no finding in terms of the proposal's viability, nor the potential need for the scheme to provide any affordable housing.

Outdoor Amenity Space

8. Whilst the proposed development would provide some degree of outdoor space along its front, rear and southern side, the primary area of useable amenity space would be within the south-western corner of the site. Relative to the size of the development, this area would be small, and given the number of flats proposed, I consider it would be insufficient for the likely number of residents. Moreover, the space would be located immediately adjacent to the car park, which would dilute its quality and value to occupiers of the building.
9. Nonetheless, the development would be located near to Waterloo Meadow (a substantial area of public open space to the west of the site), which would help mitigate against the inadequacy of any on-site outdoor amenity space. Given this proximity, the Council has indicated that, subject to receipt of a financial contribution towards the maintenance and upkeep of Waterloo Meadow

¹ Supplementary Planning Document on Planning Obligations under Section 106 (2015)

² Sustainable Design and Construction Supplementary Planning Document (2019)

³ Employment, Skills and Training, Supplementary Planning Document (2013)

(secured by a planning obligation), any concerns regarding the lack of on-site amenity space could be adequately overcome. Whilst the appellant has indicated a willingness to pay this contribution, no planning agreement has been submitted to secure such payment.

10. In the absence of appropriate mitigation to address the shortfall of acceptable on-site provision, the development would fail provide an acceptable level of useable outdoor amenity space. The development would therefore conflict with Policies CC7, CC8 and EN14 of the Local Plan, which together require new development to promote good living conditions for occupiers, through the provision of quality outdoor space, landscaping and planting.

Character and Appearance

11. The appeal site comprises a parcel of land on the western side of Elgar Road South, which is currently occupied by a large single-storey flat roof building, with parking to the rear. There are residential properties to the north, south and west of the site, and Nimrod Way Industrial Estate is located opposite. The area is therefore mixed in character.
12. The residential properties to the north of the site comprise a number of three-storey blocks of flats. The principal frontages to these blocks run parallel with the adjoining pavement edge, with very limited intervening space in between. To the south of the site, there are a series of semi-detached dwellings running in a linear formation, which are stepped much further back from the highway. These houses are two-storey only, which means there is a notable step change in building heights between the residential properties to the north and to the south.
13. The proposed development would introduce a three-storey block of flats to the appeal site. The design of the flats would incorporate three principal gables which would run in a staggered formation, with the northernmost gable projecting further forward than the southernmost gable. This would help create an effective transition between the flats to the north and the semi-detached dwellings to the south, by ensuring the front building line integrates effectively with both sets of properties.
14. The new flats would also incorporate a two-storey element to its southern side, which would have a reduced depth when compared to the main bulk of the property. This element of the development would also incorporate a mono-pitched roof, thereby reducing the scale, height and bulk of its southern side. These design features would again help soften the transition between the new flats and the smaller dwellings to the south, by introducing a gradual step change in terms of scale. In turn, this would help ensure the new flats would integrate effectively with all aspects of the existing street scene.
15. Moreover, the built aspects of the development would be separated from Waterloo Meadow by the rear parking area, and the residential properties to the west of the site. Given the extent of this intervening space, I am satisfied that the development would not unduly impact on the character of the park.
16. Whilst I agree with the Council that the inclusion of patios to the front ground floor flats would likely introduce clutter in terms of domestic paraphernalia and boundary treatments, the appellant has indicated a willingness to remove these patios from the scheme. In turn, their removal would also free up additional

space for landscaping, which would help overcome any latent concerns in this regard. These minor alterations to the scheme and changes to the associated landscaping could be secured by condition. In terms of the proposed Juliet balconies, given that these would echo those used along the frontage of the flats to the north, they would be in-keeping in terms of design.

17. For these reasons, I am satisfied that the development would not harm the character and appearance of the area. In this regard, the development would be consistent with Policies CC7 and EN7 of the Local Plan. Together, these policies seek to ensure new development achieves a high-quality design, which responds positively to local character in terms of layout, scale and height. They also seek to ensure the area's green spaces are sufficiently protected from neighbouring development.

Crime and Disorder

18. The Council has raised a number of concerns regarding the legibility of the proposal, and the associated impacts on safety. Nonetheless, the appellant has indicated a willingness to install a front security gate along the entrance driveway to the property, which would help overcome these concerns. Indeed, a security gate would help prevent unauthorised access to the site, which would improve the safety of residents and visitors both at the main access to the property, and within the parking area to the rear. Further safety measures suggested by the appellant, including CCTV and appropriate lighting, would further help mitigate against any perceived safety risks. All these measures could be secured by condition.
19. The floorplans have also been revised so that a window from the main living space of flat 1 would now overlook the entrance driveway to the property. This would improve active surveillance of the entranceway to the property, which would again promote more effective security of the site.
20. Subject to the inclusion of appropriate conditions, I am therefore satisfied that the development would create a safe environment for its occupiers, without undue risk in terms of crime and disorder. In this regard, the development would be consistent with Policy CC7 of the Local Plan, which seeks to ensure new development creates a safe and accessible environment, where crime and disorder or fear of crime and disorder does not undermine the quality of life nor community cohesion.

Cycle Storage

21. Notwithstanding any existing shortcomings in the submitted plans, there would be sufficient space within the proposed car park to accommodate an acceptable level of bicycle storage. This could be secured by a suitably worded condition. The proposed security measures (secure entrance gate, CCTV and lighting) would also help ensure any perceived safety issues regarding the bicycle storage would be adequately addressed. Subject to suitable conditions, the development would therefore provide safe and accessible bicycle parking, which would be consistent with Policies CC7 and TR5 of the Local Plan. Together, these policies require bicycle parking to be provided at the prescribed levels, whilst also promoting safe and accessible environments. The

development would also comply with guidance set out in the Councils Revised Parking Standards and Design SPD (2011)⁴.

Conclusion

22. Whilst I have sided with the appellant in terms of character and appearance, crime and disorder and bicycle storage, the development has not secured a financial contribution to mitigate against the lack of on-site amenity space, nor has it secured necessary planning obligations with regard to carbon offset measures nor employment and training. The proposal would therefore conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which would outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

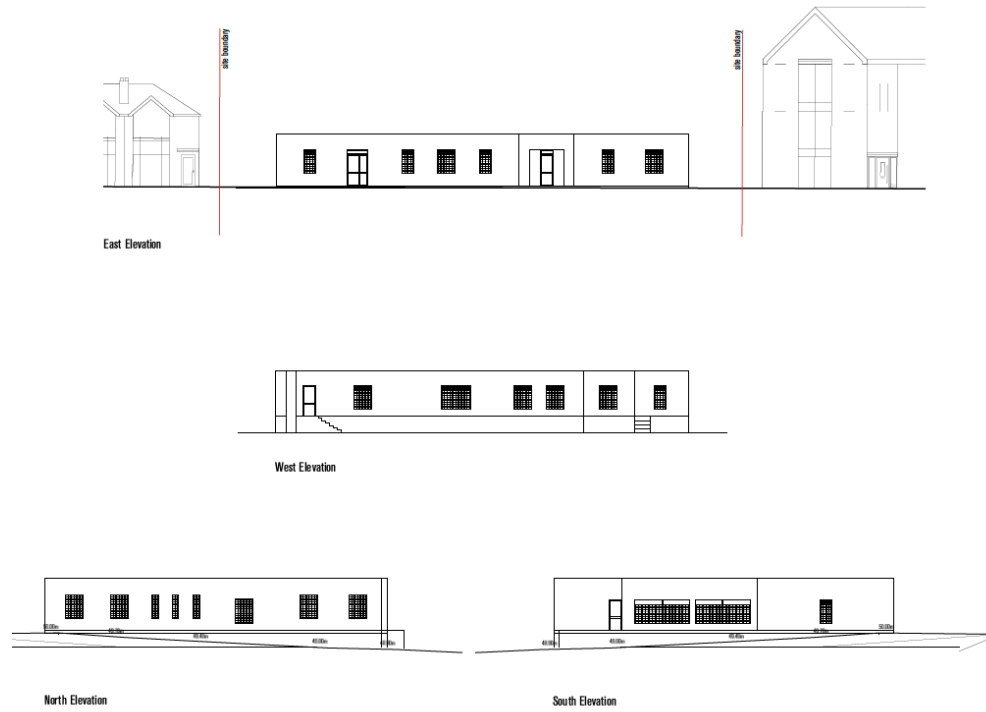
James Blackwell

INSPECTOR

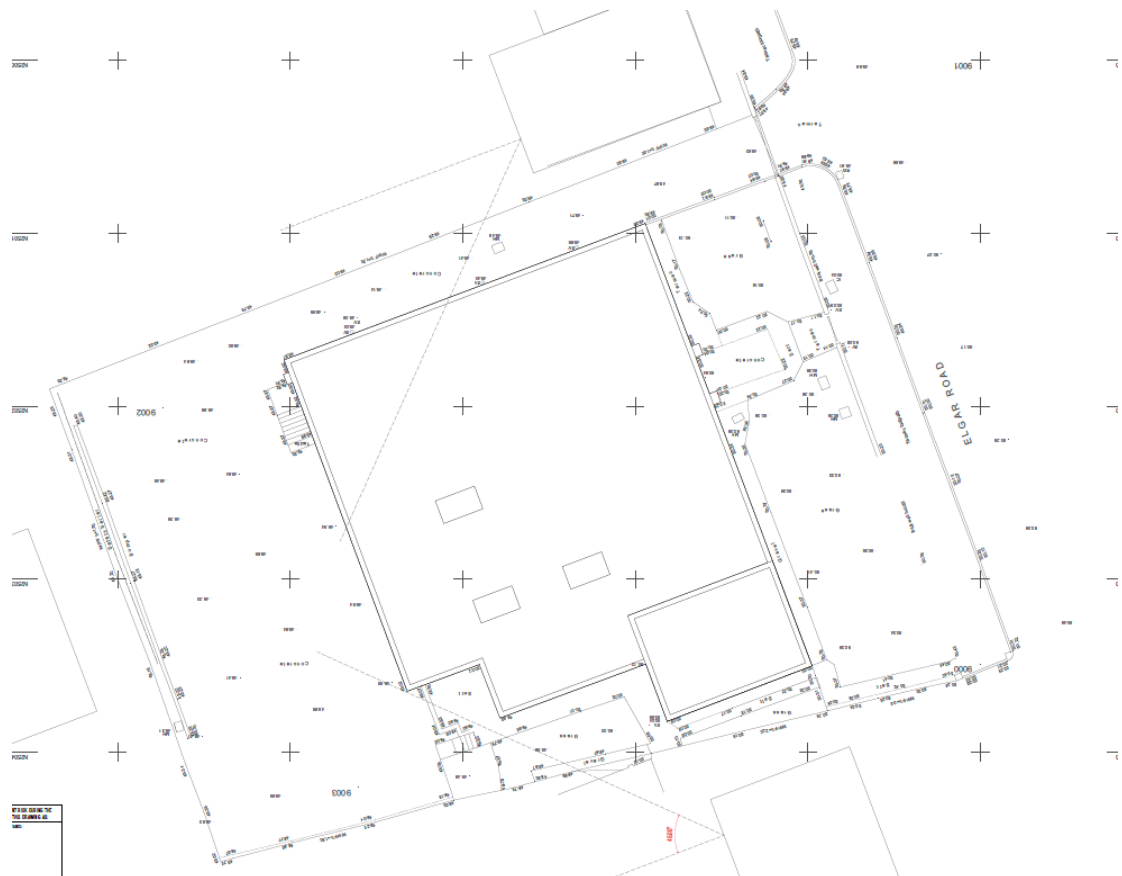
⁴ Reading Borough Local Development Framework, Revised Parking Standards and Design, Supplementary Planning Document, 31 October 2011

Appendix 2: Plans

Existing Elevations

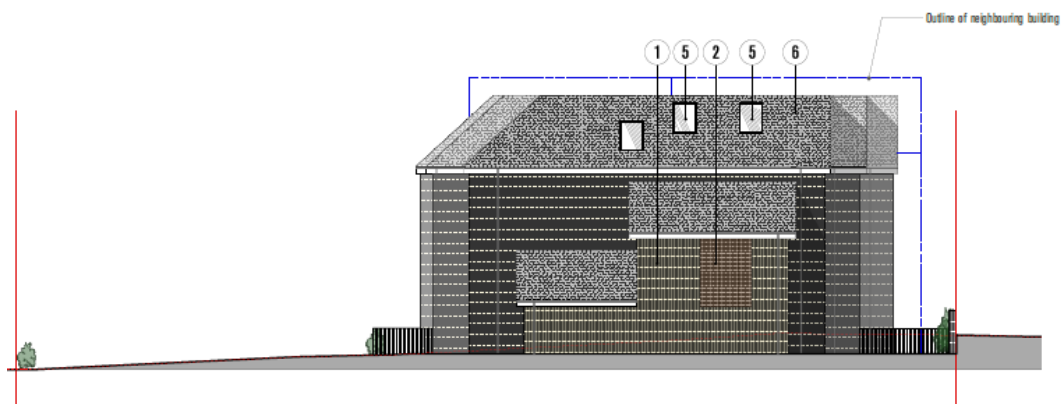


Existing Roof Plan



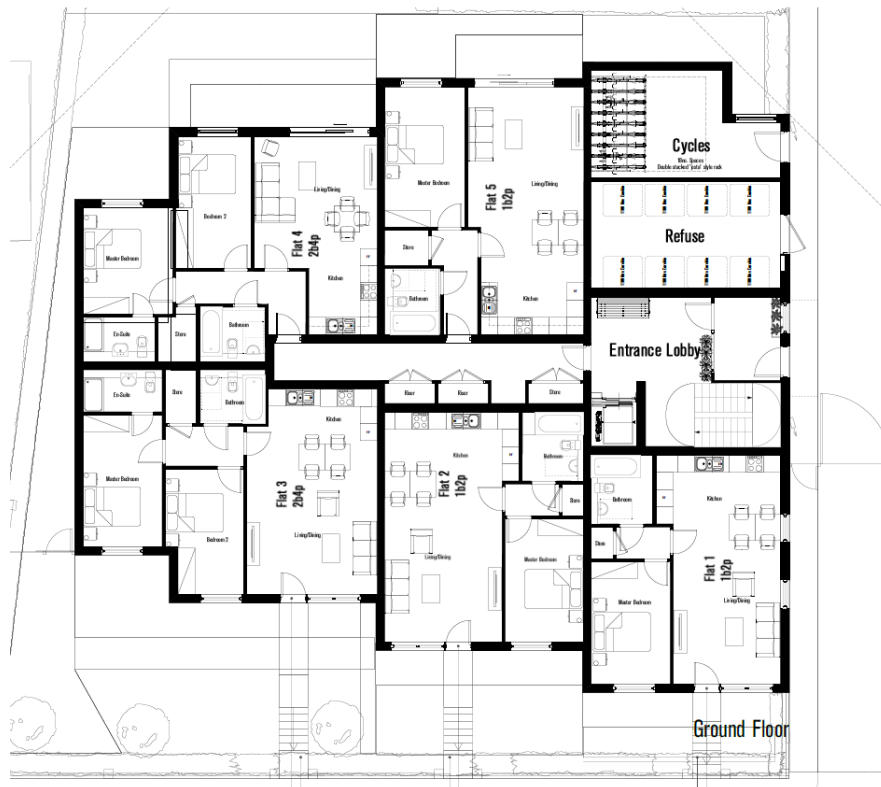


Proposed North Elevation



Proposed South Elevation





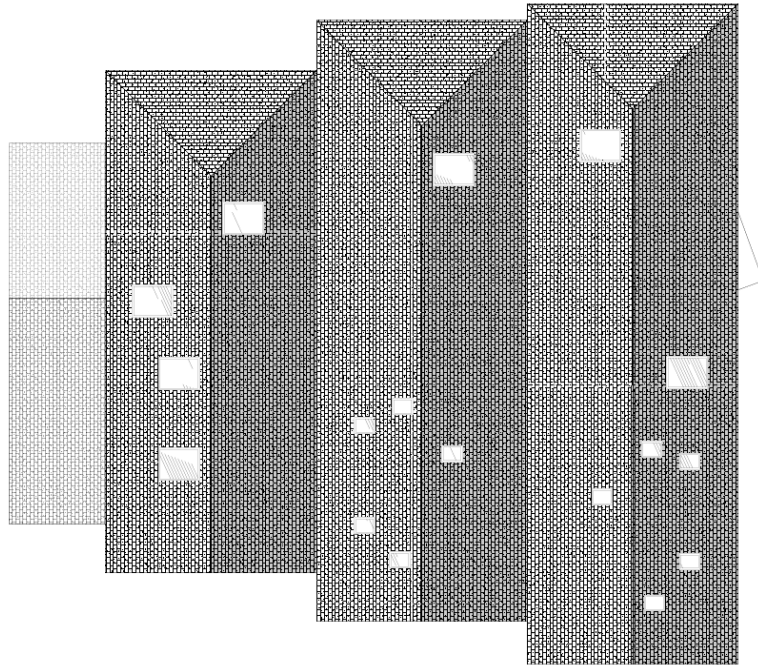
First Floor



Second Floor



Second Floor Mezzanine Level



Roof plan