

UPDATE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 1 st March 2023	ITEM NO.8
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Ward: Abbey

App No.: 221405

Address: Land at Battle Street, Reading

Proposal: Clearance and taking up of existing hardstanding and structures from the site, erection of seven buildings, up to four storeys in height, containing 49 affordable dwellings (Class C3 use), 13 supported living accommodation (Class C2 residential institution use), and older persons day centre (Class E(f)), and associated roadways, car parking, open space and other infrastructure.

Applicant: Reading Borough Council

Deadline: 21/12/2022

Extended Deadline: 30th April 2023

Planning Guarantee 26-week target: 22nd March 2023

RECOMMENDATION:

Delegate to the Assistant Director of Planning, Transport and Public Protection Services to i) **GRANT** full planning permission, subject to conditions and informatives and subject to the satisfactory completion of a Unilateral Undertaking (S.106).

OR ii) **Refuse** full planning permission if the legal agreement is not completed by 30th April 2023 (unless officers on behalf of the Assistant Director of Planning, Transport and Public Protection Services agree to a later date for completion of the legal agreement).

The Section 106 Legal Agreement to include the following heads of terms:

Affordable Housing

- To secure affordable housing consisting of 19 units (30% provision) on site, operated by Reading Borough Council, comprising 2 x 3 bed houses; 4 x 3 bed, 8 x 2 beds and 5 x 1 bed general needs housing. To be let at Social Rent levels as set out in the Council's Affordable Housing SPD, i.e. A rental level set by central government according to a formula (also known as formula rent).

Employment Skills and Training Plan

- Construction phase skills - preparation and delivery of an ESP or a financial contribution. To comply with Policy CC9 and the Employment, Skills and Training SPD. Contribution to be paid prior to commencement of development.

Zero Carbon Offset - All Dwellings

- Zero Carbon Offset as per SPD 2019 to provide 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-built SAP calculation for all dwellings to be submitted for approval within 6 months following first occupation.
- Contribution based on SPD formula below towards carbon-saving projects calculated for all dwellings based on approved SAP calculation to be paid to the Council within 9 months following first occupation:

TER CO2 m2/yr less 35% CO2 m2/yr) = 65% of TER
65% of TER x total square metres = total excess CO2 emissions annually
Total excess CO2 emissions annually x £1800 = S106 contribution.

- Payable prior to occupation of 52nd unit.

Transport -

- Applicant to enter into a S278 agreement in relation to the reconfiguration of the vehicular access on to Battle Street, relocation of buildouts on Battle Street, and new access on to James Street including closures of existing vehicular access points as may be required.
- A contribution of £5,000 towards Traffic Regulation Orders necessary to alter existing parking restrictions surrounding the site.

Open Space

- To secure an off-site Open Space contribution of £72,450, towards the improvement of facilities within Beresford Road Playground and/or public realm improvements on Oxford Road within the conservation area - payable before first occupation.

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.

AMENDMENTS TO CONDITIONS:

- 1) TL1 - 3 yrs.
- 2) AP1 - Approved Plans
- 3) M2 - Materials to be submitted and approved
- 4) C1 - Hours of Construction
- 5) C2 - Construction Method Statement to be submitted and approved
- 6) C4 - No Bonfires
- 7) ~~CO3 - Contamination assessment to be submitted and approved~~
- 8) ~~CO4 - Remediation scheme to be submitted and approved~~
- 7) CO5 - Remediation scheme to be implemented and verified
- 8) CO6 - Unidentified contamination
- 9) DC1 - Vehicle Parking as specified
- 10) DC3 - Vehicle Access as specified prior to occupation
- 11) DC6 - Cycle Parking to be provided as approved
- 12) DC7 - Refuse and Recycling to be approved/provided as approved (to be vermin proof)
- 13) Refuse Management Plan to be submitted and approved.
- 14) Visibility Splay free of obstructions
- 15) Vehicle accesses to be stopped up
- 16) Roads provided
- 17) Visibility Splays
- 18) Parking allocation plan
- 19) Parking permits - notification
- 20) Parking permits - no automatic entitlement
- 21) DE6- Provision of Electric Vehicle Charging Points

- 22) L10 - Habitat enhancement - Submission and approval of mitigation and enhancement to be installed and retained thereafter.
- 23) L2 - Hard and soft landscaping scheme (incorporating green roofs, sustainable drainage features, and retained visibility splay for Oxford Road frontage between proposed trees and existing highway sign))
- 24) L3 - Boundary treatments
- 25) L4 - Landscape Management Plan to be submitted and approved
- ~~26) Landscaping to be implemented in accordance with the approved plan~~
- ~~27) Green Roof in accordance with details~~
- ~~28) Green Roof maintenance plan – submission and approval~~
- 26) No removal of vegetation during bird nesting season
- 27) N10 - Noise Mitigation Scheme as specified (ventilation and glazing)
- 28) N2 - Mechanical Plant Noise Assessment to be submitted and approved (ASHP)
- 29) External lighting plan - to be submitted and approved
- 30) SU1 - SAP assessment (design stage)
- 31) SU2 - SAP assessment (as built)
- 32) SU7 - SUDS plan to be approved
- 33) SU8 - SUDS to be implemented
- 34) Accessible and adaptable dwellings to built in accordance with approve plans and remain so
- 35) Obscure glazing to bathrooms
- 36) Removal of permitted development rights for Block C and F
- 37) Designing out crime measures to be approved and implemented
- 38) Prior to occupation of block B a plan to show a clear visibility distance to the Highway sign (on Oxford Road) partially located within the site of 60 metres to be submitted to and approved in writing by the LPA. The clear visibility distance shall thereafter be kept free of all obstructions including trees and property boundaries.

INFORMATIVES TO INCLUDE:

- IF1 - Positive and Proactive
- IF5 - Terms and Conditions
- IF3 - Highways
- IF2 - Pre-Commencement Conditions
- IF4 - S106
- IF6 - Building Regulations
- IF7 - Complaints about Construction
- IF8 - Encroachment
- Contamination
- I10 - Noise between residential properties
- I11 - CIL
- I13 - Parking Permits
- Housing Act
- I29 - Access Construction
- Thames Water

1. ADDITIONAL INFORMATION

Contamination

- 1.1 Following the submission of a Contamination Remediation Strategy the Environmental Health Officer had some further queries with regard to the proposed clean cover system. The applicant confirmed that “A clean cover system in soft landscaped areas is deemed sufficient. A marker layer (Terram 1000 or similar) will be placed on top of the made ground (to break any

pathway of contaminants), prior to importation of 600 mm thick layer of clean cover (imported clean soil material). Only the imported clean soils will be sampled to verify they are clean and suitable for use and placed 600 mm thick. They will be imported, and we will have a complete chain of custody.” This, the Officer confirmed, is acceptable and conditions 7 and 8 in the main report are no longer required, as amended in the recommendation above (struck through).

Trees

- 1.2 The following amended plans were submitted, further to the original comments from the Natural Environment (Tree) Officer. There are further details required, but the Officer has confirmed that subject to conditions the scheme is considered acceptable from a tree and landscape perspective.

Amended Plans received 13th February 2023

- Drawing no: P05077-HCC-XX-DR-L-7101 Rev P02 - Hard Surfaces Plan
- Drawing no: P05077-HCC-XX-DR-L-7201 Rev P02 - Means of Enclosure and Furniture Plan
- Drawing no: P05077-HCC-XX-DR-L-7301 Rev P02 - Tree and Specimen Shrub Planting Plan
- Drawing no: P05077-HCC-XX-DR-L-7302 Rev P02 - Planting Plan
- Drawing no: P05077-HCC-XX-DR-L-7401 Rev P02 - Tree Pit Details
- Drawing no: P05077-HCC-XX-DR-L-7303 Rev P01 - Landscape Specification and Topsoil Requirements

SUDS

- 1.3 The applicant provided further details with regard to SUDS (Surface Water Calculations, received 24th February 2023) and the SUDS officer has confirmed that the rate of discharge is to be set at 2.5 l/s for all rain fall events and this is deemed acceptable.
- 1.4 The applicant has confirmed that the proposal would reduce surface water discharge from the site, and this is also deemed acceptable subject by the SUDS officer subject to the renumbered conditions 35-36 above.

Transport

- 1.5 A number of amended plans were submitted in response to issues raised by Transport. These include amendments to the pavement widths within the Mews; related fire and refuse tracking; further details of cycle storage layout; relocation of the build outs on Battle Street for refuse trucks to be within relevant proximity to the proposed centralised refuse store; and visibility to the existing road sign in the context of proposed trees on the Oxford Road frontage.
- E05077-ECH-XX-XX-SK-C-7102 Rev P05 - Fire Tracking, received 27th February 2023
 - E05077-ECH-XX-XX-SK-C-7101 Rev P04 - Refuse Tracking, received 24th February 2023
 - P05077-HCC-XX-DR-L-7602 Rev P01 - Site Measurements and Bin Collection, received 24th February 2023
- 1.6 Some further matters were raised by Transport with respect to the information provided in terms of the visibility splay for the existing Oxford Road sign. The applicant confirmed that the intention is to have a tree that is suitable and as large as a possible, whilst respecting highway constraints.

The Transport Officer (and the Natural Environment - tree Officer) confirmed that further details could be addressed by a suitably worded condition (incorporated as part of the landscape condition 23 above with respect to the trees and a new condition 38.). The Transport Officer also confirmed that the remainder of the submitted amended information has addressed issues raised and subject to conditions above is acceptable from a transport perspective.

Management of Different Users

- 1.7 RBC adult social care and the registered housing provider (also RBC) would manage the site and specifically the supported living element of the development would have staff in 24/7 attendance.

Matters Arising from Councillors' Site Visit

- 1.8 A site visit by Councillors was undertaken on Thursday 23rd February and this included visiting 4 Allison Court. A number of matters were raised during the site visit and the following seeks to address these.

Daylight/sunlight Impact Allison Court

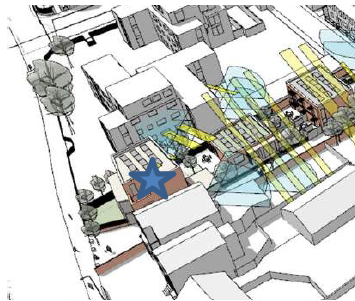
- 1.9 Further clarification was sought with regard to the impact on Flat 4 Allison Court with regard to daylight/ sunlight matters and potential overbearing from the proposed Block B (the southernmost proposed building).
- 1.10 Block B would be sited 9m from the side of Allison Court and the boundary is currently well screened with established trees and hedgerow. It would be a three-storey building sited further forward than Allison Court both to minimise impact on the existing flats and to accord with the adjacent building line.
- 1.11 The submitted Daylight / Sunlight Report demonstrates there would be an acceptable daylight impact on the amenities of Flat 4, Allison Court assessed against the Vertical Sky Component (VSC). The BRE target is a target of 27% or no more than a 20% reduction. For this flat the VSC would be as follows:

Window	Existing	With Proposed Development	Retained VSC
W2 - Living	34.02	33.66	0.99%
W3 - Living	33.69	26.70	0.79%
W4 - Kitchen	33.45	28.09	0.84%
W6 - Bedroom	30.36	26.63	0.88%
W7 - Bedroom	24.56	21.49	0.88%

- 1.12 This shows that there would be a very minor impact beyond guidelines for window W3, but that room is double aspect with the principal outlook and larger window to the south (W2). That larger window is unaffected by the development and would ensure adequate daylight to the room. The Daylight Distribution results show that all rooms would adhere to the BRE guidelines of percentage reduction. In terms of sunlight all windows would meet the BRE guideline sunlight levels.



Oxford Road (North)



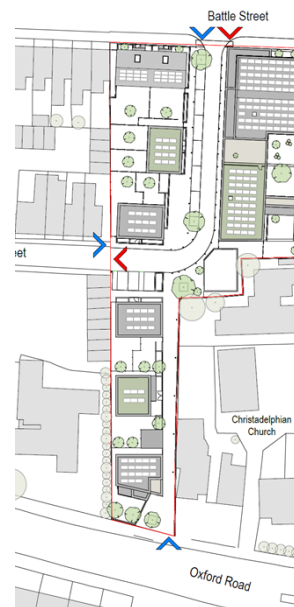
Block B Looking west towards Allison Court



Allison Court viewed from south (site to right)



View from GF Allison Court looking towards site



Proposed Site Plan Extract

- 1.13 It is not considered that the scale or proximity of Block B, as can be seen in the imagery and photos above, would be overbearing on Allison Court and it is considered that there would be an acceptable amenity impact.
- 1.14 There would be substantial gaps between the three blocks in the southern part of the site. Block C, which is also adjacent to Allison Court would be

single storey in height with a flat roof and would not therefore be considered to be overbearing.

- 1.15 In terms of the overall alignment of blocks north to south it was considered that the gap between the proposed development and adjacent buildings on Oxford Road to the east would be desirable in townscape terms, i.e. the gaps between the villas on Oxford Road is consistent with the gap between the proposed Oxford Road building and the existing buildings either side. At the Battle Street end of the development the proposed layout enables the continuation of the Battle Street and James Street blocks.
- 1.16 In addition, the proposed Mews is positioned to enable vehicle tracking to work from Battle Street to James Street. The Mews would allow a positive open space as visible from either the northern or southern end of the development and the siting of the pathway ensures that there would be defensible space adjacent to Allison Court. Finally, a straighter route would be more legible for users, thereby promoting permeability and would encourage better surveillance to align with secured by design benefits.

Block B Design

- 1.17 There was concern raised over the style of Block B within the Conservation Area and nearby listed buildings. The applicant has advised that the flat roof design was chosen so as not to detract from the gable form of the adjacent buildings to the east. The flat form is not unusual in the surrounding areas where other flat roofs and parapets are present. It is intended to be a contemporary building and as set out within the Heritage Statement *“The building form is simple, which is a key requirement of a sustainable Passivhaus design; however to fit into its context the form has been broken down and articulated to minimise the mass and impact on the neighbouring buildings in terms of views out and rights of light. As the building sits within the conservation area the design has been developed to respect the past, sit comfortably in the present and with its sustainable design, be fit for the future.”*

Battle Street

- 1.18 Concern was raised over the bulk and massing of the building on Battle Street. The image below shows the three-dimensional relationship of the buildings on either side of Battle Street.



- 1.19 It is a wide street which is considered capable of accommodating a larger building, which is considered to be of an appropriate scale within the overall

context. It would be set back from the pavement edge with landscaping to the front and aligning with the predominant building line.

Relationship to surrounding buildings

- 1.20 As set out within the main report in paras 6.56-6.72 and 6.83-6.84 there would be limited impacts on existing residents in terms of overbearing, daylight sunlight and loss of privacy. The image below identifies the distances between proposed and existing blocks, which it is considered has balanced the effective reuse of this urban site with maintaining sufficient amenity for surrounding residents.
- 1.21 As stated in paragraph 6.65 of the main report a minor adverse effect would include where only a small number of windows or limited area of open space would be affected; the loss of light would only marginally be outside of the BRE guidelines, and the affected room has other sources of skylight or sunlight. The submitted daylight and sunlight report was undertaken by a recognised company and has been independently reviewed for the Council by the BRE and there was no overriding or fundamental concern with the impacts of the proposal from a daylight and sunlight perspective. The BRE guidelines are one measure of the acceptability of a scheme and as an urban scheme the amenity impacts are considered proportionate and reasonable and especially when balanced against the significant benefits of the scheme.

Relationship of Blocks within Block A

- 1.22 The distance between the northern block facing Battle Street and the southern wing of Block A would be 14.5m. It is considered that this distance would be sufficient within the context of making effective use of the site, which would maximise the provision of affordable housing and social care provision, whilst maximising amenity space, and maintaining adequate amenity in the context of a higher density urban environment.

Railings/ Boundary Treatments

- 1.23 On the site visit it was established that some of the railings are of poor condition with some having been cut. Final boundary treatments would be secured via condition (24). The applicant has confirmed that should any boundary railings be retained these would be repaired.
- 1.24 The recommendation remains as within the original committee report subject to the amended conditions as above.

Case Officer: Alison Amoah