

01 November 2023



**Reading**  
Borough Council  
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<b>Title</b>	<b>PLANNING APPLICATION REPORT</b>
<b>Ward</b>	Battle
<b>Planning Application Reference:</b>	211626/FUL
<b>Site Address:</b>	Land to rear of 303-315 Oxford Road, Reading
<b>Proposed Development</b>	Demolition of existing garage block and car repair garage and erection of flatted development comprising 13 apartments and E(g) office building together with parking, access and associated works
<b>Applicant</b>	First Avenue Estates Limited
<b>Report author</b>	Ethne Humphreys - Senior Planning Officer
<b>Deadline:</b>	An extension of time has been agreed with the applicant until 15/12/2023
<b>Recommendation</b>	Delegate to the Assistant Director for Planning, Transport and Public Protection Services (AD PTPPS) to (i) GRANT full planning permission subject to the satisfactory completion of a Section 106 legal agreement or (ii) to REFUSE permission should the Section 106 legal agreement not be completed by the 15th of December 2023 (unless officers on behalf of the AD PTPPS agree to a later date for completion of the legal agreement).
<b>S106 Terms</b>	<p>To include:</p> <ol style="list-style-type: none"><li>1. To secure an <b>Affordable Housing contribution</b> of £57,518 towards the provision of Affordable Housing within the Borough of Reading. Payable prior to first occupation and index-linked from the date of permission. Together with a deferred payment mechanism (index-linked) to cover the remaining shortfall to include 50% side-by-side profit share on all profits over 19% profit on GDV up to a policy compliant cap equivalent to 30% provision.</li><li>2. To secure a <b>zero-carbon offset contribution</b> as per the Sustainable Design and Construction SPD 2019 to ensure the development provides a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a 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 the Sustainable Design and Construction SPD. Payable prior to commencement of development and would be index-linked.</li><li>3. To secure a construction phase <b>Employment and Skills Plan</b> (ESP) or equivalent financial contribution. As calculated in the Council's Employment Skills and Training SPD (2013) – plan to be provided/contribution payable (index linked) on commencement of the development.</li></ol>

	<p>Delegate to AD PTPPS to make such minor changes to the terms and details of the legal agreement as may be reasonably required to complete the agreement.</p>
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Time Limit – 3 years</li> <li>2. Approved plans</li> <li>3. Pre-commencement, barring demolition works, details of all external materials to be submitted and approved</li> <li>4. Pre-commencement Demolition and Construction Method Statement (including noise, dust, smoke and vermin control measures)</li> <li>5. Provision of vehicle parking as shown prior to first occupation</li> <li>6. Provision of vehicular access as shown prior to first occupation</li> <li>7. Provision of cycle parking as shown prior to first occupation</li> <li>8. Provision of roads and paths as shown prior to first occupation</li> <li>9. Visibility splays as specified prior to first occupation</li> <li>10. Provision of refuse and recycling storage facilities as shown prior to first occupation</li> <li>11. Existing accesses to be stopped up after new access is in use</li> <li>12. Pre-occupation submission and approval of EV Charging Point Scheme details to include timetable for provision.</li> <li>13. Submission and approval of contaminated land remediation scheme (pre-commencement including demolition)</li> <li>14. Pre-construction above foundation level contaminated land validation report</li> <li>15. Reporting of unexpected contamination at any time</li> <li>16. Hours of demolition/construction works</li> <li>17. No burning of materials or green waste on site</li> <li>18. Pre-occupation submission and approval of measures to prevent pests and vermin accessing bin stores</li> <li>19. Pre-commencement (barring demolition) submission and approval of noise mitigation scheme for dwellings</li> <li>20. Pre-commencement (including demolition) submission of arboricultural method statement and tree protection plan</li> <li>21. Pre-commencement, (barring demolition), submission and approval of all hard and soft landscaping details – provision in first available planting season after first occupation</li> <li>22. Pre-commencement, (barring demolition), submission of and approval of habitat/ecology enhancement measures to include a timetable for provision</li> <li>23. Protection of nesting birds</li> <li>24. Pre-commencement, (barring partial demolition works), submission and approval of Sustainable Drainage Strategy to integrate with tree planting and other landscaping.</li> <li>25. Implementation of approved SuDS to be completed prior to first occupation of any part of the development and managed and maintained as approved thereafter.</li> <li>26. Dwelling Mix restricted to 6 x 1-bed flats, 4 x 2-bed flats, 3 x 3-bed flats</li> <li>27. Pre-commencement submission and approval of external lighting details – no other lighting other than approved.</li> <li>28. Pre-commencement, (barring demolition) Security Strategy details to be submitted and approved</li> <li>29. SAP Assessment – Major – Design Stage</li> <li>30. SAP Assessment – Major – As Built</li> <li>31. No change of use to C4 HMO</li> <li>32. No other use of office within Class E</li> </ol>

	33. Details of PV and air source heat pumps to be submitted and approved including timetable for provision
<b>Informatives</b>	<ul style="list-style-type: none"> <li>• Terms and Conditions</li> <li>• Building Regulations</li> <li>• Pre-commencement Conditions</li> <li>• S106</li> <li>• CIL</li> <li>• Highways</li> <li>• Access Construction</li> <li>• Construction</li> <li>• Encroachment</li> <li>• Thames Water informative</li> <li>• Positive and Proactive</li> </ul>

## **1. Executive summary**

- 1.1. Planning permission is sought for the redevelopment of the site to provide 13 flats following demolition of existing garage block. The proposals also incorporate a small E(g) office, together with parking, access and landscaping.
- 1.2 The proposal would provide a residential scheme within land allocated for housing as defined by Policy WR3h of the Reading Borough Local Plan 2019. The proposals would be of an appropriate design, improving the character and appearance of the area, with no adverse harm to neighbouring properties and transport impacts and would be acceptable in terms of ecology, natural environment, sustainability and providing suitable accommodation for future occupiers.
- 1.3 Whilst the development would result in harm through failure to provide a Policy compliant level contribution towards Affordable Housing within the Borough, the benefits of the development, particularly the regeneration of the site, visual and environmental benefits discussed within this report, are considered to outweigh this identified harm.
- 1.4 The proposal is recommended for approval subject to completion of a S106 legal agreement and conditions as set out above.

## **2. Introduction and site description**

- 2.1 The application site is located to the rear of No's 303-315 Oxford Road and to the east of Western Elms Avenue. The site currently comprises a garage block and courtyards that are rundown in appearance. The garages are in the ownership of No.313 and 311 Oxford Road.



Site Location Plan (not to scale)



Photo of the site as existing

- 2.2. The surrounding area is mixed in character and appearance. This part of Oxford Road generally features commercial properties with flats above and Western Elms Avenue is largely residential, with a surgery on the corner of Oxford Road and Western Elms Road. Many of the properties along Western Elms Avenue are of Victoria age and design. There is a food supermarket to the east of the site and the Oxford Road Community Garden lies to the south east.
- 2.3. There are no listed buildings or any heritage assets on site, with none in the immediate vicinity either. The site is also located outside of any designated conservation area. The site is within the Air Quality Management Area.
- 2.4. The site is immediately on the boundary with the Oxford Road West District Centre.
- 2.5. The site is allocated in the Local Plan as site WR3h. The site allocation Policy states:

**WR3h REAR OF 303-315 OXFORD ROAD**

***Development for residential.***

***Development should:***

- ***Retain rear access for properties on Oxford Road;***
- ***Only take place as a comprehensive development rather than parts of the site;***
- ***Avoid adverse effects on trees protected by TPO;***
- ***Address air quality impacts on residential use;***
- ***Address noise impacts on residential use; and***
- ***Ensure appropriate back-to-back separation from existing residential.***

***Site size: 0.22 ha    14-20 dwellings***

- 2.6. The application is being considered at Planning Applications Committee as it is classified as a 'major' application which is recommended for approval by officers.

**3. The Proposal**

- 3.1. The application seeks full planning permission for demolition of the existing garages on site and redevelopment of the site to provide a residential building comprising 13 flats. The proposal also includes one small building for office use.

- 3.2 The 13 flats are proposed with the following unit mix:

- 6 x 1 bed flats
- 4 x 2 bed flats
- 3 x 3 bed flats

- 3.3 The existing private parking spaces currently provided on the site will be retained but relocated. 16 car parking spaces are proposed for the new development.

- 3.4 The proposals include 17 new trees and indicative soft landscaping.

- 3.5 Community Infrastructure Levy (CIL)

The applicant has duly completed a CIL liability form with the submission. Based upon the floor area of the proposed development the expected levy due would be £144,673 subject to further assessment and any reliefs or other discounts which may apply.

**4. Planning history**

- 4.1 140111/FUL Two storey detached dwelling following demolition of existing garages with access for future development. Withdrawn due to concerns raised including piecemeal development, poor design and impact on street scene – no frontage.

**5. Consultations**

***Statutory & Non-Statutory***

- 5.1 **RBC Transport** – No objection subject to conditions relating to construction method statement, vehicle and access as specified, details of cycle parking to be submitted and EV charging points.
- 5.2 **RBC Environmental Protection** – No objection subject to conditions relating to noise mitigation, contaminated land, noise and dust and pest control.
- 5.3 **RBC Ecology Consultant** – No objection subject to conditions relating to site clearance and ecological enhancements.
- 5.4 **RBC Natural Environment** – No objection subject to conditions relating to Arboricultural Method Statement and Tree Protection Plan and landscaping/tree planting details.

5.5 **Thames Valley Policy** – No objection, and welcome the proposal given the existing development creating significant crime and ASB demand on local policing teams. Suggest conditions relating to details of Secured By Design accreditation and external lighting.

5.6 **Lead Local Flood Authority** – No objection, subject to conditions to secure detailed design and implementation of drainage (SuDS) scheme.

*Public:*

5.7 Notification letters were sent to nearby occupiers, a site notice was displayed, and the application was advertised.

5.8 3 letters of representation have been received supporting the proposals:

- The site is identified as an area for housing development.
- The area needs investment.
- Current state of site a hotspot for crime (drug use, prostitution and ASB).
- Proposal will move the area in a positive direction.
- Proposal will be a huge improvement to the area aesthetically and socially.
- Removal of unsightly structures is welcomed.
- Approach of First Avenue Estates has been exceptional with good consultation with local residents.

## **6. Legal context**

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

6.2. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.3. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

### **National Planning Policy Framework (NPPF) 2023**

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

National Planning Policy Guidance (2014 onwards)

### **Reading Borough Local Plan 2019**

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change  
 CC4: Decentralised Energy  
 CC5: Waste Minimisation and Storage  
 CC6: Accessibility and the Intensity of Development  
 CC7: Design and the Public Realm  
 CC8: Safeguarding Amenity  
 CC9: Securing Infrastructure  
 EN7: Local Green Space and Public Open Space  
 EN12: Biodiversity and the Green Network  
 EN14: Trees, Hedges and Woodland  
 EN15: Air Quality  
 EN16: Pollution and Water Resources  
 EN18: Flooding and Drainage  
 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  
 WR3h: Rear of 303-315 Oxford Road

#### Reading Borough Council Supplementary Planning Documents

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

#### Other relevant documentation

Reading Borough Council Tree Strategy (2021)  
 Reading Biodiversity Action Plan (2021)

## **7. Appraisal**

### **7.1. The main considerations are:**

- Land Use Considerations
- Affordable Housing
- Density and Housing Mix
- Demolition and Design - Layout, Scale and Appearance
- Residential Amenity – Existing and Proposed
- Environmental Protection Matters
- Transport
- Natural Environment - Trees and Landscaping
- Ecology
- Sustainability, Energy, and Suds
- S106 Legal Agreement
- Other Matters & Equality

### **Land use considerations**

- 7.2** Policy CC1 (Presumption in favour of Sustainable Development) requires a positive approach to development proposals that reflect the presumption in favour of sustainable development, which lies at the heart of the National Planning Policy (NPPF). To achieve sustainable development a proposal needs to meet economic, social and environmental objectives. It is considered that a proposal for new housing would contributing to providing sufficient land for housing, a range of homes and would make effective use of land.

7.3 A key Government objective is to significantly boost the supply of new homes (Section 5 of the NPPF) and the local housing requirement as set out within Policy H1 (Provision of Housing) which confirms that there is a pressing need for additional housing in Reading and the surrounding area.

7.4 The wider principle of re-development of this site is established under Local Planning housing allocation Policy WR3h which allocates the site for residential development as follows:

**REAR OF 303-315 OXFORD ROAD**

*Development for residential.*

*Development should:*

- *Retain rear access for properties on Oxford Road;*
- *Only take place as a comprehensive development rather than parts of the site;*
- *Avoid adverse effects on trees protected by TPO;*
- *Address air quality impacts on residential use;*
- *Address noise impacts on residential use; and*
- *Ensure appropriate back-to-back separation from existing residential.*

*Site size: 0.22 ha 14-20 dwellings*

7.5 The proposed development is considered to meet the objectives of this policy, as will be demonstrated in more detail throughout this report.

7.6 Given the above, the principle of providing residential accommodation at the site is supported by the site allocation. The proposal is considered to represent a valuable development opportunity which can positively contribute to meeting the Borough's ongoing housing need.

**Affordable Housing**

7.7 Local Plan Policy H3 (Affordable Housing) requires development to make an appropriate contribution towards affordable housing to meet the needs of Reading Borough. For a development of this size, 30% of the total dwellings are expected to be provided as affordable housing. The policy does state that *"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."* The acceptability of the current proposals are therefore heavily dependent on a more detailed consideration of these matters.

7.8 The applicant submitted a viability assessment to justify a zero percent provision of affordable housing units or equivalent financial contribution. The NPPF and the Council's policies allow for viability considerations to reduce the provision but only in specific circumstances. Paragraph 58 of the NPPF 2021 states that *"The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force."*

7.9 The viability assessment has been reviewed by RBC Valuation and in summary, the viability position – a proposal of nil provision - was not agreed.

7.10 The need for general housing (i.e. not Affordable Housing) is a consideration. However, the Council has a healthy supply of housing overall in contrast to the significant undersupply of Affordable Housing in the Borough compared with identified need. As such, the provision of general housing would not outweigh the harm that would result in terms of failure to meet the critical need for Affordable Housing within Reading Borough and the associated need to provide for sustainable and inclusive mixed and balanced communities.



- 7.11 Officers have raised these matters with the applicant and have made it clear that the initial zero percent offer (the basis on which the current application was submitted) would result in such significant harm to meeting housing need and achieving mixed and balanced communities when weighed against the critical need for Affordable Housing that the application would not be recommended for approval on that basis.
- 7.12 A negotiated position has since been arrived at with a financial contribution of £57,518 agreed to be secured by section 106 legal agreement. This equates to 11.6% provision. In line with the Council's Policy and SPD position, the remaining 18.4% would be subject to a deferred payments mechanism, to capture any increased profitability for further investment into Affordable Housing elsewhere in the Borough. The heads of terms are set out in the recommendation at the head of the report.
- 7.13 The negotiated 11.6% is a significant improvement on the initial offer. However, it remains below the 30% required by Policy H3. The Council's Valuers have confirmed that in the time since the initial viability exercise was carried out, there have been undeniable increases in build costs and finance costs which affect not only this scheme but the wider market in general. In this respect, it is not the role of the LPA to insulate or insure developers against risk associated with fluctuations in the market.
- 7.14 However, it is recognised that there are difficulties in developing this specific site. The site itself is a complex land assembly, relying on a number of landowners to agree in order to facilitate the development. This is also reflected in the site allocation requirements and constraints of the site which require various areas of parking and access to be maintained for surrounding landowners which act as a limit on the developable area and add to the inherent cost of development. The Council's Valuers consider that in light of these constraints, the maximum justifiable housing contribution that the scheme can support is the negotiated £57,518. A deferred payment mechanism is also justified in accordance with the adopted Affordable Housing SPD to capture a higher contributions to Affordable Housing should the actual profitability improve from the current position.
- 7.15 As with all instances where a shortfall in affordable housing provision is identified, a degree of harm exists in terms of meeting housing need. This harm will need to be weighed against other material considerations, including the wider benefits of the scheme if the proposals are to be considered acceptable. The provision of part of the policy requirement (11.6%) should be given weight in the decision making, as should the proposed deferred payment mechanism. This is addressed within the overall planning balance at the end of this report.

### **Density and Housing Mix**

- 7.16 The NPPF seeks to '*boost significantly the supply of housing*' and deliver a wide range of homes, of different types and tenures. Achieving an efficient use of the land within the context of any central and sustainability located site is a key priority both at a national and local level. The NPPF states that LPAs should actively "*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*". In general terms, officers support those urban design principles which encourage an ambitious approach to density on such sites.
- 7.17 Policy H2 (Density and Mix) specifically considers density and mix and requires that an appropriate density of residential development is informed by the character and mix of uses of the area in which it is located and its current and future level of accessibility.

### ***Density***

- 7.18 The proposed development is for 13 units. This equates to 68 dwellings per hectare (ha) (13 dwellings on a 0.19 site). This is in line with the indicative density range of 60-120 un urban locations, set out in figure 4.5 of the Local Plan. The proposed 13 dwellings is slightly lower than the figure envisaged by the Site Allocation (14-20). However, the subtext to the Policy at paragraph 7.3.13 confirms that figures are intended as a guide and ultimately the capacity of sites will depend on various factors that need to be

addressed at application stage, including detailed design and layout. It further states that the fact that a site is allocated in WR3 does not preclude the need to comply with all other policies in the local plan. In this instance the site allocation requirement to provide replacement parking for the Oxford Road properties, together with the need to retain access rights to the Lidl supermarket, limits the amount of available space. Taking this into account, the density and is considered appropriate and acceptable, making an efficient use of the space/land.

#### *Housing Mix*

- 7.19 Local Plan Policy H2 (Density and Mix) states that wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6 of the Local Plan, in particular for family homes of three or more bedrooms. The policy states that this will be informed by character and mix of the area; accessibility; the need to achieve high quality design; maximise efficient of land; need to minimise the environmental impacts including detrimental impacts on the amenities of adjoining occupiers.
- 7.20 The proposal as originally submitted was for 7 x 1 bed and 6 x 2 bed units with no 3 bed units proposed. Further to discussions held during the course of the application, 3 x 3 bed units have been introduced into the scheme. When considered against the requirements of the Local Plan, the following proportions are calculated:

Units size	Proportion
1 bed units (6 units)	46.1%
2 bed units (4 units)	30.7%
3 bed units (3 units)	23%

Figure 1 – Proposed unit mix proportions

- 7.21 The proposal still falls short of the 50% policy aim of three bed units. Whilst the policy is focused on achieving a minimum of 50% of three bedroom flats, paragraph 4.4.9 makes clear that *‘when taken as a whole however, homes with two or more bedrooms, capable of accommodating families, represent the majority of the need, and this Plan identifies this provision as a priority’*.
- 7.22 The proposal provides a higher proportion of two and three bed units (54%) than smaller one bed units and the introduction of three x three bed units does offer a mix of unit sizes. As above, the site is complex. To adhere to the requirements of the Local Plan allocation, in practice there is limited space on the site for a larger building. Based on the characteristics, the need to make efficient use of the site, the proposed mix is considered acceptable in this instance and is recommended to be secured via condition.

#### **Demolition and Design – Layout, Scale and Appearance**

- 7.23 Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character. The policy places importance on the layout of the urban structure and urban grain, stipulating that development should respond positively to the local context and create safe and accessible environments. The policy requires a “high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located”.
- 7.24 Paragraph 130 of the NPPF 2021 details that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment.
- 7.25 The National Design Guidance identifies 10 key components for good design and of particular note is the characteristic of ‘Context’ and it states that “well designed new development responds positively to the features of the site itself and the surrounding

context beyond the site boundary. It should enhance positive qualities and improve negative ones.” Additionally, there is specific reference to ‘views inwards and outwards’.

#### *Demolition*

- 7.26 In relation to the demolition of the existing buildings at the site, these are not considered to be of any architectural merit to warrant their retention either individually or cumulatively. Indeed, they are rundown and somewhat unsightly in appearance and their loss would not result in any harm to the character and appearance of the area, providing they are replaced with buildings of high quality design. Demolition is, therefore, considered acceptable subject to the proposed replacement buildings being suitable in design and related matters detailed below.

#### *Layout and scale*

- 7.27 Whilst sited to the rear of 315 Oxford Road, the proposed replacement building would largely be seen within the Western Elms Avenue street scene context. The immediate surrounding area of which is characterised by large detached and semi detached houses set within relatively spacious plots and set back from the highway, resulting in open frontages with a verdant character. There is also an established building line along this part of Western Elms Avenue to the south of the site. Whilst the existing garages are forward of this building line – and whilst acknowledging their rundown appearance – their single storey nature means that they do not detract from the spaciousness of the character of the area.
- 7.28 The proposed replacement building would be forward of the established building line of Western Elms Avenue to the south. However, it would not project past the side of 315 Oxford Road to the north. It is recognised that the constraints of the site (and as required by the site allocation in respect of land ownership/legal rights of way and retaining parking provision) have necessitated the siting of the building towards the front of the site in order to realise the potential of this allocated housing site. Whilst forward of the building line, the building would remain 7 meters from Western Elms Avenue. Soft landscaping and tree planting is proposed along the frontage and this contribute towards and serve to maintain the established verdant character.
- 7.29 As above, the houses of Western Elms Avenue are large, generally of two and three storey height. The proposed building would be of three storey height and whilst greater in height than No.3 Western Elms Avenue, it would be comparable to other properties to the south (and west). Given the distance to No.3 and that the roof would be hipped away at this point, the proposed building is not considered to be excessively large in this context. Furthermore, the mass of the building is sufficiently set back from the Western Elms Avenue frontage to provide sufficient relief to the scale of the building. This approach is considered to suitably address the transition in scale from the predominantly two storey (with rooms in the roof space) of properties of Oxford road to the north and the two / three storey houses of Western Elms Avenue to the south (and west).
- 7.30 The proposed building to the rear of the site proving office unit would be small in scale, subservient to the host building – with materials to match - and would not appear overly prominent within the site or from views outside the site.
- 7.31 The proposed building, when seen from all nearby vantage points, is considered to acceptably respond to its context and the constraints of the site in terms of the layout and scale. The overall design of the development is considered to create a pleasant, unified scheme, with the proposal considered to provide a good balance between site density and an appropriate layout and landscaping.

#### *Appearance*

- 7.32 The proposal is generally reflective of the style of other properties in the surrounding area. The building would be largely finished in red brick to match adjacent properties, with contrasting brick detailing to windows and quoins and horizontal banding to add

visual interest. The dormer windows would be small scale, set comfortably within the roof slopes.

- 7.33 As discussed further below, the proposals include soft landscaping and tree planting which is considered to significantly improve the overall character of the site and would help to improve the visual amenities of the site itself and the wider area.

- 7.34 In overall terms, the proposed scheme is considered to represent good quality design that will enhance the character and appearance of the area, and which will successfully integrate into the surrounding area. The proposed scale of the new building would sit comfortably within the surrounding context and the palette of materials would be appropriate. However, to ensure the design quality, it is considered reasonable and appropriate to secure further details of all external materials which will be secured via condition, to guarantee the design quality of the scheme. In accordance with Policy CC7.

#### **Residential Amenity – Existing and Proposed**

- 7.35 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.

#### *Impact on neighbouring amenity*

- 7.36 Given the layout and separation distances to neighbouring properties, the proposals are not considered to result in any loss of light or overbearing effects.

- 7.37 Upper floor windows are proposed on the north flank elevation facing towards the properties of Oxford Road. There would be a distance of approximately 12m to the rear boundary of No's 311, 313 and 315 Oxford Road, and approximately 18m to the closest rear elevation of 313 Oxford Road. This is considered sufficient so as not to result in any material loss of privacy, also noting the urban setting. Similarly, upper floors windows are proposed on the south flank elevation facing towards No.3 Western Elms Avenue. Given the distance of approximately 12m to No.3 Western Avenue no material loss of privacy is considered to arise. The small office to the rear of the site is not considered to result in any overbearing effects to any neighbouring property given its scale and location.

- 7.38 The removal of the existing garage use of the site itself is likely to be beneficial to the amenity of existing nearby occupiers in terms of removal of a source of potential noise and disturbance, as well as anti-social behaviour.

#### *Amenity of future occupiers*

- 7.39 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. 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.”*

- 7.40 All units would meet the nationally described space standards (as outlined in Policy H5) for the type of unit/number of bedrooms and the internal layout of the proposed units are arranged so as to create a suitable standard of living accommodation for future occupiers. It is considered that all dwellings would have good levels of outlook and daylight.

- 7.41 All units would feature a balcony and would have access to the communal garden area at the rear of the site. Owing to the physical constraints of the site, the accessible location and access to nearby public amenities including the nearby Oxford Road Community Garden, the amenity space proposed is considered acceptable.

### *Crime Prevention*

- 7.42 A number of suggestions have been received from the Thames Valley Policy Crime Prevention Design Advisor relating to security on site. These elements are considered necessary and reasonable and are recommended to be secured via conditions.

### **Environmental Protection Matters**

#### *Air Quality*

- 7.43 Policy EN15 (Air Quality) requires developments to have regard to the need to improve air quality and reduce the effects of poor air quality.
- 7.44 The site is located within an Air Quality Management Area (AQMA) and an Air Quality Assessment has been submitted. This has been reviewed by the Council's Environmental Protection officer who agrees with the conclusions that pollutant levels will not be above the limit values and therefore no mitigation is required. The assessment also concludes that traffic generation is unlikely to lead to increased pollutants which the Environmental Protection Officer also agrees with, confirming no mitigation is required.

#### *Noise*

- 7.45 Policy EN16 (Pollution and Water Resources) states that proposals for development that are sensitive to the effects of noise or light pollution will only be permitted in areas where they will not be subject to high levels of such pollution, unless adequate mitigation measures are provided to minimise the impact of such pollution.
- 7.46 A Noise Assessment has been submitted with the application. The Council's Environmental Protection officer agrees with the conclusion that the recommendation standard for internal noise can be met, if the recommendations from the assessment are incorporated into the design. This will be secured via condition.

#### *Contaminated land*

- 7.47 Policy EN16 (Pollution and Water Resources) required that developments on land affected by contamination can be satisfactorily managed or remediated against so that it is suitable for the proposed use.
- 7.48 A contaminated land investigation report has been submitted with the application. The Council's Environmental Protection officer recommends the standard four-stage conditions to ensure that the possible presence of contamination is thoroughly investigated and removed/mitigated if necessary (3 of the conditions are pre-commencement).
- 7.49 Conditions are also recommended to secure submission and approval of a construction method statement to ensure existing occupiers are not adversely impact upon by construction noise and dust, while further conditions are proposed to control construction hours and to prevent burning of construction waste on site.

### **Transport**

- 7.50 Policies TR3 (Access, Traffic and Highway related matters), TR1 (Achieving the Transport Strategy) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development. The Parking Standards and Design SPD sets out guidance in respect of parking provision.

#### *Access*

- 7.51 Access into the site will be from Western Elms Avenue, with an access road that provides 2-way traffic movement and a footway on the north side. A secondary access point is provide to the newly proposed garages associated with the properties No's 311 and 313

Oxford Road. The Council's Transport officer has confirmed that this arrangement, and visibility splays shown, is acceptable.

#### *Parking*

- 7.52 The site is located within Zone 2, Primary Core Area, of the Council's adopted Parking Standards and Design SPD. In accordance with the adopted SPD, the development would be required to provide a parking provision of 15 spaces (1 per flat plus 2 visitor spaces). The proposed site layout shows the provision of 15 spaces which complies with the maximum parking requirement. The parking requirement for the office accommodation within the SPD is 1 space per 100m<sup>2</sup>. This equates to 1no. space which is provided in the undercroft parking area.
- 7.53 The development makes provision for the displaced parking spaces associated with no. 307, 311 and 313 Oxford Road, and vehicular access to 305 Oxford Road and which the Council's Transport officer has confirmed is acceptable.
- 7.54 To meet the Policy TR5 requirements, the proposals include the provision of 2 electric vehicle charging points which is acceptable and will be secured via condition.
- 7.55 The development site is located within close proximity to roads that are part of the Council's CPZ where a resident's permit scheme operates. Under the Borough's current parking standards, this proposal would generate additional pressure for parking in the area. Therefore, if this application is approved there should be an assumption that any future occupants of the proposed dwellings will not be issued with residents or visitor parking permits which should be covered by condition and an informative applied. 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.

#### *Cycle storage*

- 7.56 In accordance with the Council's Revised Parking Standards and Design SPD, the development is required to provide 0.5 cycle parking space per dwelling, equating to 7 spaces. Cycle storage is to be located in a designated store adjacent to the undercroft parking spaces at the rear of the site. The proposed location is acceptable; however, we require detailed plans confirming that the cycle parking provision meets the Council's adopted standards in terms of layout. Transport officers are satisfied that this can be dealt with via condition.

#### *Refuse*

- 7.57 Refuse storage will be provided in a separate building that will adjoin the main building which is located within 10m of the public highway to enable on-street servicing to occur from Western Elms Avenue which is acceptable.

#### *Construction*

- 7.58 A condition requiring a Construction Method Statement (CMS) will be attached to any approval, requiring submission and approval before any works commence on-site to regulate the amenity effects of construction and to ensure that appropriate mitigation measures are put in place.

#### **Natural Environment - Trees and Landscaping**

- 7.59 Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposal should include appropriate landscaping. Proposals should demonstrate an appropriate level of greening and/or net gain in the tree number. The site is located within an AQMA where tree planting and the retention of larger canopy species trees is of great importance. Furthermore, this area of Reading is identified as having less than 10% tree cover in the Council's Tree Strategy. The Council therefore has a commitment to protect and enhance the tree coverage in this

area and requires new development to make a positive and sustainable contribution to the area lacking tree cover.

- 7.60 Mature street trees on the western side of Western Elms Avenue and soft landscaping and hedging within the front gardens on both sides of the road also contribute to the green and leafy character of the Avenue.
- 7.61 The scheme originally proposed 6 new trees. As part of discussions with the applicant during the course of the application, the proposed planting has been increased (or improved) to 17 new trees which is positive. The proposals, incorporating 6 trees along the site frontage with green hedges running between is considered a positive aspect that would assist in enhancing and soften the appearance of the site. The trees and hedges along the front of the site would also assist in integrating the site with the tree lined Western Elms Avenue.
- 7.62 The Council's Natural Environment officer has confirmed that retained trees on site can be suitably protected during development and an Arboricultural Method Statement will be secured via condition in this respect.

### **Ecology**

- 7.63 Policy EN12 (Biodiversity and the Green Network) seeks that development should not result in a net loss of biodiversity and should provide for a net gain of biodiversity wherever possible by protecting, enhancing and incorporating features of biodiversity on and adjacent to development sites and by providing new tree planting and wildlife friendly landscaping and ecological enhancements wherever practicable.
- 7.64 The proposal is accompanied by an ecological survey which the Council's Ecologist has confirmed has been undertaken to an appropriate standard. Furthermore, the Council's Ecologist agrees with the overall conclusion, that there would be no impact on bats or other priority habitats. Nevertheless, the vegetation and buildings on site could support nesting birds. As such works could potentially affect nesting birds and a condition is recommended to ensure that demolition takes place outside of the bird nesting season.

### *Reptiles and Amphibians*

- 7.65 To the south east of the site there is a community garden which has a pond near the entrance, approximately 20m from the site. whilst the site is located in a predominantly urban area and is surrounded by houses and roads/railways which provide limited connectivity to other ponds. As such, the conclusion that Greater Crested Newts are not present on the site may well be appropriate; however, given that there are amphibians in nearby pond and the site has the potential to support reptiles and offers (some small areas of) suitable habitat for reptiles, precautions should be taken during site clearance to ensure no animals are harmed during construction. This will be secured via condition.

### *Hedgehogs*

- 7.66 The habitats on site could potentially support hedgehogs which are a priority species. Given the presence of grassland and other suitable habitat in the form of residential gardens/community garden in the area it is likely that the site may be used for foraging. As above, careful clearance of the site should take place which will be secured via condition.

### *Other protected species (badger, otter, water vole)*

- 7.67 The site is of limited value to badgers, otters, water voles etc and no evidence of these species were recorded during the ecological survey.

### *Biodiversity Enhancements*

- 7.68 Further to the above, several conditions are recommended to ensure that the proposals will provide landscaping details and the installation of bird and bat boxes is carried out to ensure adequate biodiversity and ecological enhancements on the site.

### **Sustainability, Energy, and SuDS**

- 7.69 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. Policy CC4 (Decentralised Energy) seeks that developments of more than 20 dwellings should consider the inclusion of combined heat and power plant (CHP) or other form of decentralised energy provision.
- 7.70 Policy H5 (Standards for New Housing) and the Council's Sustainable Design and Construction SPD (2019) identify that, as a minimum, new dwellings should achieve 35% improvement in regulated emissions over the Target Emissions Rate (TER) in the 2013 Building Regulations, with financial contribution required to off-set any remaining carbon emissions to zero.
- 7.71 Policy EN18 (Flooding and Sustainable Drainage Systems) requires development to be directed to areas at lowest risk of flooding and to incorporate sustainable drainage systems as appropriate.
- 7.72 The applicant has submitted an energy and sustainability report as part of the application which follows the relevant policies and Sustainable Design and Construction SPD guidance applying the recognised energy hierarchy of 'be lean', 'be clean' and 'be green'.
- 7.73 The information submitted demonstrates that through a variety of measures outlined in the energy strategy, the 35% improvement above Building Regulations Part L compliant baseline is achievable at the minimum. In terms of decentralised energy, there are no heat networks that extend near the site; however, roof mounted photo voltaic panels can be incorporated as well as air source heat pumps which positively support the development in achieving the above energy improvement below Building Regulations. Details of these measures are to be secured via condition.
- 7.74 The remaining 65% (or less) to achieve zero carbon performance would be offset by a financial contribution in accordance with the methodology outlined in the Sustainable Design and Construction SPD to be secured via s106 legal agreement. This money would be ring-fenced for carbon saving, energy efficiency and renewable projects in Reading.
- 7.75 Officers are satisfied that the proposals demonstrate a good standard of energy sustainability and, subject to conditions, the development accords with relevant policy in this regard.
- 7.76 In terms of surface water flooding and sustainable drainage (SuDS) a flood risk assessment has been submitted in support of the application. The FRA provides acceptable details in respect of flood risk – and noting the site is within Flood Zone 1 which is at the lowest risk of flooding. A drainage report was submitted during the course of the application, detailing the introduction of a soakaway. The Council's Local Lead Flood Authority Officer has confirmed that this is acceptable in principle. However, as the drainage design is indicative, the detailed design will be secured by way of condition. Implementation of the development in accordance with the approved SuDS strategy is also recommended to be secured by condition.

### **S106 Legal Agreement**

- 7.77 The vast majority of elements to be secured via s106 legal agreement, as per the Recommendation at the outset of this report, have already been detailed in earlier sections of this report. One matter not explicitly referenced is the requirement to secure an Employment and Skills Plan (ESP) for the Construction phases of the development. This is required in line with Policy CC9 (Securing Infrastructure) and the Employment, Skills and Training SPD. It is not yet known whether this will take the form of an actual ESP to be progressed by them on site, or payment of an equivalent financial contribution, as per the SPD formula. The legal agreement will be worded flexibly to enable either eventuality.



- 7.78 It is considered that the obligations referred to in the Recommendation would comply with the National Planning Policy Framework 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. These Head of Terms has been agreed by the applicant and a S106 Legal Agreement is in the process of being prepared to secure this contribution.

## **8. Equality implications**

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

## **9. Conclusion & Planning Balance**

- 9.1 As with all applications for planning permission, the application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above.
- 9.3 Having gone through this process, there is an element of harm in terms of the failure to meet identified housing need due to the shortfall in Affordable Housing proposed (11.6% instead of 30%). The provision of an (albeit lesser) amount of affordable housing contribution should nevertheless be given some weight, as should the safeguards offered by deferred payment mechanisms in the even that profitability increases.
- 9.4 The proposed housing mix is also not fully compliant with the aims of Policy H2 (Density and Mix). The proposal does provide, however, a higher proportion of larger (2 and 3 bed) units than smaller (1 bed) units and the provision of family-sized three bedroom dwellings is nevertheless a benefit which should be afforded weight in the overall decision.
- 9.5 In terms of the benefits, the proposal would provide a residential scheme on land allocated for housing within the Local Plan. The loss of the existing garage use has been justified and the provision of 13 residential units would assist the Borough in meeting its annual and plan period housing targets.
- 9.6 In design terms, the proposal is considered to improve the character and appearance of the site and wider area. On-site tree planting, biodiversity measures and landscaped areas will provide visual and environmental benefits to the immediate area, improving the ecology of the site. The proposal is considered to make an effective and efficient use of the land in a sustainable location.
- 9.7 As has been confirmed by Thames Valley Police, the existing site is problematic, being used for undesirable activities. It is anticipated that redevelopment of the site will reduce the amount of crime and antisocial behaviour seen in this area.

9.8 On balance, it is considered that in this particular instance and based on the specifics of the case the harm arising from the shortfall in Affordable Housing is outweighed by the overall benefits and that planning permission should be granted on that basis, subject to the recommended conditions and completion of a S106 Legal Agreement as set out in the recommendation at the head of this report.

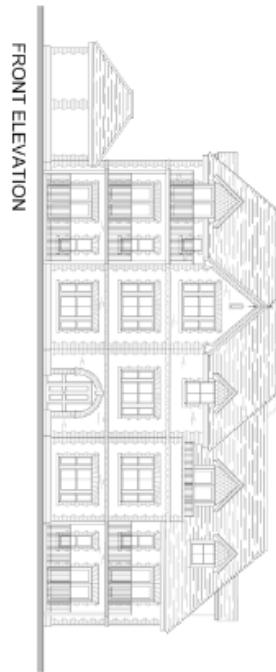
Proposed Plans shown below:



Proposed Site Plan



Proposed Street Scene

[illegible]

### Proposed Elevations



Proposed Schedule of Accommodation				
Plan No	Bed	Balance <sup>1</sup> Therapy m <sup>2</sup>	GA m <sup>2</sup>	GA m <sup>2</sup>
Plan 1	2 BED	6.6	01.6	06.9
Plan 2	1 BED	6	2.7	4.27
Plan 3	1 BED	4.7	39.3	4.23
Plan 4	1 BED	6	41.2	4.43
Plan 5	2 BED	6.6	51.6	5.63
Plan 6	2 BED	6.6	51.6	5.63
Plan 7	1 BED	6	39.7	4.27
Plan 8	1 BED	4.7	39.3	4.23
Plan 9	1 BED	6	41.2	4.43
Plan 10	2 BED	6.6	61.3	6.69
Plan 11	2 BED	6.6	61.3	6.69
Plan 12	3 BED	10.7	80.8	8.93
Plan 13	3 BED	6.6	24.0	7.96
Subtotal			<b>721.8</b>	<b>779</b>
Office			55.0	59.2
Total			<b>776.9</b>	<b>838.2</b>

