

26 June 2024



Reading
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Title	PLANNING AND LISTED BUILDING CONSENT APPLICATION UPDATE REPORT (TO BE READ IN CONJUNCTION WITH THE MAIN REPORT DATED 29TH MAY 2024)
Ward	Abbey
Planning / Listed Building Application Reference:	A) 230626/FUL B) 230627/LBC
Site Address:	13-16 Market Place, Reading, RG1 2EG
Proposed Development	A) Change of use of upper floors of No's 13-16 Market Place to 4 residential units and erection of 2-storey extension creating access from No's 11-12 Market Place. Demolition of existing rear additions and erection of a 4/5-storey building to create 11 residential units accessed from the rear, with Class E use at basement and ground floor and various associated works. B) Various internal and external works associated with the change of use of upper floors of No's 13-16 Market Place to 4 residential units and erection of 2-storey extension creating access from No's 11-12 Market Place. Demolition of existing rear additions and erection of a 4/5- storey building to create 11 residential units accessed from the rear, with Class E use at basement and ground floor.
Applicant	Eurospeak Academy Ltd
Report author	Jonathan Markwell, Principal Planning Officer
Deadline:	A) Originally 28/09/2023, but extensions of time for the determination of the application have subsequently been agreed until 17/07/2024 B) Originally 24/08/2023, but extensions of time for the determination of the application have subsequently been agreed until 14/07/2024
Recommendations	As in the main report, barring the additions verbally reported at the 29 th May committee (marked in bold below) and the revised deadline for completion of the legal agreement: A) 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 and delegate to the AD PTPPS to make such minor changes to the conditions, Heads of Terms and details of the legal agreement as may be reasonably required to issue the permission , and subject to conditions or (ii) to REFUSE permission should the Section 106 legal agreement not be completed by the 17th July 2024 (unless officers on behalf of the AD PTPPS agree to a later date for completion of the legal agreement).

	B) Grant listed building consent, subject to conditions and delegate to the AD PTPPS to make such minor changes to the conditions, as may be reasonably required to issue the consent
S106 Terms	As in the main report
Conditions	As in the main report
Informatives	As in the main report

1. Executive summary

- 1.1 This report provides an officer response to the various concerns raised when this application was reported to your previous meeting on 29th May, where it was decided to defer a decision to allow fuller consideration of the below matters.
- 1.2 The officer recommendation remains to grant full planning permission, subject to conditions and the satisfactory completion of the s106 agreement. Listed building consent is recommended to be granted subject to conditions.

2. Introduction

- 2.1. This item was considered at the Planning Applications Committee meeting on 29th May 2024. The decision was deferred by the committee to enable officers to clarify a number of questions raised by members. Accordingly, officers have provided responses below, where appropriate, to the matters raised.

3. Officer responses to matters raised by members

Reasons for Registered Providers (RPs) not taking up on/off-site affordable housing options

- 3.1. Members firstly requested more information regarding the background as to why registered providers (RPs) were not interested in potentially bringing forward a small number of on-site affordable housing units, or off-site on the neighbouring site also owned by the applicant.
- 3.2. Further to section 5.7 and paragraphs 7.7 – 7.11 of the main report, below is a summary of the RP's email responses after being contacted by the applicant:

<i>Name of Registered Provider</i>	<i>Reasons given for a lack of interest</i>
<i>Home Group</i>	<ul style="list-style-type: none"> • <i>Number of units involved is too small</i> • <i>Reading now outside their new focus areas</i>
<i>Metropolitan Thames Valley (MTVH)</i>	<ul style="list-style-type: none"> • <i>Number of units involved is too small</i>
<i>Paragon Asra (PA Housing)</i>	<ul style="list-style-type: none"> • <i>Number of units involved is too small</i> • <i>Location is not suitable</i>

- 3.3. Accordingly, it is clear that for these RPs the small number of units involved in this case (a policy compliant provision would amount to 4.5 units) preclude them from showing interest in this instance.
- 3.4. In terms of RBC Housing's position (in its role as an RP), the following has been confirmed:

RBC Housing Service, in its role as social landlord, is open to purchasing S106 homes and reviews each opportunity on its merits. At this time purchases are limited to

homes where the Council is able to buy the freehold rather than become leasehold to a third party.

3.5. This is why, within the context of the 15 residential unit proposals at the application site and the 17 existing residential units at the neighbouring site being owned by the applicant and theoretically be available as leasehold, the Council is not pursuing purchasing a small number of these units.

3.6. In addition, the applicant's agent has reflected on the discussions at committee on 29th May and provided the following commentary in response:

"The viability on this specific site would not allow us to increase the number of affordable homes to the point where the main developing RPs in the area are willing to take on stock.

Whilst the applicant does own separate assets, those assets also have their own financial constraints that create limitations for on-site affordable housing, or for increased affordable housing (which have already been agreed with the Council).

Registered Providers across the sector are at present very limited in acquiring new homes, focussing their resources on meeting building safety and energy efficiency requirements.

We will be interested to hear if the Council has been able to identify an RP that is able to proceed on a smaller number of homes, albeit that the viability for the site does not allow an increased affordable housing offer".

3.7. Based on the above, it is clear that the applicant's standpoint is that the viability position prevents the provision of on-site or off-site affordable housing in this instance, which Policy H3 (Affordable Housing) accounts for. This is considered to have been suitably evidenced, following an independent review on behalf of officers. Hence, in accordance with policy, a partial payment-in-lieu commuted sum has been negotiated, with this supplemented by a late-stage viability review to ascertain a possible Deferred Affordable Housing Contribution Mechanism calculation.

Additional clarity regarding the provision/collection of refuse – in particular, regarding the effectively management of collection arrangements

3.8. Further to paragraphs 5.8.1 and 7.26 of the main report, it is clarified that the amount of refuse storage shown on the proposed plan is sufficient for the proposed development. Hence, a compliance condition will secure this in practice. The exact wording of this condition is proposed to be:

29. Prior to the first occupation of any residential unit in the development hereby approved, the refuse and recycling storage facilities shall be implemented fully in accordance with those details shown on approved plan 21/16/71G - Ground and Basement Floor Plans, as received 09/05/2024 and thereafter be retained for use by occupiers of the dwelling/building at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policies CC5 and CC7 of the Reading Borough Local Plan 2019.

3.9. In terms of the collection arrangements, a waste management plan is proposed to be secured too, with the full wording of the condition being:

30. Prior to the first occupation of the relevant part of the development hereby approved, details of how refuse and recycling collections for a) the residential units; b) any commercial unit, will be managed from the site (including vehicles, servicing and deliveries), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter refuse collection, servicing and deliveries will be carried out fully in accordance with the approved details.

Reason: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policies CC7, TR3 and CR6 of the Reading Local Plan 2019.

- 3.10. These conditions are recommended as being suitable and, moreover, it is not considered necessary or reasonable in this instance for details to be submitted / approved at application stage, especially in terms of the commercial collections, as that strategy will be likely to be dependent upon the exact requirements of the future operator. Notwithstanding this, the applicant's agent, mindful of the discussion at the 29th May committee meeting, has confirmed the following:

"We had a meeting with... waste services last year where the refuse arrangement was agreed to be the same as 12a Market Place. The management company would present the bins at the drop off location first thing on the morning of the collection, and they would be collected and returned to the bin store following the refuse collection".

- 3.11. The correspondence with Waste Services referenced from last year is clarified to be dated from 20th November 2023, with Waste Services confirming the following statement by the applicant's agent at that time to be correct:

"To confirm it was agreed that the residential refuse bins will be brought out to the area adjacent to the barrier on collection day and will be taken back into the refuse store once the bins have been emptied by the management team. This is the same situation as 12a Market Place and will allow for easier access for collection, and reducing the need of the refuse vehicle to enter the service yard".

- 3.12. It is considered that this information indicates a suitable in-principle strategy in these regards, with the precise and fuller details being formally secured via condition.
- 3.13. In addition, it is also noted that, as an update to paragraph 4.9 of the main report, the separate application at the neighbouring 11-12 Market Place for altered cycle and waste storage areas was granted on 20th May 2024. Conditions 4 and 5 of that permission effectively correspond with those referenced above, to ensure a joined-up approach is being followed in these respects in the wider area.

Additional clarity regarding the management of the proposed green roofs.

- 3.14. Further to paragraphs 5.3.1, 5.4.2 and 7.37 of the main report, it is advised that the management details associated with the proposed green roof is recommended to be secured as part of the landscaping condition. The exact wording of this condition is proposed to be:

Prior to the first occupation of any residential unit hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, details of the planted screen and areas of green roof, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Hard surfaced areas shall be carried out in accordance with the approved details prior to the first occupation of any residential units and be retained as approved at all times thereafter. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the building or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees, plants or areas of green roof which, within a period of 5 years from the date of planting, die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policies CC7 and CR2 of the Reading Borough Local Plan 2019.

- 3.15. This condition will suitably secure the details associated with the green roof. It is not considered that there are any particularly unusual component parts of the proposals which would necessitate such details being required to be secured and approved prior to a decision of this application, subject to the recommended condition. Notwithstanding this, the applicant, mindful of the discussion at the 29th May committee meeting, has made the following comments:

“The green roof system has not been finalised, it is likely due to the fire regulations will be an extensive roof with a deeper substrate and with a watering system. The planted layer will be either a seeded native wildflower mix or a sedum roof. I have attached the product data for both for information”.

- 3.16. Specification details for the two possible options for the green roof are included below at Appendix 1. Precise details regarding the maintenance and management of the green roofs are not specified here, with this instead secured via the condition whereby a selected system will have been presented for assessment. It is considered that this information indicates a suitable in-principle strategy in these regards, with the precise details being secured via condition.

Question as to whether Reading DRP comments could be incorporated within an altered condition

- 3.17. Clarity was sought regarding the comments at the final bullet point of paragraph 5.6.1 of the main report, and whether the detailed design improvements could be incorporated within a modified condition to assist the design quality of the scheme. It is clarified that these comments were at pre-application stage (see Figure 7) and were incorporated within the proposals at application stage, as seen elsewhere in the main report. Accordingly, there is considered to be no need for the condition to be modified.

Interaction between a s106 obligation and how this may contradict the proposed housing mix

- 3.18. Clarity was sought in relation to the interaction between the s106 obligation referenced at paragraph 7.10 of the main report (affordable housing applying on a cumulative basis in case of future further applications at the site) and how this may contradict the intention of the proposed housing mix (paragraph 7.13 and condition 9). This was particularly queried in terms of the potential for the welcome 3-bed unit being lost through a future s73 application.

- 3.19. It is clarified that both component parts are entirely separate and do not contradict one another, with each acting as a safeguard and means of actively managing the development. More specifically, the s106 obligation protects the Council should the affordable housing policy be sought to be circumnavigated in due course (as paragraph 7.10 of the main report explains). The mix control condition will ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policy H2 of the Reading Borough Local Plan 2019. There is limited scope for the 3-bed unit to be removed from the scheme through a section 73 (variation of condition) application, as this would be likely to change the operative part of the permission. More specifically, the number of residential units would be likely to change in the description of development, thereby precluding this being possible through a section 73 application (as clarified by paragraph 013 of planning practice guidance on Flexible Options for Planning Permission). Instead, a full application would be likely to be required.

4. Conclusion, including the overall planning balance

- 4.1. This remains unchanged from section 9 of the main agenda report. It is considered that the above satisfactorily responds to all matters raised by members.

Appendix 1: Specification details associated with two possible green roof options (as provided by the applicant subsequent to the committee meeting on 29th May 2024.

System summary



BauderGREEN – extensive green roof

Seeded native wildflower system

The BauderGREEN seeded system uses Bauder’s flora seed mixes to establish the vegetation on a green roof. Bauder have 5 different native wildflower mixes giving various habitat creation options which are significantly cheaper and easier to install than a vegetation blanket or plugged solution. It allows the establishment of vegetation deliberately designed to give a long flowering season, it is fully GRO and FLL compliant. This system is suitable for both new build construction and refurbishment applications on $\leq 5^\circ$ pitch.

	Function	Product name	Thickness (mm)	Weight (kg/m ²)	Indicative extensive green roof system - seeded
1	Wildflower seed*	BauderGREEN flora seed mixes. (5 options)	Height and weight varies with season		
2	Growing medium	BauderGREEN SUB-BM UK biodiverse substrate	100+	120	
3	Filtration layer	FV 125 filter fleece	1	0.13	
4	Drainage Layer	DSE 40 drainage board	40	15.3	
5	Protection Layer	FSM 600 protection mat	4	3.6	
6	Underlying Waterproofing	Bauder’s underlying waterproofing system	Not included	Not included	
System build-up (saturated)			145+	139	
<p>*Bauder supply various green roof systems to meet required biodiverse targets and other green roof requirements</p> <p>In-depth and up-to-date product specific technical data is available for each element within a system. Download from our website bauder.co.uk/technical-centre</p> <p>Please note: All green roofs require water during times of drought. Bauder recommend that the watering and maintenance of this roof is considered and addressed during its design.</p>					

System summary



Characteristics of the system

- Ideally suited to native biodiverse green roofs where habitat creation is the primary goal and a more natural finish is required.
- Bauder Flora seed mixes Include: a shade tolerant mix, Urban mix, Chalk grassland mix, Coastal mix and Scottish mix. The mixes can be combined with plugs to introduce key species to the design.
- All seed mixes are Buglife approved, RHS - Perfect for Pollinators. Seed is collected in line with Flora Locale guidelines.
- The SUB-BM biodiverse substrate is a lightweight growing medium for biodiverse green roof planting schemes manufactured to GRO and FLL guidelines and tested to BS8616 (Ideally substrate depths should be 100mm+ to give greater drought resistance)
- DSE 40 is a lightweight water storage and drainage layer made of 100% recycled HDPE.
- FSM 600 is 100% recycled Polyester and polypropylene fibre mix protection layer to prevent mechanical damage to the underlying waterproofing.
- System can be laid on any of the various Bauder waterproofing solutions: Bituminous Membrane, Hot Melt, Single-ply or Cold applied liquid systems.
- Comprehensive guarantee packages to meet project requirements. Bauder's "Green Roof Promise" is available for this system.

Accreditations and approvals



System variations are available to the specifier so that a tailored solution meets the needs of the building. The selection of products should be confirmed with our technical department to ensure suitability for the individual construction requirements of the flat roof.

E: technical@bauder.co.uk

T: 01473 257671

OPTIONS AVAILABLE

Bauder supply a number of green roof solutions for flat and pitched roofs. Including sedum, wildflower and biodiverse vegetation. Further details can be found on our website: <https://www.bauder.co.uk/technical-centre/system-summaries/green-roof-systems>

In depth and up-to-date product specific technical data is available for each component within a system.

System fire performance

The system arrangements tested, verified, and that achieve industry standards for fire performance are defined in the relevant BBA certificate. Please ensure you are aware of which permutations currently have a stated performance against fire by viewing and downloading the BBA certificate from our website [bauder.co.uk/technical-centre](https://www.bauder.co.uk/technical-centre)

Bauder continually tests its systems for fire performance and so if the permutation of products you are specifying is not stated in our latest BBA certificate please contact technical@bauder.co.uk for clarification.

Extensive Green Roof System

XF 301 lightweight sedum system

Bauder XF 301 Single Layer Sedum System is a lightweight sedum system. Where the roof is laid to a fall of $\geq 2^\circ$ (1:30) the product can be laid directly onto the waterproofing. When laid on flat roofs ($< 2^\circ$), an additional SDF drainage mat (layer 3 below) is fitted. XF 301 also contains a moisture mat which retains up to 5 litres of water/m² which improves drought resistance.

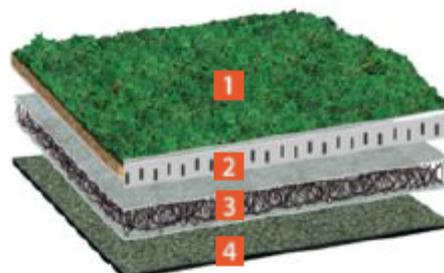
	Function	Product name	Thickness (mm)	Weight (kg/m ²)
1	Vegetation*	BauderGREEN XF 301 Sedum Blanket*	28	44
2	Edge trim	BauderGREEN AL 40 drainage trim	40	Nominal
3	Drainage Mat	BauderGREEN SDF drainage and protection mat	20	0.6
4	Underlying Waterproofing	Bauder's underlying waterproofing system	Not Included	Not Included
System Build-up			48	45

*Bauder supply deeper, substrate base sedum green roofs see SB sedum on Substrate Systems.

In-depth and up-to-date product specific technical data is available for each element within a system.
Download from our website bauder.co.uk/technical-centre

Please note: All green roofs require water during times of drought. Bauder recommend that the watering and maintenance of this roof is considered and addressed during its design.

Extensive lightweight sedum system



Characteristics of the system

- Ideally suited to lightweight wooden roof decks or any building where weight and depth of the green roof system is critical.
- GRO compliant substrate is held within a nylon mesh with attached moisture mat. The sedum blanket is grown for circa 12 months and contains up to 17 species of sedum
- Lightweight drainage layer prevents waterlogging of the sedum plants
- The AL 40 edge trim frames the sedum and prevents wind uplift
- System can be laid on any of the Bauder Waterproofing solutions
- Comprehensive guarantee packages to meet project requirements. Bauder's "Green Roof Promise" is available for this system

System summary



Accreditations and approvals



System variations are available to the specifier so that a tailored solution meets the needs of the building. The selection of products should be confirmed with our technical department to ensure suitability for the individual construction requirements of the flat roof.

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Download from our website [bauder.co.uk/technical-centre](https://www.bauder.co.uk/technical-centre)

System fire performance

BauderGREEN XF 301 lightweight sedum system can achieve B_{ROOF} t4 when tested as part of a full Bauder warm roof build-up. The systems tested include BTGRS and Thermofol Single-ply waterproofing systems with 60 to 260mm of PIR insulation. Due to our regular fire testing clients are advised to check with Bauder Technical to confirm the latest details of any other system build-ups tested. The full test results are available on request.

The system arrangements tested, verified, and that achieve industry standards for fire performance are defined in the relevant BBA certificate. Please ensure you are aware of which permutations currently have a stated performance against fire by viewing and downloading the BBA certificate from our website

[bauder.co.uk/technical-centre](https://www.bauder.co.uk/technical-centre)

Bauder continually tests its systems for fire performance and so if the permutation of products you are specifying is not stated in our latest BBA certificate please contact technical@bauder.co.uk for clarification.