

30 April 2025



Title	Planning Application Report
Ward	Redlands
Planning Application Reference	PL/24/1589 S73
Site Address	The Willows, 2 Hexham Road, Reading, RG2 7UG
Proposed Development	Full planning application for the erection of a building containing a day centre providing social care services (Use Class E(f)) and 42 residential units including specialist housing (Use Class C3) with landscaping, car parking and access but without complying with Conditions 2, 13, 14, 21 & 22 of permission PL/23/0279)
Applicant	Reading Borough Council
Report Author	Matthew Harding
Deadline	Originally 22 January 2025. Extension of time agreed to 30 May 2025
Recommendation	Delegate to the Director for Planning, Transport and Public Protection Service (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 30 May 2025 (unless officers on behalf of the Director (PTPPS) agree to a later date for completion of the legal agreement). Subject to the completion of Grant variation of conditions 2, 13, 14, 21 and 22 as sought by the applicant
S106 Terms	<p>This is the same as secured for permission PL/23/0279:</p> <p>To secure affordable housing on site consisting of fourteen units (30% provision) on site, to be 14 one-bedroom units of Reading Affordable Rent. Reading Affordable Rent (RAR) tenure would be capped at 70% of market rent as per published RAR levels. The Housing Development team have confirmed that the offer is acceptable.</p> <p>Employment, Skills and Training and Construction financial contribution of £10,577.50, or a ESTC Plan.</p> <p>Applicant to enter into a S278 agreement in relation to the reconfiguration of the vehicular access on to Hexham Road, including closures of existing vehicular access points as may be required.</p> <p>Contribution towards monitoring costs plus a separate commitment to pay the Council's reasonable legal costs in connection with the proposed Legal Agreement will be payable whether or not the Agreement is completed.</p> <p>Any unexpended contributions to be repaid within ten years beginning with the start of the Financial Year after the final (including</p>

	<p>phased contributions) obligation payment for each obligation is received. In accordance with Policy CC9.</p> <p>All financial contributions index-linked from the date of permission.</p> <p>To allow officers to work efficiently and effectively, it is requested that minor changes to the Heads of Terms and details of the legal agreement that arise during the negotiations are delegated to officers to agree.</p>
<p>Conditions (those proposed to be amended shown in bold)</p>	<ol style="list-style-type: none"> 1. Three year time limit (to confirm as set out in permission PL/23/0279) 2. Approved Plans 3. Materials (samples to be approved prior to above ground works) 4. Use Restriction to Class E(f) 5. EV Charging Points 6. Cycle Parking (as per approved details) 7. Refuse Collection (to be approved prior to occupation) 8. Parking (spaces available prior to occupation) 9. Vehicle access (provided prior to occupation) 10. Visibility splays (prior to occupation) 11. Construction Method Statement (as per agreed details) 12. Glazing, ventilation and other mitigation (as per agreed details) 13. Noise Emissions Mitigation (as per submitted details) 14. Noise Emissions – Roof Plant (as per submitted details) 15. Unidentified Contamination 16. [Condition number missing on original permission due to drafting error] 17. Hours of Construction/Demolition 18. No Bonfires 19. Sustainable Drainage (To be approved) 20. Sustainable Drainage (As Specified) 21. Biodiversity Enhancements 22. External Lighting 23. Hard and Soft Landscaping 24. Green Roofs 25. Off Site Tree Planting Scheme 26. SAP Assessment – Design Stage 27. SAP Assessment – As Built
<p>Informatives</p>	<ul style="list-style-type: none"> – Positive and Proactive – Pre-commencement conditions – Highways – S106 – Terms and Conditions – Building Regulations – Complaints about construction – Encroachment – Contamination – Noise between residential properties – CIL – Council Highway contact details

1. Executive Summary

- 1.1 The proposal is recommended for approval subject to a legal agreement and conditions as set out above.
- 1.2 This is effectively a revision to a previously approved scheme (PL/23/0279) to redevelop a previously developed site, which is presently under construction. The development would provide a policy compliant affordable housing offer (30% on site), as well as a day centre to serve adults with Profound and Multiple Learning Disabilities.
- 1.3 The revised proposal has an appropriate design, consistent with the character, form and appearance of the original permission (PL/23/0279), which would not result in an unacceptable impact on neighbouring properties and provide suitable accommodation for future residents. Furthermore, the proposal would have no adverse transport impacts, be acceptable in terms of ecology, biodiversity and sustainability. The application is therefore recommended to the Planning Applications Committee for approval.

2. Introduction and Site Description

- 2.1 The application site is on the corner of Hexham Road and Northumberland Avenue in Redlands ward. To the south of the site is a footpath with Reading Girls' School beyond, to the north is Hexham Road with terraced houses beyond. To the east are two storey terraced houses on Bede Walk and to the west is Northumberland Avenue, with a mix of terraced, detached and semi-detached properties beyond. The predominant character of the immediate area is 1960s/1970s housing, with a mixture of two, three and four storey houses and maisonettes.
- 2.2 The site was previously occupied by a residential care home known as The Willows. It was built in the late 1970s and comprised a sixteen-bedroom residential care home for people with dementia and ten flats to provide intermediate care and rehabilitation following an injury or illness (Use Class C2). In 2020 Reading Borough Council closed the residential care home and moved the intermediate care/rehabilitation beds to another site in the Borough. The Willows was demolished in November 2022.
- 2.3 The plan below shows the location of the site, with a dashed/lighter outline of the previous building.

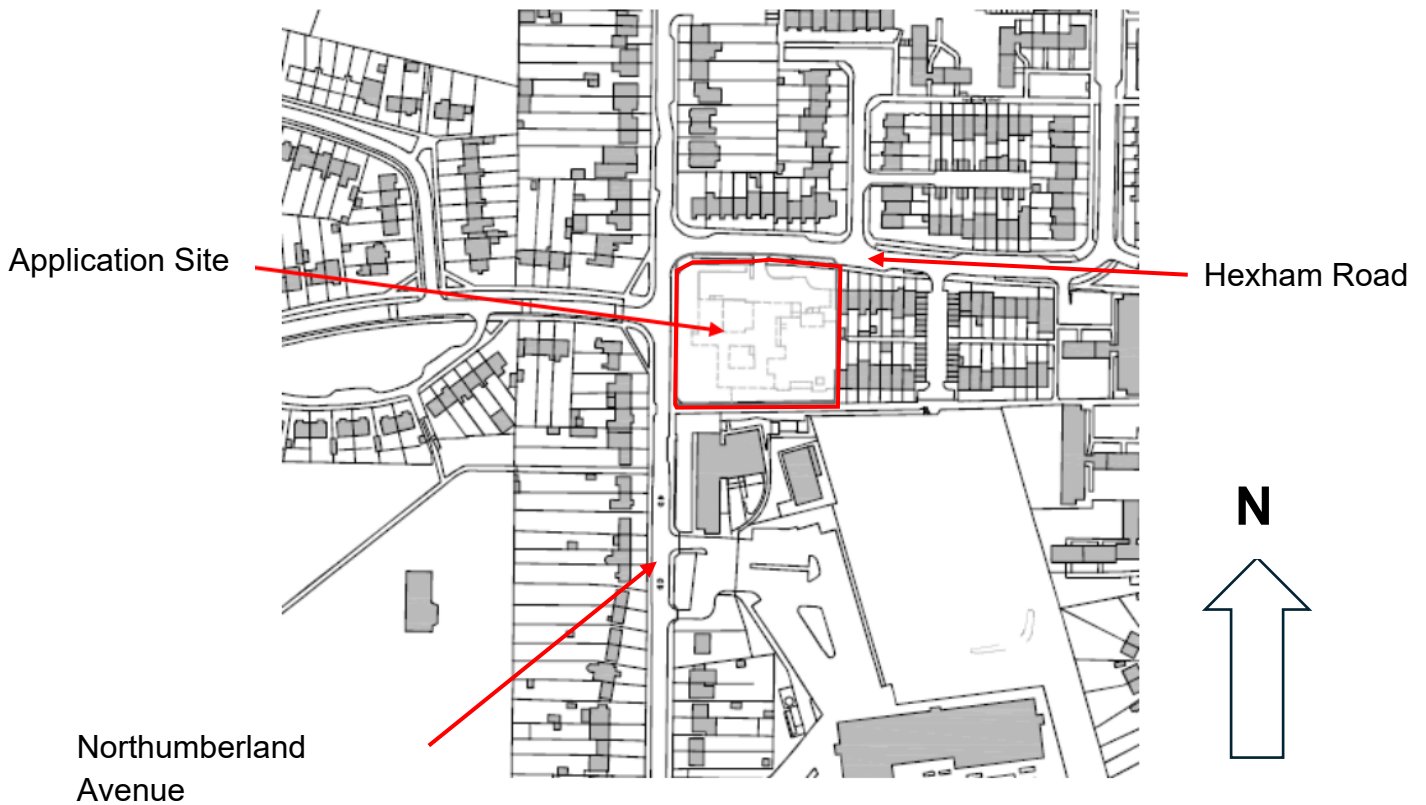


Figure 1: Site location

3. Proposal

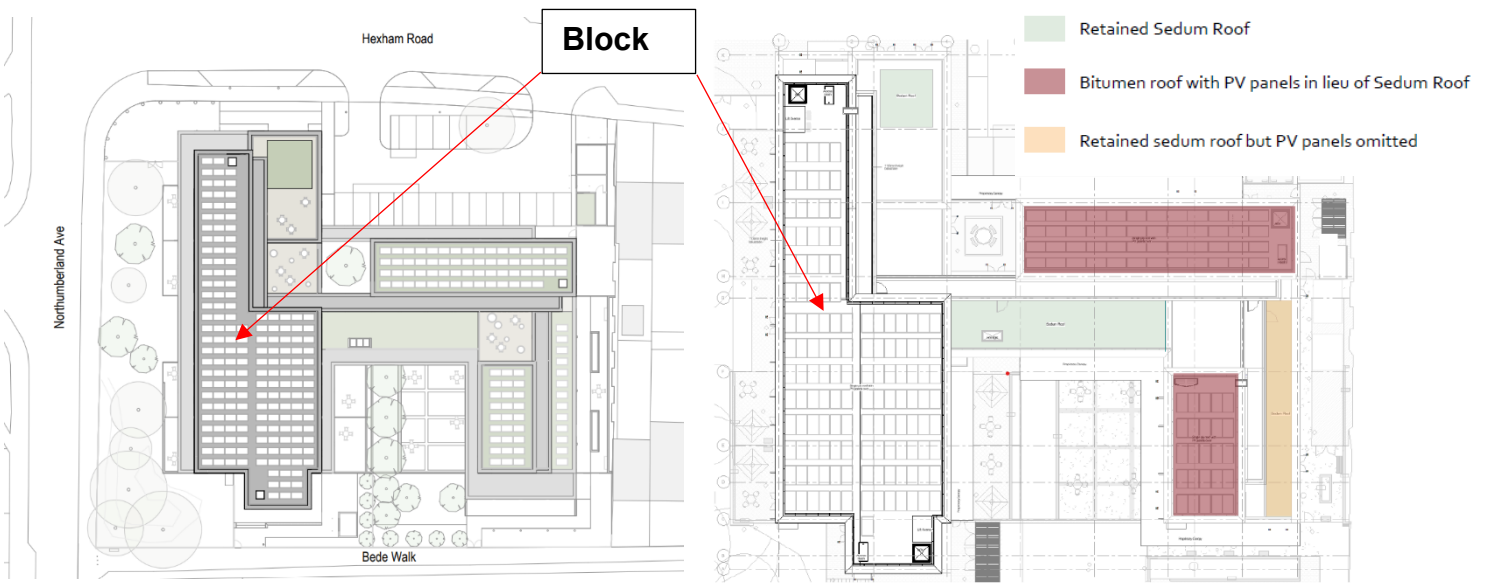
3.1 The proposal seeks a series of amendments to the extant planning permission at the site, which was approved under planning reference PL/23/0279 (see original report and update report from November 2023 PAC meeting) on 17 September 2024 for:

“The erection of a building containing a day centre providing social care services (Use Class E(f)) and 42 residential units including specialist housing (Use Class C3) with landscaping, car parking and access.”

3.2 The amendments are being sought via a section 73 application, to vary conditions 2 (approved plans), 13 (noise emissions – use), 14 (noise emissions – roof plant), 21 (ecology – bat and bird (swift) boxes) and 22 (external lighting). The main changes are set out below with the comprehensive set of planning changes set out within a supporting document: “Planning Changes Hexham Road, Reading” (March, 2025).

(Condition 2 – approved plans):

- Increase in building height of Block A by 0.375m
- Green / Sedum roof coverage reduced
- Solar panel coverage changes

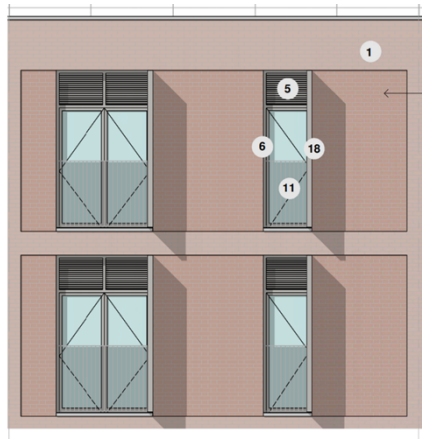


Approved Roof

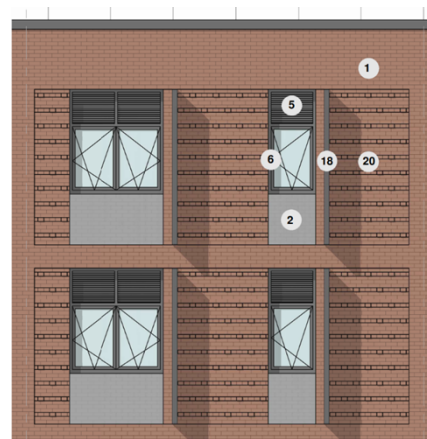
Proposed Roof Plan

Figure 2: Approved and proposed revised roof plan

- Changes to brick patterns and fenestration details / sizes
- Juliette balconies removed and replaced with silver grey brick panel (to match approved ground level brick work)
- Change from Flemish brick bond pattern with protruding headers to English Garden Wall Bond with projecting headers
- Change from stretcher bond to fletcher bond



1 Approved Window Bay Elevation
1:50



2 Proposed Window Bay Elevation
1:50

Figure 3: Revised window bay changes

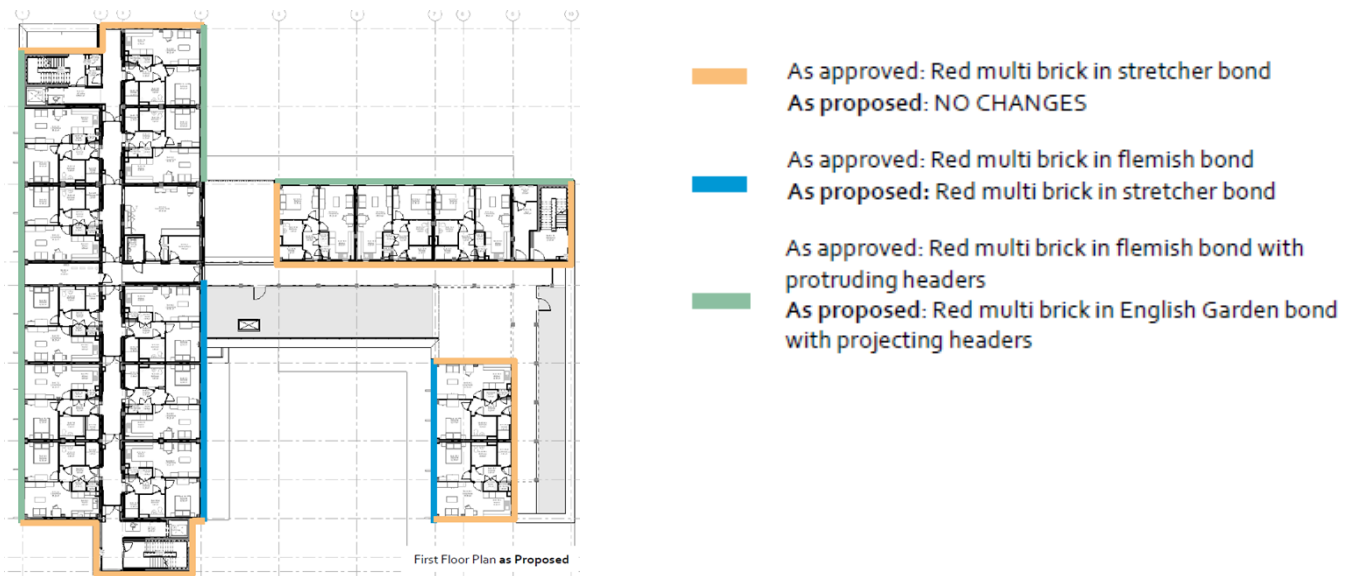


Figure 3: Revised brick patterns

- Canopy omitted to West elevation
- Canopy partially omitted to South and East elevations
- Remaining canopies to north elevation and courtyard changed from brick colonnade to aluminium with solid roofs



Figures 4&5: Canopy changes (shown in red)

- Walkways (including columns, slabs and edge/fascia) changed from brick to exposed reinforced concrete and soffit omitted.

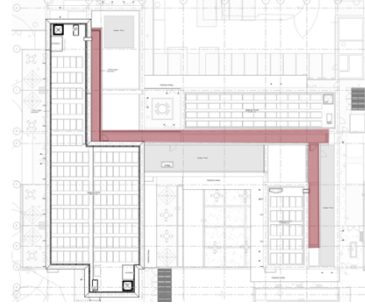
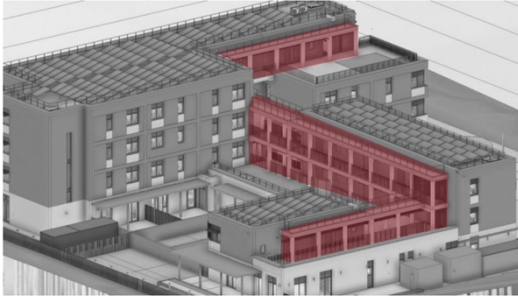


Figure 6: Walkways (shown in red)

- Change of position, footprint, appearance and layout of substation / plant / bin building (7.3 on figure 7 below)
- Additional sprinkler tank and associated enclosure (Hit & Miss Timber fence 1.8m high) (7.2 on figure 7 below)
- Relocation of air source heat pumps to new enclosure (Hit & Miss Timber fence 1.8m high) (8.1 on figure 7 below)
- Relocation of condensers to roof (9.1 figure 8 below)

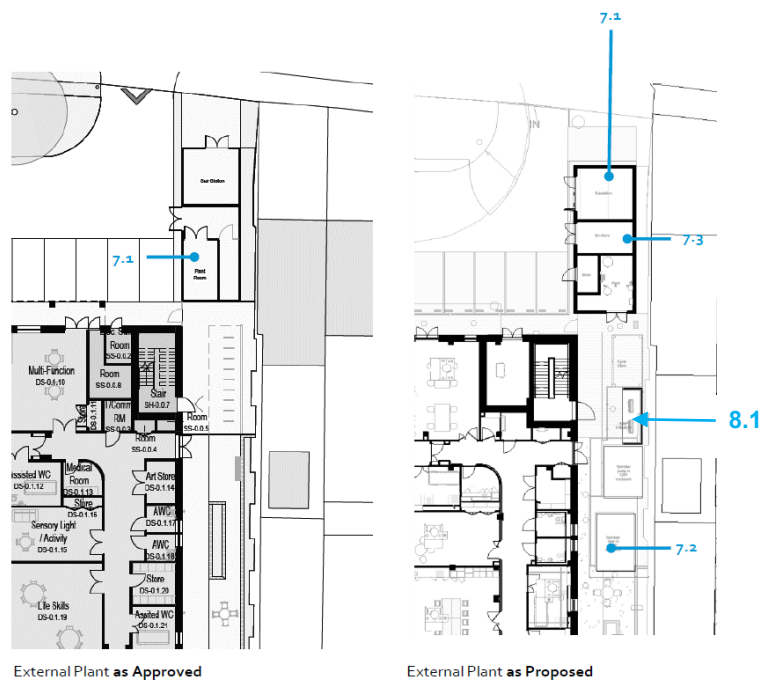


Figure 7: Changes to external substation, plant, bin building (7.1 / 7.3) and new enclosure (7.2)

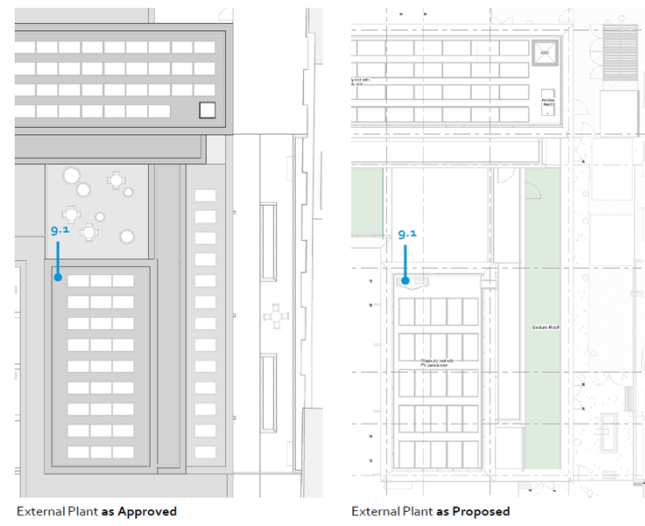
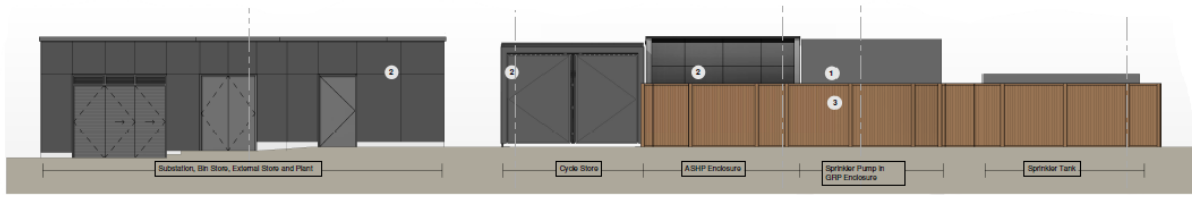


Figure 8: Relocated roof plant

- Cycle store (north) changed to a two-tiered cycle rack (previously approved Sheffield Stands) (10.2 – Figure 9 below)
- Change in external appearance of cycle and bin stores to fibre cement panel overlaid (10.1 – Figure 9 below)



Figure 9: Revised cycle store locations



2 | Outbuildings Enclosure West Elevation
1:50

Figure 10: Outbuildings and enclosures

- 3.3 In addition to the design changes sought by way of amendment to the approved plans condition, there are changes proposed to four additional conditions of the original permission (PL/23/0279) with these changes outlined below.

Conditions 13 and 14 – Noise

- 3.4 Conditions 13 and 14 of the original permission required the submission and agreement of a detailed noise assessment from the approved commercial use and roof top plant prior to any development commencing above foundation level. The applicant has submitted a detailed noise assessment as part of this revised proposal and therefore seeks to amend the wording of the condition to require the development to be carried out, retained and maintained in accordance with the submitted assessments for the duration of the development's use.

Condition 21 – Bat and Swift boxes

- 3.5 Condition 21 is a compliance condition securing details and installation of bat and bird boxes on site. A small amendment to the approved wording is sought to remove any ambiguity relating to the original wording, removing wording relating to the submission of further unnecessary details and an agreed programme. The revised wording for the condition is set out below.

*“The proposals shall be carried out in accordance with ~~the submitted and approved details regarding the provision of a minimum of six integral swift boxes, five bat boxes, six hedgehog holes and a hedgehog refuge that are to be installed in the new building~~ The scheme shall thereafter be implemented, maintained and adhered to in accordance with ~~agreed programme~~ **the approved details.**”*

Condition 22 – External Lighting

- 3.6 Condition 22 requires external lighting to be installed in accordance with the approved lighting scheme. The external lighting scheme has evolved since the original permission was granted, including changes to the type of light fittings proposed, which are proposed as being more suitable to the proposal's-built design, its environment and the needs of the future occupants of the building.
- 3.7 The applicant states the previous lighting strategy produced an inconsistent lighting pattern around the building and the revised lighting strategy now ensures that Secure By Design Standards are met. Therefore, it is sought to amend condition 22 to require all external lighting to be installed in accordance with a revised external lighting strategy, together with limitation to light levels at certain times of the day.

- 3.8 There are a further series of what officers consider to be ‘non-material amendments’ to the proposal (ie. that would otherwise be considered under the s96a system) that are set out in detail within Section 11 of the supporting document entitled: Planning Changes Hexham Road, Reading (18 March 2025, Ref: HEX-CPM-10-0XX-T-A-00200 Rev-P06).

Extant planning permission – PL/23/0279

- 3.9 In all other respects, the proposal remains consistent with the earlier permission (PL/23/0279) with the erection of a building between one and four storeys which comprises a day centre to provide social care services (Use Class E(f)) and 42 one bedroom flats, which include 36 specialist units aimed at people over 55 (sheltered housing), and 6 units for general needs (Use Class C3) (30% of the housing is proposed to be affordable housing, with the intention for the entirety (42 units) to be affordable).
- 3.10 The proposal also retains the proposed day centre, comprising numerous rooms to provide enough space to serve adults with Profound and Multiple Learning Disabilities. It would be located on the ground floor and would have access to external space within the courtyard area. The sixteen space on-site car park is retained, with access from Hexham Road and, except for a small increase in height to the four-storey block, the position and scale of the remaining built form is consistent with the original permission (PL/23/0279), together with the on-site landscaping and internal courtyard.

4. **Planning History**

- 4.1 The following applications are relevant to this proposal:
- PL/22/1019 - Application to determine if prior approval is required for a proposed Demolition. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 11, Class B. Approved 13/10/2022.
 - PL/23/0279 - Full planning application for the erection of a building containing a day centre providing social care services (Use Class E(f)) and 42 residential units including specialist housing (Use Class C3) with landscaping, car parking and access. Approved, subject to conditions and legal agreements 17/09/2024. (Officer note: This permission has been implemented, and the scheme is presently under construction).
 - PL/25/0123 - Approval of details reserved by Condition 19 (SUDS) of planning permission 230279. Under consideration, April 2025.
 - PL/25/0441 - Approval of Details Reserved by Condition 13 (Noise) of Application 230279. Details agreed, 11.04.2025.

5. **Consultations**

RBC Environmental Protection (no objection)

- 5.1 The Council’s Environmental Team (Principal Environmental Health Officer) has reviewed the proposal raising no objection to the proposal subject to conditions requiring the development be carried out, retained and maintained in accordance with the submitted noise assessments.

RBC Transport Development Control (no objection)

- 5.2 The Council's Transportation Team have reviewed the proposal and have raised no transport objections to the revised proposal, specifically the changes to the on-site cycle parking storage. Their previous comments, conditions and legal agreement requirements remain.

Public Consultation

- 5.3 A site notice was displayed. No public comments or representations have been received to this revised proposal at the time of writing.

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:

NPPF December 2024

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of housing
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 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
- 16. Conserving and enhancing the historic environment

Reading Borough Local Plan 2019

- CC1: Presumption in Favour of Sustainable Development
- CC2: Sustainable Design and Construction
- CC3: Adaptation to Climate Change
- CC5: Waste Minimisation and Storage
- CC6: Accessibility and the Intensity of Development

- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- EN12: Biodiversity and the Green Network
- EN14: Trees, Hedges and Woodland
- EN16: Pollution and Water Resources
- EN17: Noise Generating Equipment
- EN18: Flooding and Drainage
- H1: Provision of Housing
- H2: Density and Mix
- H3: Affordable Housing
- H5: Standards for New Housing
- H6: Accommodation for Vulnerable People
- H10: Private and Communal Outdoor Space
- OU1: New and Existing Community Facilities
- TR1 Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR5: Car and Cycle Parking and Electric Vehicle Charging

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 Local Plan Pre-Submission Draft Partial Update, November 2024
- Reading Borough Council Tree Strategy (2021)
- Reading Biodiversity Action Plan (2021)

Local Plan Update

- 6.6 The present version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.
- 6.7 Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

6.8 The Local Plan policies pertinent to these applications listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be 'out of date'.

7. Planning Considerations

7.1 Planning Practice Guidance sets out the flexible options for planning permissions, advising that an application may be made under section 73 of the Town and Country Planning Act 1990 to make material amendments to a planning permission by way of varying or removing conditions associated with the given permission. However, new section 73 applications are considered against the Development Plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission.

7.2 In addition, it is advised that the decision maker, in making their decisions, shall focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission. (Annex A: summary comparison table of the flexible options for planning permissions planning practice guidance).

7.3 With this context in mind, matters such as the principle of development, general massing, design, and layout, unit mix and affordable housing, neighbouring amenity, transport and sustainability were discussed in detail at the time of the previous application (PL/23/0279), and are not repeated in this assessment, except those aspects relevant to the proposed amendments sought, as they have already been considered appropriate and the overriding policy context has not changed so significantly in the intervening time to alter those findings. For reference, the original Planning Committee Report and Decision Notice to which this application seeks to amend is included in full at Appendix 3 of this report.

7.4 Since the original decision (planning permission was issued in September 2024 but the Resolution to grant permission was made in November 2023) the NPPF has been updated (most recently in December 2024), but the local policy context has not altered, with the same Local Plan (2019) in place.

7.5 **The main considerations for the amendments proposed to the determination of this section 73 application are considered to be:**

- i. Design, Character and Appearance of the Area
- ii. Neighbouring Amenity
- iii. Future Residents' Amenity
- iv. Transport
- v. Ecology and Biodiversity Net Gain
- vi. Sustainability
- vii. Legal Agreement (s106)

Considerations / Assessment

i. Design, Character and Appearance of the Area

- 7.6 Policy CC7 (Design and the Public Realm) states that, *“all development must be of high design quality that maintains and enhances the character and appearance of the area”*. The NPPF in paragraph 130 c) states that planning policies and decisions should ensure that developments, *“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”*.
- 7.7 The original officer report to PAC discusses at length the proposal’s design, appearance and impact on the character of the area concluding that the proposal was consistent with the policy objective in providing a high-quality development that maintains and enhances the character and appearance of the area. The amendments sought by way of this section 73 application do propose changes to design and appearance of the proposal, however, these changes are not considered to be fundamental and relate to the height of Block A, window fenestration and brick bond (all blocks), ground floor canopies and upper floor walkways, roof coverings and the layout, scale and appearance of ancillary outbuildings. These changes are considered in turn below.

Height – Block A

- 7.8 The proposal seeks to increase the building parapet height of Block A by approximately 0.37m (375mm) to provide increased insulation thickness to meet thermal requirements and to allow for sufficient roof insulation to meet ‘Passivhaus’ requirements. This is a modest increase in height, with the building’s positioning, design and scale otherwise remaining consistent with the extant permission. This modest increase in height would have no discernible impact on the proposal, over and above the scale and massing that has already been agreed. Therefore, no concerns are raised by officers to this proposed change.

Window fenestration and brick bond

- 7.9 The development was approved with a ‘red multi’ brick external finish in a Flemish bond (brick pattern), with feature projecting headers, full height windows and Juliette balconies on the upper floor levels. The current s73 proposal seeks to reduce the window openings, by raising the cill heights, remove the Juliette balconies with a substitute grey brick and change the brick bond across the development from a Flemish bond to a mix of Stretcher Bond and English Garden Wall Bond with projecting headers. The parts of the buildings that have the more decorative English Garden Wall Bond and projecting headers are on those prominent public facing elevations of the development. The other elevations detail the revised stretcher bond brick pattern, as shown in figure 3 above.
- 7.10 Initially the proposal submitted sought to amend the whole scheme with the revised stretcher bond, with no brick projecting headers and no alternative grey brick sections replacing the smaller window openings. Officers raised concerns with this approach, which was considered to provide a poorer quality external design. The proposal was amended accordingly to provide the contrasting grey brick infill panels to replace the

Juliette balconies / reduced window height and provide for an alternative decorative brick bond, retaining the brick headers and providing the texture and depth to the otherwise long elevations. The revision is considered to provide an acceptable amendment that retains the development's high quality design and appearance.

Ground floor canopies and upper floor walkways

- 7.11 The proposal seeks to omit, in part, the ground floor canopies and change their finish from a brick colonnade to aluminium structures with solid roofs. The canopy is shown removed from the west elevation, partially removed on the south and east elevations and retained on the north elevations. The areas the canopies are to be removed across the development are shown in figure 4 above. In addition, the upper floor walkways across the development detail a change in appearance from brick to exposed reinforced concrete.
- 7.12 The removal of some of the canopies, their revised construction material and appearance and the change to reinforced concrete for the internal walkways are not considered to materially impact the high-quality design and appearance of the approved scheme and would extend the building's material palette, adding interest and depth to the proposal's design and appearance.

Roof coverings (Green Roofs and Solar Panels)

- 7.13 The previously approved scheme showed a green sedum roofs and free-standing solar panels across much of the flat roof areas, except for Block A, which had solar panels only. No changes are sought to the roof covering for Block A; however, the sedum roof has been removed from the smaller Hexham Road and Bede Walk facing blocks, with the solar panels retained on both. The changes to the roof covering are illustrated in figure 2 above.
- 7.14 The extent of green sedum roof coverings has reduced from the approved scheme (PL/23/0279), but significant areas remain, and they remain on those more prominent lower roofs of the development. The reduction in extent of the green sedum roof covering would not be perceivable from street level and is not considered to materially detract from the design and appearance of the development. Also, the small reduction in solar panels to one part of the building is not considered to have an adverse impact on the design and character of the development. For these reasons, no concern is raised to the proposed amendments.

Ancillary outbuildings – layout, scale and appearance

- 7.15 Amendments are proposed to an external outbuilding, serving as the substation, plant and bin space in the north-east corner of the site. The outbuilding details a minor change in footprint and location and the external appearance has been changed to masonry overlaid in fibre cement panels. The proposal also includes a new outbuilding to house a two-tier cycle rack, replacing the previously approved Sheffield cycle stands. These changes are small scale in nature to facilitate the use and operation of the development, which are consistent with the development proposal. No objections are raised to the proposed amendments to the ancillary buildings.

ii. Neighbouring Amenity

- 7.16 The most notable changes to the proposal from the perspective of neighbouring amenity are the increase in the overall height of the main building block (Block A), the revisions to the noise conditions and changes to the ancillary outbuildings and enclosures along the site's eastern boundary shared with the neighbouring residential properties of 1 Bede Walk and 8 Hexham Road.
- 7.17 Firstly, Block A is set in from the site boundaries surrounded by two roads and a walkway and is positioned away from the neighbouring residential properties. Also, the increase in the parapet roof height of a little under half a metre (0.375m) is a minor change and in the context of the scale of the approved building as a whole, would have little discernible impact over and above the extant permission.
- 7.18 The two approved noise conditions (conditions 13&14 - building use and roof top plant) previously required appropriate noise assessments to be submitted, agreed, retained and maintained for the duration of the development. These noise assessment details have been submitted as part of this section 73 application, with the two conditions effectively amended to refer to the submitted noise assessments if agreed. The Council's Environmental Health Officer has reviewed the submitted noise assessments and raised no objection to the conditions being amended accordingly.
- 7.19 Lastly, the changes to the ancillary outbuildings along the site's eastern boundary remain set off the boundary line with a consistent overall height and positioning to those previously approved structures. Also, the proposed enclosure fencing is at a height, position and scale that is consistent with boundary fencing between properties. These proposed changes are not considered to cause a detrimental impact on neighbouring occupiers, in respect of Policy CC8 (Safeguarding Amenity) considerations, including privacy and overlooking, daylight and sunlight, visual dominance and outlook.

iii. Future Residents' Amenity

- 7.20 The changes brought about by this revised proposal do not detail any changes to the use and number of units proposed. Also, noise levels are sought to be controlled by way of conditions, with the submitted detailed reviewed and agreed by the Council's Environmental Protection Team. As such, this revised application proposal would maintain an overall good standard of accommodation for future occupiers and users of the proposed development, in accordance with Policy CC8 of the Reading Borough Local Plan.

iv. Transport

- 7.21 The original extant permission (PL/23/0279) was considered acceptable in transport terms, providing a total of 16 on-site car parking spaces, 10 for the residential units and 6 for the day centre and 21 cycle parking spaces serving the residential use and the day centre. A condition (no.5) was also imposed to require details of an EV charging scheme requiring at least 2 (10%) of the spaces to be equipped with charging points and a further 2 (10%) with necessary infrastructure to enable charging points to be fitted if needed. In addition, the permission required the applicant to enter a S278 agreement for the reconfiguration of the vehicular access on to Hexham Road, including closures of existing vehicular access points as may be required.

7.22 This revised Section 73 proposal does not seek to alter the on-site parking provision or ratio of spaces to residential and day care uses across the site. Neither does the proposal change the vehicle access and egress points, with two vehicle crossover points (in and out) onto Hexham Road. However, this revised proposal does detail a change in the on-site cycle spaces, where now a total of 32 spaces are proposed – an increase of 11 spaces. This change will support those users and occupants of the development to access the site by way of a sustainable mode of transport, which is supported by Policy CC6 of the Reading Borough Local Plan and no objections are raised to the increase in cycle provision.

7.23 A new legal agreement, for reasons set out below, shall maintain the requirement for the applicant to enter a S278 agreement relating to the reconfiguration of the vehicular access on to Hexham Road, including closures of existing vehicular access points as may be required.

v. Ecology and Biodiversity Net Gain

7.24 Policy EN12 seeks to protect existing green space, ensure that there would be no net loss of biodiversity, and where possible to demonstrate that there is a net gain for biodiversity. Furthermore, Biodiversity Net Gain (BNG) requires development demonstrate a minimum BNG of 10%.

7.25 This section 73 application seeks to reduce the extent of make a very small change to the wording of the previously approved ecology survey (Condition 22), which would not depart from those previously agreed details and retain the biodiversity benefits.

7.26 In addition, and in-line with the recently adopted national Biodiversity Net Gain (BNG) requirements that came into effect in February 2024, the reduction of the sedum roof covering would reduce the BNG on-site provision from 14.82% as approved to 11.4%. This is a reduction of a little over 3%, which officers would rather see increased not decreased. However, the proposal remains above the minimum target of a 10% gain and, therefore, remains acceptable.

vi. Sustainability

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

7.28 The proposal details a small reduction in the number of solar panels proposed along the eastern side of the development, which have been removed from the proposal to lower roof level over a different part of the development owing to their limited efficiency because of their orientation and overshadowing by adjoining buildings. This change shall retain the previously submitted and agreed sustainable credentials of the development, by meeting zero carbon targets, and be a 'Passivhaus' design through higher fabric standards and the low carbon and renewable energy systems, namely photovoltaic panels and air source heat pumps.

vii. Legal Agreement (s106)

7.29 Policy CC9 (Securing Infrastructure) allows for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. A s106 agreement formed part of the permission to which this application seeks to amended and secured the following:

- On site affordable housing, consisting of fourteen units (30% provision) to be 14 one-bedroom units of Reading Affordable Rent. (Reading Affordable Rent (RAR) tenure would be capped at 70% of market rent as per published RAR [Reading Affordable Rent] levels);
- Employment, Skills and Training and Construction financial contribution of £10,577.50, or provision of a ESTC Plan; and
- Applicant to enter a S278 agreement in relation to the reconfiguration of the vehicular access on to Hexham Road, including closures of existing vehicular access points as may be required.

7.30 In terms of the legal agreement, this remains in place in accordance with the terms of the original agreement. The specific amendments sought as part of this s73 application do not explicitly alter the general requirements previously secured, nor result in any new obligations being required to be secured, which would not normally require a new or deed of variation to the original legal agreement previously secured. However, the Council's legal team have confirmed that owing to the fact the Council is the applicant and s106 agreements can only be varied by agreement between the parties and the LPA (the Council), it is not possible to vary the original s106 as the Council cannot enter into an agreement with itself. As such, a new s106 legal agreement (unilateral undertaking) is required, which will seek to secure the same provisions as the original agreement (as set out above).

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 application.

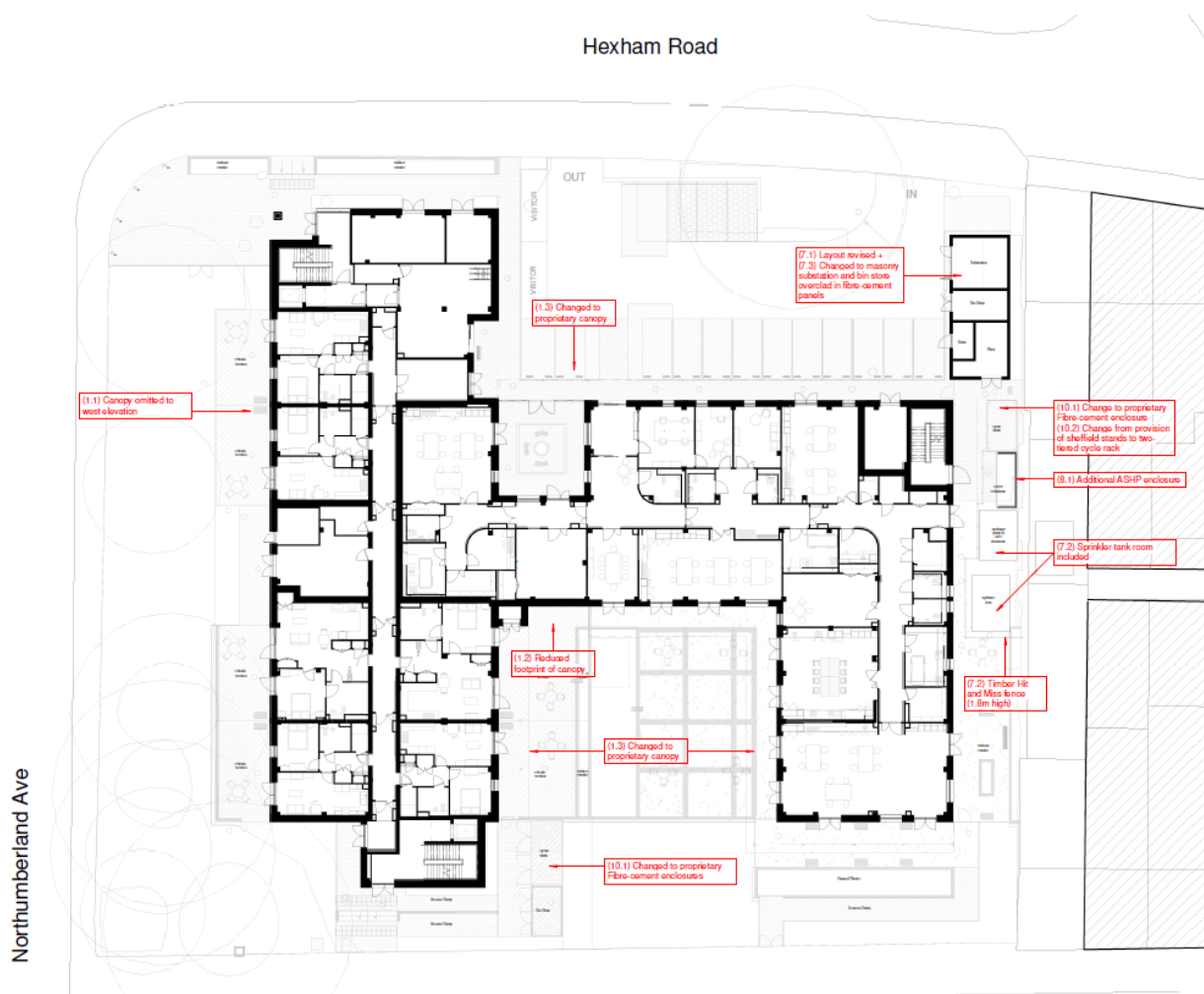
9. Conclusion and Planning Balance

9.1 As confirmed at paragraph 7.1 above, section 73 applications are required to be considered against the development plan and material considerations, under section

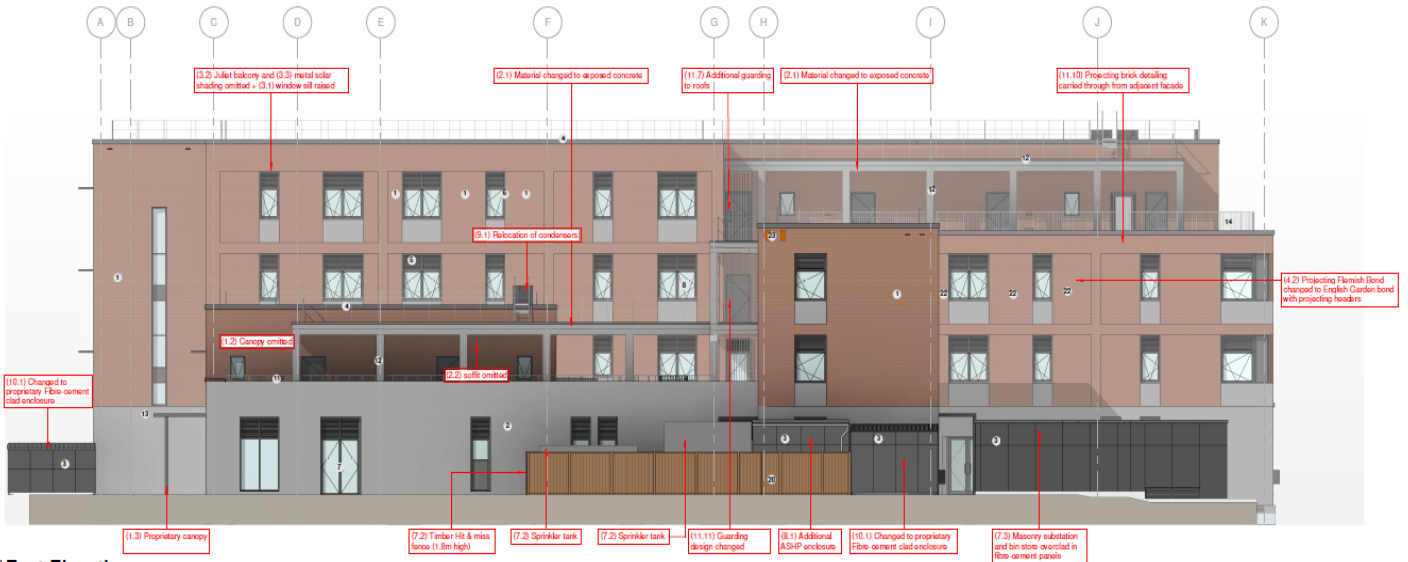
38(6) of the Planning and Compulsory Purchase Act 2004, and conditions attached to the existing permission, with a particular focus on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission. This has been evidenced in the above assessment.

9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above. In this instance, the changes to the extant permission brought about by the amendments to conditions (2- approved plans, 13 - noise emissions – use, 14 - noise emissions – roof plant, 21 ecology – bat and bird (swift) boxes and 22 - external lighting), are would not materially depart from the quality and remain policy compliant. As such, the proposed amendments are considered acceptable by officers and are recommended for approval.

Appendix 1 – Selected Plans



Site Plan – Annotated proposed amendments



1 | East Elevation
1 : 100



2 | West Elevation
1 : 100

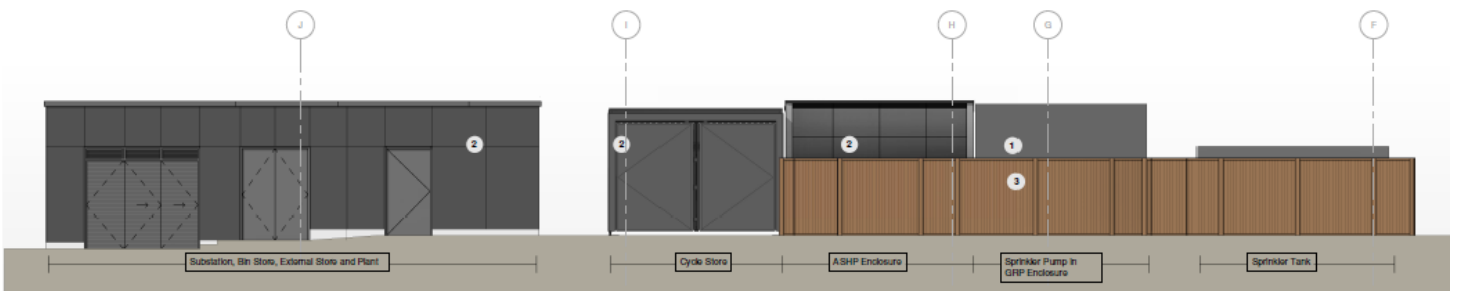
Amended East and West Elevations -Block A



East Elevation through courtyard as Approved

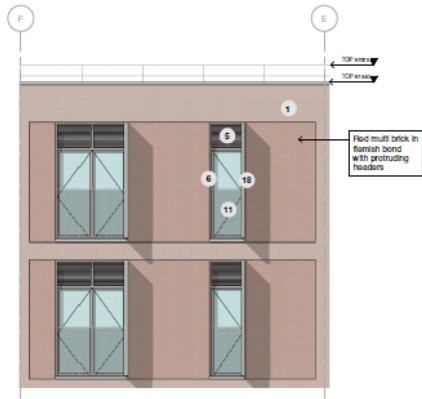


1 | Outbuildings Enclosure East Elevation
1:50



2 | Outbuildings Enclosure West Elevation
1:50





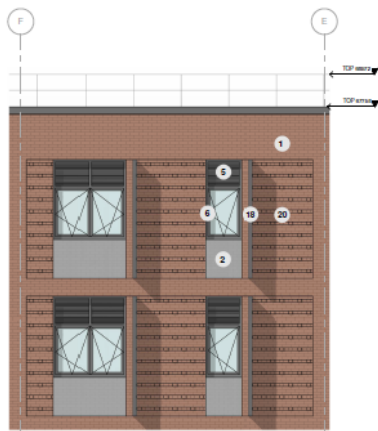
1 | **Approved Window Bay Elevation**
1 : 50



3 | **Approved Window Bay**



4 | **Proposed Window Bay**



2 | **Proposed Window Bay Elevation**
1 : 50



Appendix 2 – Approved Plans

The following plans have been submitted for approval:

- HEX-CPM-31-100-D-A-20010-Ground Floor GA Planning Layout
- HEX-CPM-31-101-D-A-20011-First Floor GA Planning Layout
- HEX-CPM-31-102-D-A-20012-Second Floor GA Planning Layout
- HEX-CPM-31-103-D-A-20013-Third Floor GA Planning Layout
- HEX-CPM-31-1RL-D-A-20014-Roof GA Planning Layout
- HEX-CPM-30-000-D-A-90010-GA Site Planning Layout
- HEX-CPM-32-1ZZ-D-A-20110-Planning Elevations-GA North & South
- HEX-CPM-32-1ZZ-D-A-20111-Planning Elevations-GA East & West
- HEX-CPM-32-1ZZ-D-A-90003-Canopy Elevations
- HEX-CPM-32-1ZZ-D-A-90004-Window Bay Elevations
- HEX-CPM-32-1ZZ-D-A-90005-Walkway Elevations
- HEX-CPM-32-1ZZ-D-A-90007-Window Bay Brick Details
- HEX-CPM-33-1ZZ-D-A-21012-GA Planning Sections 01 and 02
- HEX-CPM-33-1ZZ-D-A-21014-GA Planning Sections 03 and 04
- HEX-CPM-31-0ZZ-D-A-20030-Outbuildings Elevations

Previously Approved Plans / Documentation

Drawings:

- E05076-HCC-PS-01-DR-A-1000, 1500,
- E05076-HCC-ZZ-XX-DR-A-3000, 3001, 3050, 3100, 3101,
- E05076-HC-ZZ-ZZ-VS-A-1800 P1,
- E05076-ECH-XX-XX-DR-C-7101 P02, 7102 P01, 7100 P2,
- E05076-HCC-00-00-DR-M&E-8100 P2,
- E05076-HCC-ZZ-01-DR-A-2051, 2052, 2053, 2054, DTPPSK1.0, received on 07/03/2023,
- E05076-HCC-ZZ-RL-DR-A-1501,
- E05076-ECH-XX-XX-DR-C-7520,
- E05076-HCC-ZZ-00-DR-L-7001 T2, 7101 T2, 7103 T2, 7201 T2, 7301 T2, 7302 T2, E05076-HCC-XX-XX-DR-L-7303 T02,
- E05076-HCC-ZZ-GF-DRA-2050 received on 23/08/2023 and
- E05076-ECH-XX-XX-DR-C-7510 P01 received on 30/10/2023.