

COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 4 SEPTEMBER 2019

Ward: Abbey

App No.: 190809

Address: Thames Quarter, Kings Meadow Road, Reading (AKA Former Cooper BMW, Kings Meadow Road, Reading)

Proposal: Erection of a part 13-storey, part 23 storey building comprising 335 apartments in a mix of studio, one-bedroom, two-bedroom and three-bedroom units; residents' lounges, tech-hub, dining room, and cinema room; various rooftop outdoor amenity spaces; concierge/reception with coffee meeting area; residents' storage facilities; postroom; ancillary back-of-house facilities; 335 secure cycle parking spaces; car parking spaces; landscaping; and associated works (revision to planning permission 162166 dated 23/11/2017) (Part Retrospective)

Applicant: MG RPF Limited Partnership Thames Quarter Ltd and Lochailort Thames Quarter Ltd

Date received: 20 May 2019

13 Week target decision date: 19 August 2019

RECOMMENDATION:

Delegate to Head of Planning, Development and Regulatory Services to:

- (i) **GRANT** full planning permission subject to completion of a S106 legal agreement and satisfactory wind/microclimate verification; or
- (ii) to **REFUSE** permission should the legal agreement not be completed by 06/09/19 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agree to a later date for completion of the legal agreement).

The legal agreement to secure the following:

Affordable Housing:

Summary of Affordable Housing Heads of Terms:

- The applicant has acquired a surrogate site at North Street for market value and has transferred the land to the Council as an Affordable Housing provider for £nil with planning consent for 47 affordable housing units;
- The applicant will identify and enter into a contract to secure one or more further Surrogate Sites for the provision of an additional 54 affordable dwellings, obtain a suitable planning permission for residential development and transfer the site (or sites) to an Affordable Housing provider. The land will be gifted at nil consideration.
- If the 54 additional affordable dwellings are provided solely as plots with planning permission, a construction contribution of £55,000 per plot will be payable to the Council, totalling up to £2.97m.

- Alternatively, the applicant will enter into a construction contract to deliver and dispose of the affordable dwellings to an Affordable Housing provider in which case the construction contribution sum will be not payable;
- In all instances, If less than 54 plots are provided, a top-up contribution of £105,000 per missing plot will be paid to the Council;
- In the event that no further surrogates are provided within 12 months of first occupation of the development, a Commuted Sum of £5,670,000 will be payable in full to the Council;
- All contributions would be index-linked from the date of the Section 106 agreement.

Summary of other Heads of Terms:

- **Submission, approval and undertaking of a construction period Employment and Skills Plan (ESP)** by the developer, or otherwise the payment of amount in lieu, in accordance with the calculation as per the Council's adopted Employment, Training and Skills SPD towards RBC/Reading UK CIC and its partner organisations in delivering training places elsewhere (Policies: CS9, CS13 DM3);
- **Contribution of £100,000 for the submission, approval and implementation of an environmental improvement scheme to the Vastern Road railway underpass** index-linked from the date of 162166 permission and payable prior to first occupation of the development (Policies: CS9, DM3, RC14);
- **£127,620 towards improvements towards path upgrades and associated works in Kings Meadow**, index-linked from the date of 162166 permission and payable prior to first occupation of the development. (Policies: CS9, DM3);
- **Provision of land to an agreed standard within the development of part of the safeguarded route for Phase 2 of the East Reading Mass Rapid Transit (MRT) Route**, as per plan agreed with the Council. (Policies: CS9, DM3, CS21, DM12);
- **£86,700 towards the delivery a new signalised pedestrian/cycle crossing** index-linked from the date of 162166 permission and payable prior to first occupation of the development (layout as shown on approved Drawing 5277.027 Rev C.) (Policies: CS9, DM3, CS21, DM12);
- **The establishment of an on-site car club for three vehicles, via an agreed car club provider to the value of not less than £46,915**, index-linked form the date of 162166 permission and payable prior to first occupation of the development. Commitment to a three vehicle car club, initially, rising to a four-vehicle car club if demand requires/exists (Policies: CS9, DM3, CS23);
- **Provision and operation of a residential travel plan** no later than first occupation of the first residential unit. (Policies: CS9, DM3, CS23).

And the following conditions to include:

1. Commencement time limit (A)
2. Revised list of drawings for approval (C)
3. Hard and soft landscaping details (B)
4. Landscaping implemented as per the previously-approved details (B)
5. Landscaping maintenance period (A)
6. Landscaping management plan to be approved (A)
7. Remediation scheme (B)
9. Remediation timetable (B)
9. Unexpected contamination (A)
10. Land gas investigation (B)
11. Land gas protection measures (B)
12. Land gas validation report (A)
13. Piling details (B)
14. Foul & surface water drainage strategy (B)
15. Archaeological investigation (B)
16. Demolition Method Statement (B)
17. Construction Management Method Statement (B)
18. Limited construction working hours (A)
19. No materials to be burnt onsite (A)
20. Previously-approved materials to be used (B)
21. SUDS management and maintenance (A)
22. Details of ground floor laminated glass (A)
23. Security features to be approved (A)
24. 10% Part M(2) units to be identified (A)
25. Communal area extract facilities (A)
26. Bird nesting features to be approved (A)
27. Mechanical ventilation & heat recovery to be approved (A)
28. Acoustic glazing to be installed (A)
29. External lighting to be approved (A)
30. Temporary surfacing schedule of works (A)
31. Sprinklers to be fitted (A)
32. Development completed in accordance with the Flood Risk Assessment (A)
33. Accessibility of communal facilities (A)
34. Council to be notified of each postal address (A)
35. Residents informed of non-eligibility for parking permits (A)
36. Noise assessment of mechanical plant required (A)
37. Service vehicle strategy to be approved (A)
38. Parking space provision/maximum (A)
39. Refuse storage facilities to be provided (A)
40. Cycle parking facilities to be provided (A)
41. Development completed in accordance with the Sustainability Strategy (A)
42. Emissions reduction certification to be submitted (A)
43. Lifts to be provided and retained in working order (A)
44. No Building Maintenance Units permitted (A)

Informatives:

1. Positive and Proactive Statement
2. Works affecting highways
3. Sound insulation
4. Section 106 Legal Agreement
5. Clarification over pre-commencement conditions
6. CIL
7. Party Wall Act

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| <ul style="list-style-type: none">8. Building Control9. Terms and Conditions10. Network Rail11. Thames water |
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1. INTRODUCTION

- 1.1 The Planning Application Committee (PAC) will be aware that application 162166 for 315 build-to-rent units is currently under construction on site and officers can report that at the time of writing all groundworks have been completed and the building's concrete frame is currently under construction. The tower element's lift core has reached its full height and the concrete floor decks are currently being cast floor-by-floor, currently at level 09.
- 1.2 This application constitutes a revised scheme from that recently refused at PAC on 24 April 2019 (182196). The previously refused application sought consent for a similar scheme to that approved in nature, except included the insertion of an additional storey to accommodate 23 additional apartments on the lower block 'benchmark' element.
- 1.3 This revised application now brought before committee seeks 20 additional units when compared to that of the previously approved scheme and 3 units less than the refused scheme. Furthermore, officers have negotiated the introduction of grey cladding to parts of the northern and eastern elevation. A more detailed description of the proposal and planning history is undertaken in section 3 and 4 of this report. In addition, and as reported in the item's recommendation, there is a significantly adjusted affordable housing contribution. This is covered in more detail in section 6(iii).

2. SITE DESCRIPTION

- 2.1 The application site is a narrow piece of land (former Coopers BMW garage) adjacent to the north embankment of the Bristol-Paddington railway line at the edge of central Reading. Vastern Road roundabout lies to the west at the junction of Vastern Road, George Street (Reading Bridge) and Kings Meadow Road. Prior to work commencing on application 162166, the site was occupied by a temporary car park following the demolition of the dealership in 2016.



Photo 1: View southeast from Vastern Road roundabout (18th June 2019 Conlon).

- 2.2 The application site is an identified site in the Reading Central Area Action Plan (the RCAAP, 2009) as Site RC1h (Napier Road Junction) for a single landmark building for residential use, B1 office use, or a mixed use for both.

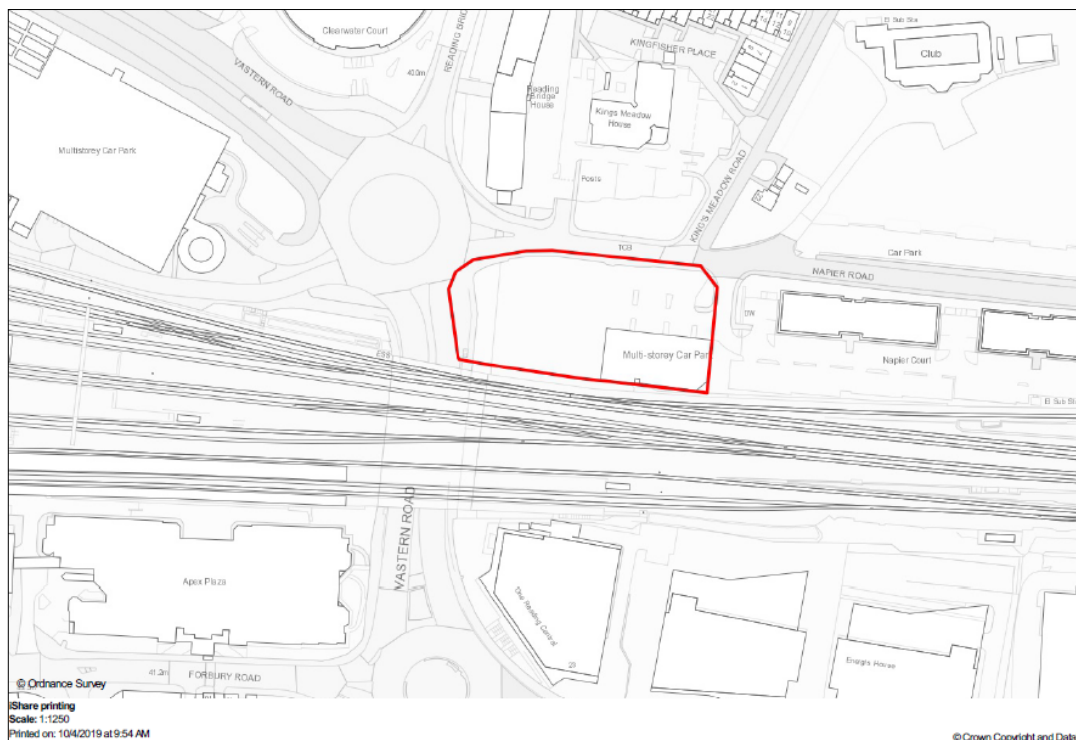


Fig 1: Location plan (not to scale)

3. PROPOSAL

- 3.1 This application seeks part retrospective full planning permission for a **revised** scheme to provide 335 dwellings to be let long-term under Build-to-Rent (BTR) tenure. This constitutes 20 additional apartments to that provided by the **approved** scheme 162166 and 3 apartments less than the recently **refused** scheme 182196.
- 3.2 The building would continue to consist of two sections. A ‘benchmark’ horizontal residential block at 13 storeys and a ‘landmark’ vertical 23-storey residential tower at the western end closest to the roundabout and the town centre. The key differences between this and the refused scheme is that the benchmark element would now have a partial additional storey inserted (an increase from 12 storey to partial 13 storey), with the “haunch” of the building (where the benchmark element abuts the southern elevation of the tower), reduced to remain identical to that approved under 162166 when viewed from the west (see Fig 2 below).



Fig 2: West elevation. APPROVED scheme (left), REVISED scheme (right) (not to scale)

- 3.3 The other key physical change between the refused scheme and this revised scheme is the introduction of grey cladding to parts of the northern and eastern elevation (see Fig 3 and 4 below).



Fig 3: Northern and eastern elevation REFUSED scheme (not to scale)



Fig 4: Northern and eastern elevation REVISED scheme (not to scale)

- 3.4 The proposal continues to leave an area to the north and west frontage for landscaping/public realm and to accommodate future highway improvements at the end of Kings Meadow Road as part of the East Reading MRT route.
- 3.5 Should the Committee resolve to grant permission, any necessary conditions and the S106 agreement would need to be carefully worded to reflect the part-retrospective nature of the current proposal as the end result would be two planning permissions capable of being implemented.

4. RELEVANT PLANNING HISTORY

- 4.1 Relevant planning history since 2014 is as follows:

140700	Request for a pre-application scoping meeting	Two initial scoping meetings were held with the applicant in late 2013 and early 2014. Following the second scoping meeting, officers produced a note for the developer, advising of locations for views analysis to be undertaken. In the same note, concerns were raised for the inconsistency of the emerging proposal with adopted planning policy and officer advice at that time was that a development of circa. 15 storeys would be more appropriate.
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141815	Screening opinion request	Opinion provided 8 December 2014, advising that the development would not be subject to the Environmental Impact Assessment (EIA) Regulations.
150120	Full planning application	<p>Demolition of all existing onsite buildings and structures, including remediation, 352 new homes in a mix of sizes in three new buildings up to 28 storeys in height, reception, concierge, library, clubroom, community rooms, business centre, residents' fitness centre, residents' storage and associated other ancillary community uses, Up to 523 sqm of commercial floorspace (Use Classes A1, A2, A3, B1 or D1) in 2 units, 308 cycle parking spaces, 118 car parking spaces including four car-club spaces and private residents' storage, access and service access, outdoor amenity space and landscaping.</p> <p>REFUSED 22 May 2015 for 12 reasons</p>
160012	Demolition prior approval	<p>Application for prior notification of proposed demolition (of car showroom).</p> <p>PRIOR APPROVAL NOT REQUIRED 15 April 2016</p>
160236	Full planning application	<p>Part retrospective change of use to public car park for temporary three year period.</p> <p>PLANNING PERMISSION GRANTED 24 May 2016 Temporary permission until 24 May 2019. Implemented</p>
162166	Full planning application	<p>Erection of a part 12 storey, part 23 storey building comprising 315 apartments in a mix of studio, one-bedroom, two-bedroom and 3-bedroom units; residents' lounges, tech-hub, dining room, and cinema room, various rooftop outdoor amenity spaces, concierge/reception with coffee meeting area, residents' storage facilities, postroom, ancillary back-of-house facilities, 315 secure cycle parking spaces, 49 car parking spaces, landscaping, and associated works. Demolition of existing multi-storey car park.</p> <p>PLANNING PERMISSION GRANTED WITH s106 AGREEMENT (23/11/17)</p>
181438/APC 181537/NMA	Various	Various applications for non-material amendments and approval of details reserved by condition, pursuant to 162166. Currently under consideration.

181858/APC 180329/NMA 180423/APC		
182196/FUL	Full planning application	Erection of a part 13-storey, part 23 storey building comprising 338 apartments in a mix of studio, one-bedroom, two-bedroom and three-bedroom units, residents' lounges, tech-hub, dining room, and cinema room, various rooftop outdoor amenity spaces, concierge/reception with coffee meeting area, gym, residents' storage facilities, postroom, ancillary back-of-house facilities, 338 secure cycle parking spaces, car parking spaces, landscaping, and associated works (revision to planning permission 162166 dated 23/11/2017) (Part Retrospective). PLANNING PERMISSION REFUSED (24/04/19)

- 4.2 Since the decision to refuse 182196, Officers have been working positively and proactively with the developer to explore possible solutions to those issues previously identified. In accordance with Para 38 of the NPPF and in light of the advance stage of construction on site, the Council has actively sought to work proactively with the developer to secure a form of development which will improve the economic, social and environmental conditions of the area.

5. CONSULTATIONS

(i) Statutory:

5.1 Environment Agency

As with applications 162166 and 182196 no objections are raised subject to conditions and informatives being applied, which principally relate to contaminated land.

[Officer comment: relevant contaminated land conditions have already been discharged in implementing permission 162166.]

(ii) Non-statutory:

5.2 RBC Transport Strategy

Access

Vehicular access to the site is to be retained via the existing access road from Napier Road. This road previously served the former Cooper BMW garage site and the adjacent Napier Court Business units. Refuse and servicing areas are provided within the ground floor design. Swept Path analysis has been undertaken using to demonstrate that service vehicles can access these areas and adequately manoeuvre in order to exit the site in forward gear.

The Council's Waste Operations department assessed the bin storage provision as part of the consented scheme. Refuse collection will be managed from the loading bay on the ground floor of the building with the management company presenting bins to the collection point. As per the consented scheme, the full management details should be combined into a waste management plan secured by condition. This will ensure the future occupiers/management of the site are party to what is in the waste management plan so that they comply with the agreed processes.

A secondary access point is proposed on the northern facade of the building to provide secure, direct access to the secure cycle parking area from Kings Meadow Road.

Pedestrian access is to be located on the western facade of the building fronting onto the existing footways on the A329.

Parking

The site is located on the boundary of Zone 1 and Zone 2 of the parking SPD and given the close proximity to the Town Centre and Railway Station the requirements of Zone 1 have been used. The required parking provision is 0.5 spaces per unit equating to 167 parking spaces and a provision of 49 spaces at 0.14 spaces per unit has been provided. A lower provision is acceptable if the site is within a sustainable location and providing a lower provision of parking will not lead to Highway Safety Issues.

Kings Meadow Road and the surrounding road network all have parking restrictions preventing on-street parking, therefore, any overflow in parking would not affect flow of traffic on the classified road network. Kings Meadow Road does not fall within a Resident's Permit Zone and the residents will not be eligible to apply for a Residents Parking Permit.

Given the location of public car parks in the vicinity and parking restrictions on the adjacent roads, it is considered that the reduction in the residential provision on site will not lead to on street parking being detrimental to road safety and is acceptable.

The availability of a car club on site provides an alternative to residents to owning a car, especially when living in a town centre location. The consented scheme secured the provision for 4 car club spaces with 3 vehicles initially, expandable to 4 vehicles subject to demand, which formed part of the proposed Travel Plan measures. The revised scheme continues to make this commitment and forms part of the Framework Residential Travel Plan. The location of the car club spaces is conditioned for a plan to be submitted and approved prior to first occupation of the development.

The Council's Local Transport Plan 3 Strategy 2011 - 2026 includes policies for investing in new infrastructure to improve connections throughout and beyond Reading which include a network of publicly available Electric Vehicle (EV) charging points to encourage and enable low carbon or low energy travel choices for private and public transport. Policy TR5 of the emerging Local Plan also states that "Within communal car parks for residential or non-residential developments of at least 10 spaces, 10% of spaces should provide an active charging point." The location of the Electric Vehicle (EV) charging points is conditioned for a plan to be submitted and approved prior to first occupation of the development.

Parking is to be provided on site within the Podium structure. The car park and ramp design complies with recommended design guidance for underground car parks. However, a minimum of 3 disabled spaces must be provided within the site. The location of the disabled parking spaces is conditioned for a plan to be submitted and approved prior to first occupation of the development to ensure the provision meets the Council's Standards.

The development proposes 335 secure cycle parking spaces which exceeds the Council's standards of 0.5 spaces per 1/2 bedroom flat. The main cycle store is accessed from Kings Meadow Road on the northern facade of the building via a levelled access.

Landscaping

The Design and Access Statement states that the changes proposed within this application do not affect the site layout, masterplan, public realm design, terraces, or the hard and soft landscape strategies. Although the landscaping condition was approved under application no. 180423 on 9th July 2019, this is still subject to Highway plans being submitted to address the S278/38 requirements. Therefore with this in mind, I would suggest a condition that requires a final landscaping scheme to be submitted prior to occupation.

Section 7 of the consented Transport Assessment under application no. 162166 detailed mitigation measures including transport contributions towards the funding of a new signalised pedestrian / cycle crossing on Kings Meadow Road and a Residential Travel Plan. The area of land on the southern side of Kings Meadow Road is to be transferred to the Council to ensure that any infrastructure associated with the proposed signal crossing is located Public Highway land. These measures are considered robust enough to accommodate for the additional 20 units proposed.

The scheme will continue to facilitate the provision of the Mass Rapid Transport improvements across the front of the site although the scheme will not be progressed at the current time. The approved Landscape General Arrangement Ground Floor plan (151638-STL-XX-00-DR-L-ZZZZ-09000 PL08) demonstrates the existing footway along Kings Meadow Road will be retained. However, the applicant is requested to submit the approved revision PL11 as noted above.

As per the approved scheme, pedestrian & cyclist access rights should be secured via a S35 agreement along the northern and western façade of the building to ensure there is a continuous footway link from Vastern Road to Napier Road.

The landscaping proposals will require a S142 licence which permits the occupier or the owner of any premises adjoining the highway to plant and maintain, or to retain and maintain, trees, shrubs, plants or grass on the highway.

Traffic Generation

The proposed development will result in 20 additional units compared to the consented 315 unit scheme but there is no increase in parking provision. To assess the impact of the additional units, the TRICS trip generation used for the consented scheme has been updated to account for the additional units.

The proposed additional 20 units will result in 3 additional two way trips in the AM Peak and 2 additional two way trips in the PM peak. This is a negligible increase in trips compared to the consented scheme and would have no material impact the local highway network.

Travel Plan

In order to mitigate the impact of the development, a Residential Travel Plan will be implemented as part of the development. Travel Plans are used to initiate modal shift away from the private car and towards more sustainable modes. The Travel Plan would be monitored annually over a 5 year period.

S.106 heads of terms

S106 Heads of Term as per previous application 162166.

Conditions

The conditions applied to the previous application 162166 should be secured. Condition numbers 4, 17, 18, 22, 36, 37, 39, 40, 41 & 42 specifically relate to transport/highway/drainage matters and should be secured for this application if approved.

[Officer comment -No further information is required and transport matters are adequately dealt with subject to relevant and necessary planning conditions.

5.3 Lead Flood Authority (RBC Highways)

Reviewed the SuDs proposal further following the additional information and can confirm no objections to the proposal subject to the following condition:

No building / dwelling hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. In accordance with NPPF Paragraphs 163 and 164, Core Strategy Policy CS1 and Sites and Detail Policies document Policy DM1

[Officer comment - The submitted SuDS proposals remain identical to both previous applications and are deemed acceptable subject to conditions to secure the implementation and future maintenance and management of the SuDS scheme in accordance with a timetable to be submitted.

5.4 RBC Environmental Protection (EP)

Comments on this proposal are the same as for the previous consented scheme and subsequent applications to discharge conditions. Most of the details submitted pursuant to conditions attached to 162166 continue to be acceptable and have been submitted again in support of the current proposal.

- A noise mitigation scheme for the flats
- A noise assessment is required from plant
- Air quality to the development is considered to be acceptable
- Contaminated and land gas remediation

- Construction-related controls (noise/dust).

The Council's Environmental Health Team confirm that the only outstanding query relates to noise ingress through ventilation air intake vents in the façade and whether the vents will be acoustically treated. This is currently being discussed with the applicant and is capable of being dealt with by condition, as with approved application 162166.

5.5 RBC Valuers

The Council's Valuer and appointed external consultants have been working extensively with officers and the applicant in order to examine the revised affordable housing offer. The findings and conclusions of these negotiations are summarised in the Affordable Housing section 6(iii) in the main body of the report.

5.6 RBC Leisure

We have already secured a financial contribution of £120,000 for a number of landscape improvements and enhancements to nearby View Island and Kings Meadow. This equates to £380.95 per unit. Given that this application is seeking approval for an additional 20 residential units, to make the development acceptable in planning terms, it is entirely appropriate to request an increase in the level of the leisure contribution. We are therefore requesting an additional £380.95 for each of the 20 units, making a total £7,619 and a grand total of £127,619. Contributions from developers are essential in providing the capital expenditure required to enhance areas of public open space.

The Open Spaces Strategy outlines the Council's approach to management of and investment in recreational public open spaces. Whilst Reading's overall amount of public open space is in line with the national guidelines, it is unevenly distributed across the Borough and in particular there is a shortfall in and around the town centre. The strategy therefore seeks to strengthen existing protection given to open space and bring about additional provision and improvements to cater for the increased demand as a consequence of a rising population.

Further, the Council's Core Strategy Policy CS9 sets out the objectives of securing infrastructure, services, resources and amenities to ensure that developments are both sustainable and that they contribute to the proper planning of the area. It also provides the basis for justifying infrastructure provision as part of development proposals.

We believe that for a development of 335 units the total of £127,619 is very fairly and reasonably related in scale and kind and necessary to make the development acceptable in planning terms. It is also directly related to the development and will be used on further infrastructure and enhancements at Kings Meadow which is immediately opposite the development site.

[Officer comment - Following agreement with the developer, this updated amount will be integrated into the overall s106 agreement and is reported in the agreed Heads of Terms]

5.7 RBC Planning (Natural Environment) (Tree Officer)

Fundamentally the proposal is acceptable as the changes do not affect landscape provision. Separate comments/queries can be raised with regard to any subsequent discharge of landscaping condition, as the case with condition 3 attached to approved application 162166.

5.8 RBC Ecologist

It is not clear whether, by providing the three documents - a 3D plan showing oblongs presumably the location of swift bricks, a generic document from the RSPB about peregrine platforms and a generic document from the RSPB about Swift Bricks - the applicant is trying to negate the need for Condition 27 (Biodiversity Enhancements) of planning consent 162166 being carried over to this application.

Condition 27 reads as follows: *“No development above slab level shall take place until details of bird nesting features have been submitted to and approved in writing by the Local Planning Authority. The details shall include a peregrine platform and 10 (ten) bricks or other features suitable for use by swifts. The bird nesting features shall thereafter be installed as per the approved details and retained for their intended use thereafter.”*

However the submitted details would not be sufficient to demonstrate compliance with the above as there are no details of the type of bricks to be installed nor why the location has been chosen. As such, either further details should be submitted (to comprise a report by a suitably qualified ecologist setting out what bird nesting features will be installed where) or the condition above (slightly re-worded as the building is now above slab height) should be attached to any new consent.

[Officer comment - Following agreement with the developer, an updated condition will be attached which requires compliance prior to first occupation to resolve any outstanding ecology matters]

5.9 RBC Sustainability Team

No response received to date.

[Officer comment - As there is no change to the energy and sustainability strategies produced with this application, the Sustainability Team’s concurrence with the approach taken by the applicant remain applicable.]

5.10 Berkshire Archaeology:

As you will be aware, we corresponded in May 2019 about this site but, for completeness sake, I can confirm that the archaeological aspects of this development site have previously been addressed and therefore no action is required in relation to this application as regards the buried archaeological heritage.

5.11 Historic England

The application should be assessed against National and local policy guidance and on the basis of Reading’s own specialist conservation advice.

5.12 RBC Emergency Planning Manager

No response received. Comment on 162166 was that risk of the building itself being a target for terrorist attack is low, but proximity to bomb blast of the Station is a risk. Suggests laminated glass for areas facing the station.

[Officer comment - This could be a condition of any approval, as previously agreed].

5.13 Civil Aviation Authority

No response received.

5.14 Wokingham Borough Council

I refer to your consultation request registered on 4 June 2019. I can confirm that the Local Planning Authority raises no objection to the proposal and trust the application will be considered in accordance with the relevant planning policies.

5.15 South Oxfordshire District Council

No response received.

5.16 Reading Civic Society

No response received.

5.17 Crime Prevention Design Advisor (Thames Valley Police):

No response received.

[Officer comment - Comment on 162166 was that has a number of concerns with this complicated development, but advises that a comprehensive security strategy (secured by condition) could overcome this. This remains the case.]

5.18 Network Rail

Drainage and boundary informatives.

[Officer comment - As with both previous applications, the majority of the concerns raised relate to the safe functioning of the railway and are largely a matter to be resolved between the respective landowners. The applicant is aware of these points, which could form an Informative on any permission].

5.19 Crossrail

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited advises the Local Planning Authority that the proposed development could impact nearby railway infrastructure. Crossrail therefore, advises the Applicant contact Network Rail (Lynsey.Wheater@networkrail.co.uk) regarding the proposed scheme and its proximity to the operational railway.

5.20 Caversham GLOBE

No response received.

5.21 Reading UK CIC

No response received.

5.22 RBC Waste Manager

No response received.

5.23 Thames Water

No objection raised subject to informatives, but also (consistent with 162166) requests that conditions be attached to any planning permission to secure upgrades to foul sewerage infrastructure and drinking water supply; and to control foundation piling works close to water infrastructure. Dealt with under the water Act 2011.

Public consultation

5.24 Site notices were displayed onto the Napier Road roundabout frontage to the site. Letters were also sent to all those residents consulted as part of the previous application and all previous objectors.

5.25 3 letters of objection were received and have been summarised as follows:

- This proposed development will not ameliorate the substantial objections to its forerunner (application no. 162166) relating to:
 - Traffic movements
 - ugliness
 - potential for anti-social activities
 - The type of accommodation will cater for speculative rentier clientele
 - No solution to Reading's urgent need to heal the social fabric.
- Application appears structurally no different to 182196 other than additional financial incentives and affordable housing allocations.
- Also no additional cycle or car parking has been provided for the additional 50 residents.
- The consented scheme is already large enough, and very overbearing on neighbouring structures.
- It will be visually prominent from Kings Meadow park.
- An additional floor will make it even more disruptive to the views from the park;
- It will not really add any aesthetic value to the scheme as a whole.
- Consented scheme has a better balance between the benchmark and landmark tower.
- The additional floor will erode the elegance of the landmark tower.

6. RELEVANT POLICY AND GUIDANCE

6.1 A starting point for any consideration is Section 38(6) of the Planning and Compulsory Purchase Act 2004. This requires proposals to 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' and the three key objectives in achieving sustainable development'.

6.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority shall have 'special regard' to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.3 In terms of impact of development on the setting of a scheduled monument, securing the preservation of the monument 'within an appropriate setting' as required by national policy is solely a matter for the planning system. Whether any particular development within the setting of a scheduled monument will have an adverse impact on its significance is a matter of professional judgement. It will depend upon such variables as the nature, extent and design of the development proposed, the characteristics of the monument in question, its relationship to other monuments in the vicinity, its current landscape setting and its contribution to our understanding and appreciation of the monument.

6.4 National Planning Policy Framework (NPPF) (2019)

The following NPPF chapters are the most relevant (others apply to a lesser extent):

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment.

6.5 Other Government Guidance which is a material consideration

Historic England Advice Note 4: Tall Buildings (2015)
DCLG: Accelerating Housing Supply and Increasing Tenant Choice in the Private Rented Sector: A Build to Rent Guide for Local Authorities (2015)
Government National Planning Practice Guidance (NPPG) suite (including specific chapter on Build to Rent (13 September 2018)

6.6 Reading Borough Local Development Framework: Core Strategy (January 2008) (as amended 2015)

- CS1 (Sustainable Construction and Design)
- CS2 (Waste Minimisation)
- CS3 (Social Inclusion and Diversity)
- CS4 (Accessibility and the Intensity of Development)
- CS5 (Inclusive Access)
- CS7 (Design and the Public Realm)
- CS8 (Waterspaces)
- CS9 (Infrastructure, Services, Resources and Amenities)
- CS10 (Location of Employment Development)

CS11 (Use of Land for Alternative Uses)
 CS15 (Location, Accessibility, Density and Housing Mix
 CS16 (Affordable Housing) including update to policy, 2015
 CS20 (Implementation of The Reading Transport Strategy (Local Transport Plan 2006-2011))
 CS21 (Major Transport Projects)
 CS22 (Transport Assessments)
 CS23 (Sustainable Travel and Travel Plans)
 CS24 (Car/Cycle Parking)
 CS25 (Scale and Location of Retail, Leisure and Culture Development)
 CS26 (Network and Hierarchy of Centres)
 CS29 (Provision of Open Space)
 CS33 (Protection and Enhancement of the Historic Environment)
 CS34 (Pollution and Water Resources)
 CS35 (Flooding)
 CS36 (Biodiversity and Geology)
 CS37 (Major Landscape Features and Strategic Open Space)
 CS38 (Trees, Hedges and Woodlands)

6.7 Reading Borough Local Development Framework: Reading Central Area Action Plan (RCAAP) (2009)

RC1 (Development in the Station/River Major Opportunity Area). The site is identified in the RCAAP as site RC1h Napier Road Junction
 RC5 (Design in the Centre)
 RC6 (Definition of the Centre)
 RC9 (Living in the Centre)
 RC10 (Active Frontages)
 RC13 (Tall Buildings) (the site is at the eastern extremity of the RC13a Station Area Cluster)
 RC14 (Public Realm)

6.8 Reading Borough Local Development Framework: Sites and Detailed Policies Document (2012) (as amended 2015)

SD1 (Presumption in Favour of Sustainable Development)
 DM1 (Adaptation to Climate Change)
 DM2 (Decentralised Energy)
 DM3 (Infrastructure Planning)
 DM4 (Safeguarding Amenities)
 DM10 (Private and Communal Outdoor Space)
 DM12 (Access, Traffic and Highway-Related Matters)
 DM18 (Tree Planting)
 DM19 (Air Quality)

6.9 Reading Borough Submission Draft Local Plan 2018

The examination process included a set of public hearings. These hearings took place between 25th September and 5th October at the Town Hall, Blagrove Street. The Inspector has provided a Post Hearing Advice Note in respect of a number of issues arising during the examination which is available to view at <http://www.reading.gov.uk/localplanexamination> (document ref EI 014).

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
 EN1: Protection And Enhancement Of The Historic Environment
 EN2: Areas Of Archaeological Significance
 EN3: Enhancement Of Conservation Areas
 EN5: Protection Of Significant Views With Heritage Interest
 EN6: New Development In A Historic Context
 EN7: Local Green Space And Public Open Space
 EN9: Provision Of Open Space
 EN10: Access To Open Space
 EN12: Biodiversity And The Green Network
 EN13: Major Landscape Features And Areas Of Outstanding Natural Beauty
 EN14: Trees, Hedges And Woodland
 EN15: Air Quality
 EN16: Pollution And Water Resources
 EN17: Noise Generating Equipment
 EN18: Flooding And Drainage
 EM1: Provision Of Employment
 H1: Provision Of Housing
 H2: Density And Mix
 H3: Affordable Housing
 H4: Build To Rent Schemes
 H5: Standards For New Housing
 H10: Private And Communal Outdoor Space
 TR1: Achieving The Transport Strategy
 TR2: Major Transport Projects
 TR3: Access, Traffic And Highway-Related Matters
 TR4: Cycle Routes And Facilities
 TR5: Car And Cycle Parking And Electric Vehicle Charging
 CR1: Definition Of Central Reading
 CR2: Design In Central Reading
 CR3: Public Realm In Central Reading
 CR6: Living In Central Reading
 CR10: Tall Buildings
 CR11: Station/River Major Opportunity Area

6.10 Supplementary Planning Documents

Reading Station Area Framework (RSAF) (2010)
 Sustainable Design and Construction (July 2011)
 Parking Standards and Design (October 2011)
 Employment, Skills and Training (April 2013)
 Affordable Housing (July 2013)
 Planning Obligations under S.106 (April 2015)

6.11 Other Reading Borough Council corporate documents

Tall Buildings Strategy 2008
Tall Buildings Strategy Update Note 2018
Reading Open Space Strategy (2007)
Reading Tree Strategy 2010
Local Transport Plan 3: Strategy 2011-2026 (2011)

7. APPRAISAL

- 7.1 The revised current proposal is essentially the same scheme as the approved scheme 162166, which is currently at an advanced stage of construction, except for the additional 20 units located on a partial new floor, a revised approach to the east and north elevational treatment and a revised affordable housing offer. Therefore, similar to the previous committee report, in the interests of brevity this report will focus on the main issues, which are considered to be:

- (i) Principle of development
- (ii) External appearance
- (iii) Affordable Housing and Housing Need
- (iv) Other matters

(i) Principle of Development

- 7.2 This revised proposal continues to propose a high density Build to Rent (BTR) scheme in exactly the same position as the previous approval (162166). The principle difference between them is the addition of a partial storey to the benchmark element, taking it from a consented 12 residential storeys to partial 13 storeys. Unlike the recently refused scheme for an entire 13 storey benchmark element, the 13th floor of the revised scheme no longer wraps around the landmark tower and is reduced to be identical to the approved scheme when viewed from the west elevation (see Fig 2). The first matter to consider is therefore the policy basis for assessing the additional ‘partial storey’ and whether this would comply with the Council’s tall building policies in principle.

- **Tall buildings policy**

- 7.3 Tall buildings policy for the Station Cluster (which includes the application site), originate from the Tall Buildings Strategy (2008) and are identified in the Reading Central Area Action Plan (RCAAP) (particularly Policies RC1 and RC13) and are supplemented with more detailed guidance in the Reading Station Area Framework (RSAF), adopted in 2010. The Tall Buildings Strategy Update 2018, submitted in evidence to the Local Plan examination, sits alongside the original 2008 Tall Buildings Strategy.
- 7.4 The NPPF expressly supports the Council’s approach in setting a clear design vision and expectations as set out in the RSAF and underpinned by relevant Development Plan policies. Para. 125 states *“Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development”*.

- 7.5 Para 126 continues: *“To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.”*
- 7.6 In terms of local policy, the RCAAP RC1(h) site allocation envisages a dense, large scale development, and this is carried forward in the Submission Draft Local Plan 2018 which shows an indicative development potential for this site of 200-300 dwellings, plus some commercial (draft Policy CR11h). Therefore, the removal of the present building and the redevelopment of the site more intensively is accepted in principle, which was also acknowledged when determining the extant permission 162166 and continues to be case in the assessment of this current revised application.
- 7.7 The RBC Tall Buildings Strategy (2008) (a background paper to the RCAAP), and the 2018 Update Note identify a cluster of tall buildings around the station where the tallest buildings are intended to command the dominant position in the cluster for the Reading skyline. The eastern and western tall building zones identify point markers, such as The Blade and Kings Point (now ‘Verto’) in the east and Fountain House and Chatham Place in the west. In this way, the skyline of the town is considered balanced and the appropriate scale or build-up of scale can be attributed to the locations of the greatest importance and sustainability.
- 7.8 In the RSAF, the aspirations for heights are set out in Chapter 6 entitled, Density, Mass and Height. The application site is earmarked for “Medium-High Density” (Figure 6.7) (as opposed to “Very High” for the more central sites in the tall building cluster around the Station) and suitable for a “Local Landmark” building (Figure 6.8) (as opposed to other sites which are identified as suitable for a more prominent “District Landmark”). Therefore, the RSAF provides useful and specific advice on the required function of the landmark at this location. Figure 6.10 of the RSAF SPD provides the suggested relative heights in the Central Area (entitled “tall building location guidance”) and indicates that a lower overall height would be appropriate for this site, which is at the eastern extremity of the RSAF area. The RSAF clearly indicates that in height and density terms, this site is to be developed at a significantly smaller scale than the tallest buildings which would be sited immediately adjacent to the station.
- 7.9 As with previous Committee reports, it is worth noting the scale of other tall building proposals/permissions in the Central Area. This comparison now includes Reading Bridge House on George Street, which was not included previously when considering the refused scheme and is included given its proximity to the site, role in transitioning to the river and the fact it is an important contextual feature in considering the relative height of any revised proposal:

Site	Height (max.)	Comment/status
Plot C, ‘Station Hill 3’	109-128m AOD	OUTLINE PLANNING PERMISSION,

		not commenced. (the height is a range due to the parameters set by the outline planning permission)
29-35 Station Road (adjacent to Station Hill)	121m AOD	Current application 181930
Thames Quarter	111.7 AOD	Permission granted under 162166 and under construction.
Reading Bridge House on George Street	73.5m AOD	Existing
80 Caversham Road 'Royal Mail site'	123.18m AOD	Current application 182252.
Thames Tower	103.3m AOD	PERMISSION, completed (with roof extension)
Chatham Place	102.5m AOD	PERMISSION, completed
Kings Point/Verto	94.1m AOD	PERMISSION, completed

- 7.10 Whilst exceptions may exist to the general rule that heights should reduce with distance from the station, these would need to be carefully controlled. Paragraph 6.26 of the RSAF states that: *“Landmark buildings may exceptionally ‘puncture’ the benchmark heights [8 storeys on this site, as set out in the RSAF, Figure 6.8] and the general ‘dome’ massing pattern in order to create emphasis and to mark important places. It is not envisaged that every potential landmark location in Figure 6.9 will necessarily provide a landmark building”*. The specific ‘landmark’ element of the current proposal (23 storey tower) continues to be the same height as that approved under 162166 and is considered acceptable in this regard.
- 7.11 As concluded in the planning assessment of application 162166, the development opportunity of this site is considered to be for a single local landmark building which will need to show deference/subservience to the height of the buildings at the centre of the Station Area Cluster. This approach still has merit.
- 7.12 Both the approved tower element and lower benchmark element of the development are classified as ‘tall buildings’ in terms of the definition in Policy RC13 (23 and 12 residential storeys) and would continue to retain this status under this revised application (23 and 13 residential storeys respectively). The sections below review the revised application scheme in terms of the various requirements of the policy, where relevant.
- 7.13 It has been established through the previous approval and subsequent assessment that a tall building on this site is unlikely to comply with the ‘normal’ criteria in Policy CS7, in terms of the effect on local character. Whilst tall buildings are generally an exception to the prevailing character and represent a new direction for the townscape in character terms, the status of this site is unchanged in a policy sense and careful consideration is required to ascertain whether any additional harm is caused by the increase in the benchmark element. Policy CS7 requires development to maintain and enhance the character of the area of Reading within which it is located. The Committee report for approved application 162166 clearly describes the more low-key character existing around the application site. Policy CS7 should therefore also be read in the context of other

specific tall buildings policies which facilitate the step-change in scale; i.e. Policies RC1, RC13, the RSAF and emerging policy in the Draft Local Plan.

- 7.14 The previous contention of the applicant under refused application 182196 was that there is no discernible difference between a 12 storey and a 13 storey lower block and that no significant adverse harm would be caused to the Benchmark Height of this area of Reading and therefore the skyline of the Reading Central Area. However, the Reading Station Area Framework sets clear guidelines for height and massing and states in paras 6.22-6.25:

“6.22 The benchmark height is the general recommended height for each area. The benchmark height is defined in commercial storeys, not metres and does not exceed ten storeys because this is the point at which tall building controls and design guidance applies. As a general rule, 10 commercial storeys equate to 12 residential storeys.

6.23 Benchmark heights may be modified upwards in order to realise certain urban design or other major planning benefits, or where applicants have demonstrated convincingly that the potential impact of higher buildings on the surroundings can be mitigated.

6.24 Benchmark heights are not guarantees and may be modified downwards where it becomes clear that proposed buildings will harm residential amenity or affect the setting of listed buildings, important views or open spaces.

6.25 There is a general presumption that benchmark heights should grade back to the established heights in the surrounding areas.”

- 7.15 The approved ‘benchmark’ element of the proposed building was already at the maximum 12 domestic storey recommended height set by the RSAF and Policy RC13. The proposed revised scheme sees this exceeded partially when viewed from the north, east and south elevation. The RSAF is clear that benchmarks are based on “storeys” rather than “metres”.
- 7.16 As a starting point, the now-proposed 13 storey lower element continues to exceed these criteria and would not comply with the guidance in the RSAF. The current proposed exceedance in both the general 10/12 storey guide and the 8 (commercial) storey site specific guide and therefore continues to conflict with these aspirations in policy terms.
- 7.17 As made clear in the previous committee report for the refuse scheme, a slavish adherence to policy is not always appropriate. The guidance in the RSAF notes that Benchmark heights may be modified to achieve certain urban design or other major planning benefits, or where applicants have demonstrated convincingly that the potential impact of higher buildings on the surroundings can be mitigated. As this is a new application and other changes have been made to the overall proposal, this discretion as permissible by the RSAF is important. It remains appropriate for the Council to consider the level of harm generated by any conflict, and weigh this in the overall planning balance as advocated by the NPPF, with due regard also had to the advanced stage of implementation of the approved scheme and its status as a material fall-back position.

- 7.18 Significant weight continues to be afforded to the Council's tall buildings policies, in ensuring that the new character of any such development is of benefit to the town. Read together, the Development Plan and supplementary guidance in the Reading Station Area Framework (RSAF) provide an appropriate framework within which the question of appropriate intensity and scale can be evaluated.
- 7.19 In this instance, there remains a conflict with the strategy for benchmark heights in this peripheral, edge of centre location. The increase of the agreed benchmark element would be at odds with the carefully-presented adopted strategy to ensure that these important 'benchmark' structures do not start to loom in these locations, thereby blurring the distinction between tall buildings and the surrounding skyline. This conclusion is independent of any detailed assessment as to the impact of the additional partial storey in this location when considered against the approved scheme under construction which will be undertaken in a later section of this report (6(ii) Visual impact).
- 7.20 Therefore in conclusion, the principle of bringing this site forward for the BTR development in this location is already approved and accepted. If the Council now accepts the partial increase in height and mass of the proposed development this departure from the guidance needs to be weighed against other material planning considerations as will be considered further as part of the overall 'Planning Balance' below.

- **Density and efficient use of land**

- 7.21 The NPPF 2019 in para 118(c) 'Planning policies and decisions' states that LPAs, *"...should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land."*
- 7.22 As a new requirement and with greater emphasis within the updated 2019 Framework, this has been put forward as added justification to support the increased quantum of development on this site. Officers can confirm that this NPPF objective remains consistent with existing Local Plan policy and guidance which already supports high-density tall building on this site, for instance Policies CS4, CS15, RC1 and RC13, as supported by the RSAF. Therefore, despite any arguments to the contrary, the Development Plan is not considered to be inconsistent or out-of-date in this regard and remains the starting point for decision making as per s.38(6) of the Act and as confirmed by para 12 of the NPPF itself.
- 7.23 Officers have previously advised that the approved scheme currently under construction already exhibits a significant uplift on the average density of residential development in the area, and could not reasonably be described as 'failing to make efficient use of land' as referred to in Para 123 of the NPPF. 335 dwellings on a 0.5 hectare site results in 167.5 dwellings per hectare which continues to be in excess of the minimum density of 70 dwelling per hectare for town centre sites set by Policy CS15 and also the emerging Policy H2 which suggests a minimum of 100 dph in the centre. The RSAF refers to 'plot ratios' as a measure of density (floor area relative to plot size) which in the case of the current proposal would remain at 6:1 or 600% (similar to that of the previously approved scheme). Fig. 6.7 of the RSAF itself suggests a "medium-high" density for the application site ("medium" is defined as 200 to 500% or 2:1 to 5:1, with "high" being 500 to 1000% or 5:1 to 10:1). The proposed density therefore remains within

the “high” density rather than “medium” density range. There is no material change to this intended density as proposed as part of this revised scheme.

- 7.24 In light of the above, the Council do not consider that this ‘renewed emphasis’ on efficient use of land within the updated NPPF justifies (in isolation) the increased density created by the additional 20 units, especially in such circumstances where higher than prevailing density is already encouraged and allowed for within adopted local policy in the Development Plan and through the consented scheme itself (as is the case here). It is therefore considered that as the approved permission already complies with the ‘substantial weight’ afforded by the NPPF to increased densities. The further increase in the density (albeit marginally) is not itself considered to translate into any substantially greater material benefit in the overall planning balance.

(ii) **Visual impact**

- 7.25 This revised application has actively sought to overcome the previous primary design-related refusal reason of application 182196. As described earlier in this report, this revised application resets the haunch of the building (adjacent to the tower element) back to that which was previously approved as this seeks to specifically address the concern raised by the Council to the impact upon the Napier Road street scene. Importantly from an aesthetic and proportional perspective, the revised scheme also now see the introduction of grey cladding to the eastern-most recessed bay of the northern elevation and on the eastern-most bay wrapped around the corner onto the eastern elevation in an attempt to positively influence the perceived proportions of the building.

- 7.26 As part of this revised application, detailed massing assessments, elevational comparison studies and accurate visual representations (AVRs) were also provided. Furthermore, the Council took the additional opportunity to obtain independent design input from the Council’s Design Review Panel and commission the Building Research Establishment (BRE) to independently verify the conclusions contained within the daylight/sunlight and microclimate reports submitted by the applicant. These revised proposals, additional information and further detailed analysis constitutes positive steps as a direct consequence of the Council’s decision to refuse the previous scheme.

• **Surrounding Townscape**

- 7.27 Both the approved scheme, refused scheme and this revised scheme include the 23 storey local ‘landmark’ tower at the western end of the site. As visible from site photographs, this part of the is substantially under construction as can be seen from those photos included within this report. The height, design and primacy of this tower is the single most important feature of the overall building, and ultimately informs how this building (whether as part of the approved scheme or this revised scheme) is primarily perceived in context to the town itself. There have been no changes in policy or the site context to suggest a different approach to the landmark tower under this revised application and as such this element of the scheme remains acceptable.

- 7.28 In turning to the benchmark building, the officer assessment of this part of the approved scheme stated previously: *“The benchmark building is the lower building and its height has been primarily dictated by the prevailing heights of the surrounding built form, for instance the Forbury Place development. In*

proportion, the tower is roughly twice the height of the tower and in your officers' opinion - as has also been voiced in design reviews - anything less would appear proportionally to be too squat. Therefore, the design proposes a benchmark height 'city-block' building and this surrounds the tower. The architectural detail, discussed further below, seeks to distinguish the two distinct design elements. Officers are therefore content that the massing complies with the RC1h designation for the site as amplified by the RSAF, which require a single tall building."

- 7.29 Policy RC1(vi) continues to require "Development in the Station/River Major Opportunity Area" to "Give careful consideration to the areas of transition to low and medium density residential and protect and, where appropriate, enhance the setting of listed buildings;" Para 6.13 of the RCAAP states that, "...schemes in these areas should take account of the fact that there are areas of low-rise housing fringing the area, and this should be reflected in the design of schemes, both in terms of the effect on character of the area and on the amenity of residents."
- 7.30 It is clear from previous assessments, one of the primary reference points for considering the height of the benchmark element are those buildings constructed on Forbury Road on the opposite side of the railway track to the south. We can now benefit from more accurately considering the building now under construction. So whilst recognising previous comparisons made with the benchmark height of 1, 2 & 3 The Forbury (the Forbury buildings), as mentioned earlier in this report, comparisons can and should also be made between the revised proposal and those buildings which lie directly to the north, namely Reading Bridge House on George Street, and Kings Meadow House (occupying land between the site itself and the River Thames). Importantly from a visual impact perspective, both these buildings front the same shared public realm (Kings Meadow, George Street as the application site and both share a visually similar slab level to that of the application site.



Photo 2: View north from Forbury Road roundabout with Reading Bridge House in view.

- 7.31 In acknowledging the marginal difference a 4m increase would constitute between the approved and revised scheme and when comparisons are made between existing tall buildings at The Forbury and Reading Bridge House (See Photo 2 above), it must be recognised that the elevated railway line runs between both sites and therefore the relative height of the benchmark to the ground level would not be read as plainly as would be illustrated on the section below (Fig 2). This does not change the resultant height of the benchmark element, merely ameliorates the perceived impact when taken in context to those buildings which actually surround the site, rather than from plan form as illustrated.

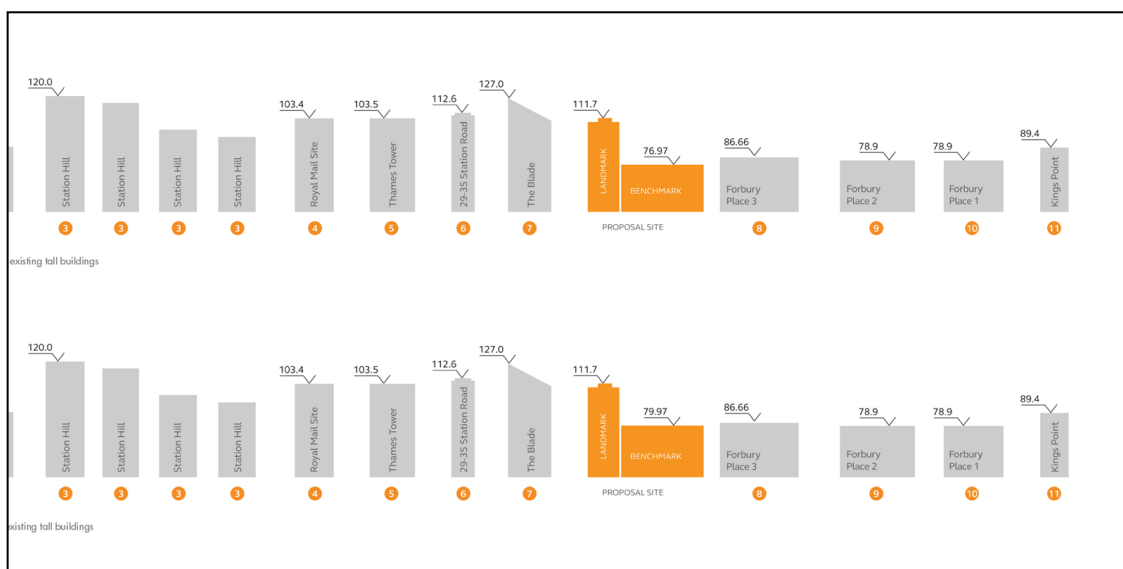


Fig 2: Comparison diagram from Design and Access Statement (Approved scheme top 76.57m AOD, revised scheme bottom 79.97m AOD).

- 7.32 Whilst useful, the above comparison in Fig 2 (as included in the developer's Design and Access Statement), only considers the revised benchmark height with tall buildings which lie to the south of the railway line. As described, it is appropriate for officers to also consider the benchmark height of the revised proposal against Reading Bridge House (visible in both Photo 1 and Photo 2) and the previously-approved development at the former Royal Mail site to the west. These comparative buildings are indicated in table 2 below, along with a comparison with this revised proposal:

Thames Quarter approved benchmark height to parapet:	71.4m AOD
Thames Quarter proposed benchmark height to parapet:	74.4m AOD
Reading Bridge House height:	73.5m AOD
Royal Mail approved height:	103.4m AOD

Table 2: Additional height comparison to the north and west.



Fig 3: Aerial view along Napier Road of approved scheme (CGI).

- 7.33 This additional information validates the officer's view that the revised benchmark height would not be visually isolated for a number of vantage points, and as shown below in a number of AVR's submitted with this revised application. Given the scale and height of existing buildings to the north which lie on a similar slab level, the magnitude of effect previously suggested from the west, through the increase in the benchmark element is not considered to represent any significant harm by virtue of the fact the 'haunch of the building' now retains the original intended primacy of the landmark tower (Fig 4 below), but also as a consequence of the evident scale of built form in the vicinity, framing the development at the end of Vastern Road roundabout.



Fig 4: AVR from Vastern Road (Camera position between Norman Place and Reading Station Car Park) showing Reading Bridge House.

- 7.34 As noted in both previous committee reports, the Forbury Buildings to the south are set on higher ground than the application site. A key question therefore continues to be how are these buildings and the application site *experienced* within the townscape relative to their surroundings, and not just in medium-distance views within the town. It remains the case the revised scheme needs to respect local topography if it is to continue to respond as appropriately to its context as the approved scheme. This is reflected in the RSAF which gives guidance on relating buildings to topography: *“The [Station] area marks a bluff or low hill with the ground rising from the Thames flood plain to the east, north and west. Building heights can mirror this topography. Conversely, lower buildings are to be encouraged on the lower ground.”* This approach avoids a hypothetical situation whereby buildings lower in the valley rise to the same height as those upslope, which would otherwise result in the valley bottom being occupied by disproportionately large and oppressive buildings.
- 7.35 The Forbury buildings have an adjacent road level of between 41.37m and 41.45m AOD whilst the Thames Quarter would continue to have a Ground floor level of 38.8m AOD. In this respect it continues to be recognised that the relative height and massing of the 13 storey benchmark element of the revised application would therefore be greater than that of buildings that rise to a broadly comparable height AOD (sea level) on Forbury Road, but based on the context of each building, they all are set at a greater height than street level.

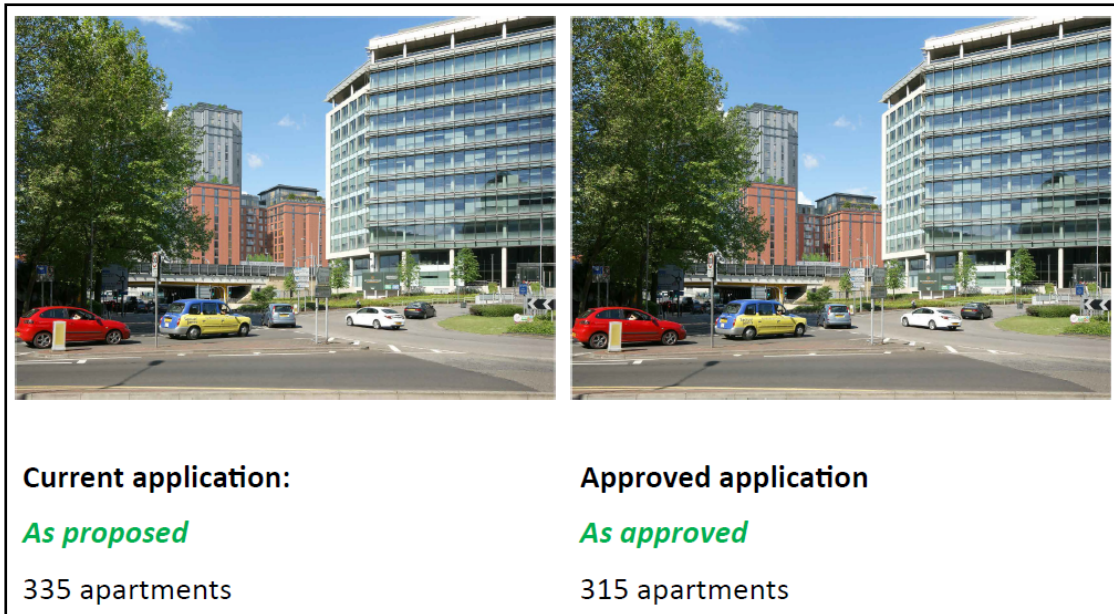


Fig 5: AVR from Rising Sun Pub (Camera position outside the Rising Sun Pub at the Forbury Road and Vastern Road roundabout)

- 7.36 In viewing the site from surrounding vantage points and considering this point specifically, in context to the Forbury buildings and existing Reading Bridge House, there already exists an overwhelming sense of scale in this part town, thereby effectively reducing quite considerably any natural perception of the existing topography of the area as described within the RSAF. Rather, man made interventions like the elevated railway embankment and railway underpass (See Fig 5 and Photo 2), the elevated street level of George Street when crossing Reading Bridge (photo 3 below), and views along Vastern Road, create a series of varied artificial horizons from a variety of ‘street levels’ at varying AODs for which the revised benchmark element would ultimately be read against.

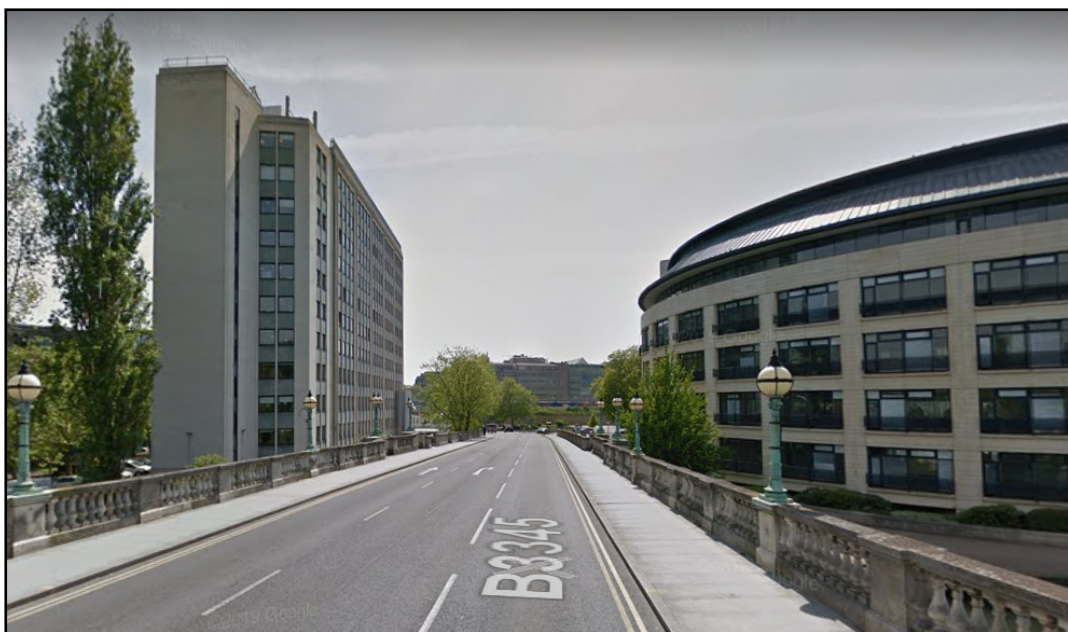


Photo 3: Elevated street level of Reading Bridge (Google May 2019)

- 7.37 In this regard, for the Council to be able to materially demonstrate that this revised scheme causes substantially more visual harm or creates a greater

obstruction of any defined view of high amenity value, continues to be fine balanced.

- 7.38 The refused scheme reasoned that the previous proposal would fail to address the transition *to low and medium density residential and other domestic scale buildings* to the north of the site. The scheme also did not benefit any additional ‘mitigation’ within the new enlarged design to suggest a different approach, contrary to para 6.23 of the RSAF. A submitted building heights survey plan (which was not submitted with the previous application) shows that, in terms of stepping-down, as one moves from Thames Quarter northwards to the River Thames, the scale of development would diminishes accordingly in an appropriate manner (see Table 3 below.

Thames Quarter proposed benchmark height to parapet:	74.4m AOD
Reading Bridge House height:	73.5m AOD
Clearwater Court (Thames Water offices) height:	68.1m AOD
Kings Meadow House (Environment Agency offices) height:	60.2m AOD

Table 3: Northern stepdown comparison.

- 7.39 This additional information demonstrates that the scale of buildings to the north of the site is not as domestic in scale as previously suggested (based upon the information available to officers at the time), and importantly the revised scheme would retain an appropriate transition to lower density development to the north before the natural landscape feature of the River Thames (See Fig 6 below).



Fig 6: Aerial view looking north towards those buildings listed in Table 3 (Application site highlighted in yellow) (Google May 2019)

- 7.40 This verifies to Officers that the marginal increase in the benchmark height at Thames Quarter would not significantly affect or run contrary to the prevailing

transition of building heights away from the town centre, but rather as Fig 4 and Fig 5 show, continue match the setting of the approved scheme in the street scene particularly in the context of both those buildings at Forbury Place and Reading Bridge House beyond.

- 7.41 In terms of additional mitigation, aside from to the reduction in built form to the west elevation, officers worked with the applicants architects to secure the addition of grey cladding to the eastern and northern elevation of the proposed benchmark element. To a lesser extent, the developer has also increased the financial contributions towards improvements at Kings Meadow Park, which can include additional tree planting should any specific close-range viewpoint be considered to benefit from additional mitigation.
- 7.42 To conclude, whilst the proposed height of the benchmark building remains largely as submitted in the refused application, material changes have been made to the scheme along with the provision of additional information to allow those concerns previously identified to be considered in much greater detail. This has allowed officers the opportunity to reappraise whether the revised proposal would overtly conflict with the site's topographic constraints, specifically, the valley location and is rising upwards to match the height of buildings located on higher ground). In this respect, it is considered that overall massing of building will remain largely unchanged and the revised scheme will be equally imposing and dominant as the approved, especially when viewed in context to those other dominant buildings in the immediate street scene to the north.
- 7.43 However, in light of the above, whilst the scale of the overall building will continue to be equally apparent as the approved scheme, informed by AVRs included within this report and the submission, there is no longer any substantive evidence to demonstrate that the insertion of the partial additional storey to the benchmark element causes as great a level of harm to the surrounding townscape as was previously concluded under the refused application.

- **Design and proportions**

- 7.44 To begin with, it must be recognised that the overall design of the building has not changed. The building is still made up of two distinct elements, both with agreed horizontal and vertical emphasise respectively, with an indicative material pallet shown matching that of the approved scheme notwithstanding the additional grey cladding to certain recesses on two elevations, which was a utilised feature at podium level.
- 7.45 As identified under the approved application, the form of the tall (landmark) tower was considered to be elegant with any harm that may occur considered to be comparatively limited. On balance, it was reasoned that the proportions of the approved scheme (when considered in the context of views and townscape) were supportable, largely on the basis of the elegance of the tower.
- 7.46 It continues to be the case that the revised proposal retains the strong vertical emphasis of the tower 'landmark' element, noted as a slender, vertical, elegant structure punctuating the skyline; discernible as purposefully distinct from a fundamentally subservient lower element sitting alongside. Under the refused application, it was the officer's view that the proposed upwards creep of the benchmark element unbalanced the proportions of the building and would appear to exceed a tipping point visually, reducing the visual primacy and Landmark

qualities of the tower by a reduction in the subservience of the benchmark element and ‘suffocating’ the tower in visual terms, thereby making it appear squat. This is in essence the starting point in considering the changes between the approved scheme and the now revised scheme.

- 7.47 The previous refusal identified two key concerns. Firstly harm to the elegance and vertical emphasis of the tower identified previously by obscuring its lower storeys, and secondly the overall mass of the building as a whole becoming more apparent.
- 7.48 In order to inform whether the two elements would continue to sit side-by-side as distinct, separate elements, or instead merge to form a monolithic mass as previously concluded, officers have taken the opportunity to seek independent design input from the Council’s Design Review Panel (DRP) in addition to extensive internal design scrutiny of this revised proposal. This was especially important as the previous committee report made clear that this aspect of the scheme was a matter of quite fine detail, and as such an objective assessment of the two schemes would now be vital in order to inform whether the revised proposal does in fact now continue to cause more, the same, or less harm than the refused scheme; and whether any differences between the approved scheme and this revised scheme, when taking account of all matters raised, is sufficient enough to now to withhold permission.
- 7.49 The Council recognise the importance of ensuring the lower element retains its relative subservience of the current approval. Failure to do so under the previous application resulted in the schemes ultimate resistance.
- 7.50 In considering the revised scheme, the Council’s Design Review Panel recognised that the design, form, massing etc. of the proposal have not fundamentally changed, except for the additional partial storey to the benchmark element. The Panel made clear that any observations on the fundamentals of the approved design beyond the differences between the approved and schemes was essentially not possible given that the approved scheme is substantially under construction. Consequently comments made by the panel were restricted and almost solely in relation to aesthetics and the opportunities open to the council and applicant to influence the proportion of the building in a positive way. Also, it was agreed that the subjective interpretation of the elevations (read in two-dimensions) and fine margins of change meant that that the panel were unable to definitively answer whether moving further away from the approved would be an improvement or not.
- 7.51 The panel did recognise that the loss of 3 units from the refused scheme was a key factor and critical to the success of this compromise by adding an additional storey. The panel also confirmed to the council that the introduction of different rendered materials was a well-practiced architectural technique which had the ability to positively change the proportion of the building in a way which could allow the additional partial storey to be successfully accommodated. The panel also suggested that, whilst not critical, the introductions of grey cladding elements may visually aid the building’s proportions. This reinforced the views made under previous reports that this was a matter of very fine detail.
- 7.52 At the DRP meeting, the applicant’s architect presented elevational drawings to show selected revisions to numbers of stories and materials choices in order to overcome concern expressed in the previous refusal.

- 7.53 In first considering the west elevation and the view from Vastern Road and roundabout (which is recognised as a key view of the proposal from the town centre side), the panel considered carefully the reduced the height of the benchmark to match the approved scheme through the removal of the haunch element where it adjoins the tower element (made possible through the loss of 3 units from that refused). The panel agreed this was a successful revision that restored/increased the primacy of the tower, improving its proportions in relation to the benchmark and vice versa. Officers agree with this conclusion and in noting previous concern expressed by the loss of primacy of the tower element, consider this an improvement which largely overcomes previous concerns raised from this elevation and the Vastern Road direction.
- 7.54 Whilst not crucial to the scheme overall, the introduction of grey cladding to the eastern-most recessed bay of the northern elevation was considered to successfully emphasise its recessed nature and shortened the perceived width of the overall benchmark element when viewed in elevation form. Equally, the horizontal use of grey cladding on the proposed partial additional floor, allows the additional height to be read as part of the recessed grey roof scape elements. This can be seen clearly below in Fig 7 below.

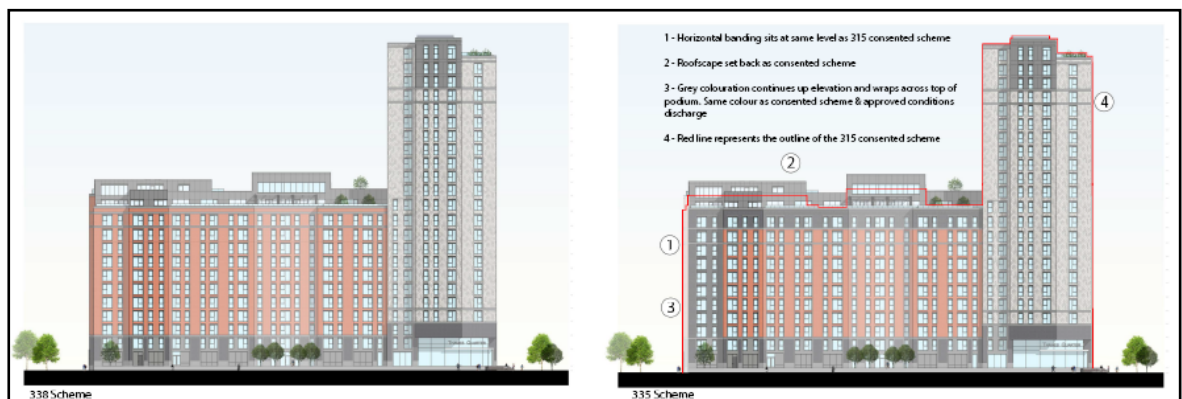


Fig 7: Northern elevational comparison - refused (left) and revised (right)

- 7.55 On the eastern elevation facing Kings Meadow, grey cladding was added to the eastern-most bay wrapping around the corner onto the eastern elevation. This was considered to provide much improved definition between the recessed grey element and red brick principle façade, giving the latter an increased vertical emphasis which reflects the main tower element in the background (See Fig 8 below).



Fig 8: Northern elevational comparison - refused (left) and revised (right)

7.56 The panel recognised these changes aided the proportions of the benchmark element visually, translating into a subtle change in the appearance of the revised scheme when viewed from afar. This independent design review of the revised scheme provided a positive validation that those valid concerns raised with the previously-refused scheme, and whilst remaining finely balanced, verified that those previous concerns expressed with regard to the increased perception of bulk and massing have been partly mitigated from a proportional and design perspective through the revisions secured.

7.57 In terms of architectural *detail* the architectural treatment of the vertical tower and the lower 'horizontal' element were considered important in order to distinguish between the two distinct design elements. Officers at the present time have not approved the design details (brickwork and other façade detailing etc.) and as important components of the overall design in their role differentiating between the lower and tower elements, such details can appropriately be dealt with pursuant to conditions and subject to assessment and negotiation.

- **Views**

7.58 As noted under the previous assessment of application 162166 and indicated above, the development would be evidently present in the majority of views identified as being affected. Having identified harm resulting from the proposed scale of building previously, it followed that this harm will be compounded due to the visibility of the building, particularly within mid and short-range views from surrounding vantage points. However, as explored above and with the benefit of additional information and material impact on such views is largely realised to be less than substantial.

- **Visual impact conclusion**

7.59 Based on the above assessment, it is now reasoned that whilst the proposal does little to step down in height towards the adjacent lower buildings to the south (Forbury Place), it would remain consistent with those other larger buildings to the

north as the town transitions to the river. To therefore conclude the proposal remains completely contrary to Policy CS13 is no longer the case. The revised proposal is not considered to cause any substantial harm to Reading's skyline as demonstrated by the AVRs and the building would continue to retain the same level of dominance and overbearing on persons experiencing the building at street level as that with the approved scheme.

- 7.60 It is concluded that whilst views of the building largely unchanged from a range of distances and vantage points, the darker grey cladding would successful alter the building's proportions to minimise the marginal vertical increase in height of the benchmark element when viewed from those few vantage point that exist from afar.
- 7.61 Policy RC13 requires tall buildings to create safe, pleasant and attractive spaces around them and avoid detrimental impacts on the public realm. As explained above and as concluded in the daylight and microclimate sections below, the marginal increase in scale of the benchmark element is not considered to unacceptably impact on these specific policy objectives.
- 7.62 Whilst the increase in scale of the building relative to that approved under application 162166 continues to suggest a building already at the limits of acceptable scale, officers can confirm that the insertion of this partial additional floor is considered to cause less visual harm than the additional floor of the recently refused scheme. Specifically, the revisions secured and mitigation provided through material changes to visually maintain the agreed proportions of the building and additional information, now verifies to officers that the additional storey can be accommodated without any significant change in the building's relationship to the surrounding townscape.
- 7.63 On the basis of the above assessment, and with due regard to the individual site circumstances, it is therefore considered that whilst resisted in principle, the height and massing of the proposal no longer results in an overriding conflict with the aims of Policies CS7, RC5, RC1 RC13.

(iii) Affordable Housing and housing need

- 7.64 Policy CS16 (Affordable Housing) as revised in 2015, sets a requirement that 30% of all housing within relevant major developments shall be affordable. This requirement is also supported by the Council's adopted SPD, 'Affordable Housing'.
- 7.65 By way of background, application 162166 was initially submitted with 0% Affordable Housing. It was agreed at that time and in the absence of specific local policy to the contrary, that a Build To Rent (BTR) model was not conducive to accommodating Affordable Housing on site due to site-specific design and viability issues; but that an agreed surrogate site could be secured to provide the equivalent contribution of 18% affordable housing units, but as building land only, not completed units. This was provided together with a 'top-up' contribution and deferred payment mechanism in the previous S106, where that surrogate site could not achieve all the Affordable Housing provision required.
- 7.66 This baseline position is a material consideration to the assessment of the current application as the earlier planning permission has been implemented and outline planning permissions related to the contractual obligations in the s106 attached to

permission 162166 have also now been granted for development on the surrogate site, planning applications 181652/OUT and 181653/OUT.

- 7.67 The revised package as negotiated as part of this revised planning application proposes to substantially improve this agreed position, but in lieu of a top-up amount, the applicant is proposing a second surrogate site.
- 7.68 This is a complicated and large scale BTR proposal, and considerable work has been undertaken by the Council's viability consultants to confirm the like for like comparison of the package. This can be summarised as follows.
- 7.69 Upon submission of this revised application, the applicant's initial offer provided land for 101 affordable units, together with cash contributions in line with the approach agreed in the previous S106 agreement. This constituted a like-for-like offer, and the 101 units were considered to amount to 30.1% affordable housing delivery ($101 \div 335 = 30.1\%$) when the previous methodology that was accepted in the Committee Report of the approved scheme was adopted (including the use of £105,000 per unit for missing units).
- 7.70 Following further discussions between the applicant and the council, a revised offer was negotiated which is broken in two scenarios providing either a single surrogate site (Weldale Street) and an affordable housing commuted sum of £8.1m, or 2 surrogate sites (Weldale Street + an additional site) and an affordable housing commuted sum of £5m.
- 7.71 The figure of £8.1m would be the total cash payment to be made if no additional surrogate site is provided. The £5.0m figure applies if two surrogate sites are provided.
- 7.72 The applicant's latest offer, which now includes three parts, all of which will be included within the S106 Agreement, is as follows

Option 1 <u>Land plus construction payment</u>	Option 2 <u>Cash payment in lieu (No additional surrogate site found)</u>	Option 3 <u>Cash payment in lieu (No additional surrogate site found)</u>
Weldale street land provided	Weldale street land provided	Weldale Street land provided
Additional surrogate land provided at £Nil consideration.	54 completed affordable units provided on surrogate site and sold to an Affordable Housing Provider	No additional surrogate site
Construction contribution of £55,000 per plot for all 54 plots	No cash payment in lieu	£5,670,000 cash payment in lieu ($54 \times £105,000$)
£8,070,000 TOTAL	£5.1m TOTAL (plus 54 completed units delivered by a Registered Provider or Reading Borough Council)	£8.07m TOTAL

- 7.73 The Council's external valuer has concluded that this current offer can be considered reasonable in the context of both the Council's need for affordable housing and also the previous Committee Report for the site's extant consent (162166).

- 7.74 Officers welcome the current offer in that it provides a substantial upfront level of affordable housing delivery, which from the council's perspective compensates for the lack of a post-construction viability review mechanism. This strong upfront offer, and the security of the cash contributions (i.e. the 'construction contribution'), indicates that this is an acceptable offer, which is 'overprovision' in the sense that it is more than can viably be delivered based on present-day costs and values.
- 7.75 The £105,000 payment for any 'missing' affordable unit established in the previous Committee Report establishes an acceptable cash contribution for a single unit of affordable housing delivery within the context of the original viability position. In the absence of a council policy for calculating payments-in-lieu, it remains sensible to maintain this approach for this specific development, against the back drop of the original viability submission. Based on these specific site circumstances and the work previously undertaken, this is not considered prejudicial nor creates an undesirable precedent for payment-in-lieu calculations on other sites, as this relates specifically to this specific situation involving delivery of a combination of affordable housing land and commuted sum. The approved scheme's S106 requires a combination of land and commuted sum to be provided by the applicant to the council. Whilst this is a complicated delivery approach, it is considered to comply with the council's planning policy of cascading from on-site provision and therefore accepted in this regard.
- 7.76 Therefore in summary, the relative merits of this now enhanced package result in a significant improvement in the affordable housing offer above and beyond the current approved package secured under application 162166. Despite an element of uncertainty surrounding any affordable housing offer given assumptions, land values and the economic climate, the scheme is delivering the equivalent of 101 affordable units, and if we were to calculate the affordable housing percentage on the basis of the 335 units within the Thames Quarter building itself, this would give affordable housing delivery of 30%. This is a significant material planning benefit which weighs in favour of this revised scheme.

(iv) **Other Matters**

- **Existing and emerging policy on Build to Rent**

- 7.77 Government Policy is set out in the National Planning Practice Guidance (NPPG accompanies the NPPF) at: <https://www.gov.uk/guidance/build-to-rent>. Build to Rent is defined in the NPPF Glossary as *"Build to Rent: Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control."*
- 7.78 The guide at national level is for 20% of the dwellings to be Affordable Housing (Affordable Private Rent tenure) on site unless a commuted payment or other form of provision is agreed with the LPA.
- 7.79 The process for managing affordable private rent units should also be set out in the Section 106 agreement. This would set out the parameters of the lettings agreement, the rent levels, apportionment of the homes across the development, a management and service agreement, and a marketing agreement setting out how

their availability is to be publicised. The national guidance addresses the question of eligibility criteria for occupants and recommends a 3 year minimum tenancy.

- v.80 Policy H4 in the emerging Draft Local Plan specifically deals with Build to Rent Schemes. It is considered that this policy can be given weight given the advanced stage of the new Local Plan. The initial findings of the Local Plan Inspector require the council to provide more evidence on the appropriateness of the proposed 30 year Build to Rent tenure requirement (and the Rent with Confidence Standards). This implies that other aspects of the policy in respect of Affordable Housing and quality of accommodation and standards of design have been deemed to be acceptable as per the previously approved and implemented application.

- **Landscaping**

- 7.81 Discussions over appropriate landscaping of the road frontages and the interrelationship with proposed and future (MRT etc) highway works continue to be ongoing. It remains the case that all outstanding landscaping and highways-related matters are capable of being dealt with by way of conditions and a s106 agreement, as with approved application 162166.

- **Amenity of future occupants**

- 7.82 Whilst the density of the development would marginally increase under the current proposals, there is no indication that the quality of the internal areas, verified daylight/sunlight or access to outdoor amenity space would change. These aspects remain acceptable as described previously under 162166. Policies DM4 and DM10 continue to apply.

- **Effect on heritage assets**

- 7.83 As with 162166, officers have considered the effects on all Heritage Assets which may be adversely affected by the application in consultation with Historic England. Historic England advises that the Local Planning Authority can assess this and does not wish to comment.

- 7.84 There are many listed buildings whose settings could potentially be affected, but most are too distant from the application site. The nearest Listed Building is the Kings Meadow Baths (Grade II) and although a 4% increase in additional height would be presented to the Baths, continuing to create some significant overshadowing near to it, this would not directly affect the Listed Building. Given that the development is some 100 metres away and mature trees which provide screening for most of the year stand between, the revised development would not overshadow the baths and the general setting within Kings Meadow would remain largely unchanged. Overall, officers are satisfied that any harm to the setting of the Baths which may occur would increase as a result of the increased massing proposed but would not increase to such an extent as to suggest a switch from the “less than substantial” level identified previously to “substantial harm” within the terms of paragraphs 195 and 196 of the NPPF. The level of harm remains “less than substantial” within the terms of Policy CS33 and the NPPF’s guidance regarding the effects on Heritage Assets.

- 7.85 Similarly, effects on the prison (Grade II) the Abbey Ruins (Scheduled Ancient Monument) and the Forbury Gardens (a Registered Garden) would be less than substantial harm. Clear views from both Forbury Gardens and Caversham Court Gardens (again Registered) are not possible, due to tree cover and the scale of the

proposal. Whilst the development would be seen from views from St. Lawrence's Church (Grade I), there would be a limited impact on its setting, given that the tower would just be visible over the lower eastern element of the church. Views out of the Market Place (Conservation Area) would be largely unaltered, although the presence of the tower would be discernible.

- 7.86 It is considered that impacts on heritage assets remain reasonable (less than substantial) and that giving the impacts on their settings and views considerable importance and weight would not be so significant as to override the policy aims which seek a dense development on this site, incorporating a 'local landmark'. The proposal therefore complies with the requirements of Section 66 and 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 and officers consider the statutory duties of the council in this regard have been satisfactorily discharged.

- **Mitigation of wind speed/turbulence**

- 7.87 Approved application 162166 was supported by a wind/microclimate study to support the submitted design. This document was reviewed by the Building Research Establishment (BRE) on behalf of the Council. Following detailed discussions, BRE was able to advise that the proposed wind conditions would be safe within the whole of the development (street level and on the elevated terraces) and appeared to be suitable for the intended usage of the site, subject to various caveats.

- 7.88 With regard to the current scheme, the applicant has submitted a statement from their microclimate consultant confirming that *"At ground level, the key factors dictating the wind conditions are consistent between both previous and revised designs. Therefore, the wind microclimate is expected to remain unchanged."*

At the elevated levels, the majority of locations are expected to remain comfortable for outdoor seating purposes, with the tested mitigation measures in place. A minor deterioration of wind conditions could potentially occur at one or two elevated terrace locations, where the wind comfort criteria for long-term sitting in summer may be exceeded. However, the wind conditions are still expected to be tolerable for sedentary recreational activities".

- 7.89 These outputs have again been tested by the BRE, an independent body for the LPA. At the time of writing, BRE conclusions have not been received and any recommendation has been worded accordingly subject to satisfactory outcomes.

- **Suitable levels of daylighting and sunlight**

- 7.90 Similarly BRE was previously instructed to assess daylight and sunlight on behalf of the council in respect of approved application 162166. They advised at that time that the compliance rate for daylight provision to the proposed flats would be high, compared to the majority of flats in urban areas. Obstructions to light entering the flats would be minimal due to the avoidance (and removal) of balconies and the most obstructed flats are the lower flats in the Level 03 courtyards.

- 7.91 No significant issues of overbearing, glare, etc. were identified. Although impacts on Kings Meadow have not been modelled, the BRE did not raise any concerns for this. Given the above, although there will be limited instances where light penetration to flats is not substantial, the scheme was considered to be acceptable indicates no conflict is identified with policies RC1, RC5, RC13 and DM4.

7.92 A revised daylight report has been submitted for the current proposal. This concludes that, *“The proposed scheme has been carefully designed to safeguard daylight amenity to the surrounding residential properties. Predominantly the reductions do not exceed 20%, which the BRE Guide states will be unnoticeable. The small handful of windows which experience reductions greater than this only do so by 25-28%, which are minor derogations from BRE Guidance and certainly not uncommon within urban areas. On planning balance these minor derogations from the BRE Guide are considered acceptable under the circumstances”*.

7.93 Officers have now had the opportunity to request BRE verification of this report given the increase in height and massing proposed. Verification confirms that whilst there would be a slight increase in impact on neighbouring properties, this would be minor adverse for one window/room of 22 Kings Meadow, and within the BRE guidelines in all cases for Kingfisher Place. Any loss of direct sunlight to Kings Meadow Park has not been assessed; however, based on previous assessment of a taller proposed building on the same site, the impact would be expected to be within the BRE guidelines. This revised scheme is also not considered to significantly change sunlight provision to the open areas of the development. The areas to the north of the development which might receive less sunlight would already receive very little sunlight in the previous version. The amenity areas to the south would be largely unaffected by the changes. We would not expect this analysis to be repeated. It has therefore been demonstrated that a suitable daylight and sunlight environment will continue to be achieved both within and surrounding the development.

- **Residential mix**

7.94 Whilst application 162166 was suitable in terms of mix, this revised scheme must contribute to providing choice of housing unit sizes and thereby mixed communities in the town centre. The proposed mix reflects the proportions of that previously proposed and is as follows:

Studio - 36 units
One bed - 112 units
Two bed - 169 units
Three bed - 18 units

- **Residential outlook**

7.95 Outlook from the dwellings is generally good, with many units being dual-aspect. The easterly elevation includes side windows overlooking Napier Court. When considering the previous application 162166, officers concluded on balance that although the relationship with Napier Court was not ideal due to future development potential, it was not harmful enough to warrant a refusal of permission as causing conflict with Policy DM4. There is no evidence to suggest a different approach with the current scheme despite an increase in storey height of the benchmark element.

- **Air quality and noise**

7.96 The air quality assessment submitted with the application shows that at some heights, the air quality is above national objective levels for Nitrogen Dioxide and this is primarily due to proximity to the railway line.

7.97 The mitigation proposed to protect future occupants in internal spaces is for Mechanical Ventilation and Heat Recovery (MVHR) units to be installed with the intakes at a sufficient height to provide clean air and a condition is recommended. All windows would also be openable. The noise assessment submitted shows that the recommended standard for internal noise can be met if the recommendations from the assessment are incorporated into the design. The design of the MVHR units is still being considered by the Council's Environmental Health Officers and it is recommended that as with 162166 a condition be attached to any consent to secure the precise design of ventilation etc and ensure that the glazing and ventilation recommendations of the noise assessment will be followed, to comply with policies RC9, CS34 and DM4.

- **Flood risk and drainage**

7.98 The RC1h site allocation in the RCAAP requires that an acceptable dry access scheme must form part of any development on this site. The site was also included in the Council's Strategic Flood Risk Assessment (SFRA).

7.99 In determining this application, the Council must ensure that the sequential test is satisfied. The first stage of the sequential test has been satisfied as the site is allocated in the Development Plan. The extent of the Sequential Test is therefore limited to the siting of development *within* the site itself which has largely been established under recent permission 162166.

7.100 As with 162166 it is considered that suitable confirmation of safe access during a flood and other usual good practice flooding controls has been demonstrated and the development poses no additional flooding risks in accordance with the NPPF and Core Strategy Policy CS35.

7.101 With regard to drainage, the Council as Lead Local Flood Authority has reviewed the SuDs proposal further following the additional information submitted as part of this revised application and raise no objections to the proposal subject to a Sustainable Drainage condition ensuring the site has been completed in accordance with the submitted and approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

- **Ground conditions**

7.102 Ground contamination and remediation requirements have been dealt with during the initial construction works associated with implementation of permission 162166. No further action is required as part of this revised application except ensuring any ongoing requirements and monitoring previously agreed continues to be carried through to any new permission issued.

- **Noise generation from the development**

7.103 This major development is likely to include noise-generating plant. An acoustic assessment would need to be submitted for such, carried out in accordance with BS4142:2014 methodology. Noise impacts during construction would be managed with a Construction Method Statement. This was dealt with by condition under 162166 and the current scheme would ensure the same approach is continued as agreed.

- **Sustainability and energy**

7.104 As with 162166, overall, officers are satisfied that the development is capable of meeting and exceeding the Building Regulations and is being designed with energy considerations in mind. It is advised that any permission should be subject to a condition to seek that the build takes place in accordance with the energy/sustainability statements and supplementary letter supplied, in order to meet the policy and SPD objectives.

7.105 The Council's adopted suite of sustainability policies is CS1, DM1 and DM2 and the Council's revised SPD on Sustainable Design and Construction.

- **Building maintenance arrangements**

7.106 The application includes a building management framework report which indicates that upper floors will be cleaned via abseil and not building maintenance units (BMUs). This will ensure that there will be no unsightly cleaning apparatus on the roof of the building and a condition can confirm this. This addresses one of the criteria of Policy RC13.

- **Fire safety**

7.107 As with 162166 although fire safety within buildings is not a material planning consideration (it is dealt with under The Building Regulations), should the application be approved, for completeness officers would recommend additional information in terms of a fire strategy and fire resistance as part of a specific planning condition.

- **Transport matters**

MRT

7.108 The NPPF requires development plans to set out opportunities for ensuring modal shift to more sustainable travel modes and protecting land for strategic transport projects (paragraphs 35 and 41). In relation to this site, this is reflected in Core Strategy policies CS20 which requires implementation of the Reading Transport Strategy, CS21 which seeks the realisation of major transport projects and RCAAP Policy RC1 which requires land to be safeguarded for mass rapid transit infrastructure. The RCAAP plan (Figure 6.2) shows the site on the MRT route, with a transit stop. Furthermore, point iv) of Policy RC1 requires that development in the Station/River Major Opportunity Area will safeguard land which is needed for mass rapid transit (MRT) routes and stops. The tall buildings policy, RC13, includes reference to such developments coming forward in a 'coordinated manner', which indicates the strategic transport requirements applicable to the realisation of these sites. Officers note that the MRT remains a strategic objective in published policy. The recent refusal of the scheme by Wokingham Borough Council does not alter this and providing land for potential future schemes remains appropriate and a key priority for the council.

7.109 The layout of the application provides land within the application site to allow an additional lane for the MRT and a land swap has now been separately been formally agreed with the council (as landowner). The proposal allows for a pedestrian crossing of Kings Meadow Road and the provision of an adjusted pedestrian route, segregated from the main highway.

Parking

7.110 Given the highly accessible nature of the site, the parking level continues to be acceptable. Standard conditions that no parking permits will be issued to residents would be applied. The site is very accessible to the north station entrance and the town centre and the applicant has signalled a willingness to provide an onsite car club, although further detail is required as per Transport comments in the consultation section above (Section 5).

7.111 Overall, officers are satisfied that the development is suitable in terms of the way it has been designed to accommodate the wider strategic requirements of the MRT route, the maintenance of pedestrian 'desire lines' and safety, adequate parking with thought given to sustainable modes of transport and suitable servicing. The physical aspect of the proposals therefore remain compliant with policies CS4, CS20, CS21 and CS22, Policy DM12 and the Parking and Design SPD, as well as the Council's broader stated aspirations for MRT and public parking (the S106 agreement obligations are dealt with separately above).

- **Community Infrastructure Levy (CIL)**

7.112 The development would be liable for CIL due to the amount of new floorspace proposed. The Council's CIL charging schedule sets a base rate of £120 per square metre for residential floorspace, including student accommodation. The rate is index linked and the current rate for 2019 is £148.24 per square metre.

7.113 The new floorspace proposed is 30,106 sqm. The estimated basic CIL charge would therefore be £4,462,913.44. As with the previous application, the new CIL is likely to be reduced by the original demolished floor area which was agreed to be 1928.52 sqm. This would result in an amended CIL charge of £4,177,029.64 .

7.114 This gives an indication of the likely CIL outcomes but is without prejudice to further examination of the CIL application by the Council.

- **Other S.106 requirements**

7.115 The applicant has previously agreed to a land swap to facilitate the MRT route along Napier Road, for which any updated S106 will equally require. Furthermore, based on 162166 the following updated terms would be required as planning obligations to be secured by S106 agreement for this revised application:

- £ 127,620 towards improvements to Kings Meadow park (commensurate with previous contribution secured under 162166 and necessary to mitigate the increased use of the park anticipated as a direct result of the development);
- £100,000 commuted sum towards improvements to the Vastern Road railway underpass (index linked from date of 162166 permission);
- To carry forward the Employment & Skills Plan that has been agreed in discussion with Reading CIC and the Local Planning Authority;
- £86,700 towards a new signalised pedestrian crossing on Kings Meadow Road (index linked from date of 162166 permission);
- An initial capital cost of £46,915 to establish an on-site car club of three vehicles (index linked from date of 162166 permission) part of our Framework Travel Plan delivered as an obligation rather than a financial contribution to the Local Planning Authority.

- **Equalities Act and accessibility**

7.116 The application explains the approach to accessibility in the DAS. Inclusive design is to be part of the brief to all designers involved in the scheme. This includes:

- setting out suitable levels and gradients across the site
- relating the building to local transport infrastructure
- access to the landscaping, architecture and the accommodation provided with all areas of external paving having a smooth, walkable surface.
- considerations of the Building Regulations Part M, BS 8300 and best practice.
- designated disabled parking bays will be located in close proximity to the main core from within the car park.
- the main lobby will have disabled access toilets and a concierge desk designed in accordance with Part M.
- designated flats will be wheelchair adaptable to meet the specific requirements of residents.
- passenger lifts are sized for wheelchair users and stairs are suitable for ambulant disabled people and corridors and doorways are widened.

7.117 Attention will need to be paid to the external elements under consideration of hard landscaping details via conditions. A further condition should be added for the retention/provision of adaptable units, in order to meet Policy CS5. As with all taller building proposals, it is important that all lifts function at all times and this should also be subject to a condition.

7.118 In determining this application, the LPA is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. Conclusion and Overall Planning Balance

8.1 Officers concluded that in terms of massing, height and responding to local context, the previous approved application was supported as the scheme successfully modulated the bulk of a large, high-density development for the site. The recently refused application was viewed as a retrograde step in design terms, as the additional storey was considered to unacceptably accentuate the presence of the benchmark element, reducing the primacy of the landmark tower.

8.2 With regard to this revised proposal, officers recognise that the increased height and mass of the proposed development would conflict with Development Plan policy and associated guidance and would depart from the established objectives and aspirations for tall buildings as set out in these. As described above, this policy conflict weighs against the revised scheme in principle.

8.3 However, guidance within the RSAF notes that such benchmark heights may be modified to achieve certain urban design or other major planning benefits, or where applicants have demonstrated convincingly that the potential impact of higher buildings on the surroundings can be mitigated.

- 8.4 Whilst technically increasing the ‘benchmark’ level further in terms of the impact on views within and around the town and effects on the skyline, it has been adequately verified that this increase does not translate into any significant harm when viewed in context of all surrounding buildings, perceived topography and man-made interventions close to the site. The increased benchmark continues to maintain the primacy of the taller element of the scheme by virtue of the reduction in three units to the western elevation. In this regard, the revised scheme is no longer considered to compete visually with the slenderness of the tower as was the case with the refused scheme.
- 8.5 On the northern and eastern elevation of the benchmark element, the introduction of grey cladding is considered to effectively shorten the perceived width of the overall benchmark element, so that the additional floor is read as part of the recessed grey roofscape element. This also serves to downplay the monolithic scale of the proposal. The application also now demonstrates that the proposal would be suitable in terms of daylight/sunlight.
- 8.6 Of equal importance to any overall assessment is the revised affordable housing position which has been secured as a consequence of the additional units provided. The affordable housing contribution is therefore substantially improved, constituting a material change in the overall proposal and bringing about policy compliant additional benefits in terms of affordable housing provision.
- 8.7 As described in Section 6, applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. As recognised, there is a conflict over the increase in storey height, however compliance is achieved with wider design and visual impact policies. At a national level, the NPPF continues to constitute guidance, which the LPA must have regard to. Whilst the NPPF does not change the statutory status of the development plan as the starting point for decision making, it is an important material consideration in this determination.
- 8.8 The NPPF requires the Council to approach decision-taking in a positive way, to foster the delivery of sustainable development. The three overarching objectives to achieving sustainable development are defined in the NPPF as economic, social and environmental objectives.
- 8.9 The NPPF specifically states that LPAs may take decisions that depart from an up-to-date development plan if material considerations in a particular case indicate that the plan should not be followed. In this respect it is necessary to consider the relevant weight to afford to the overall economic, social and environmental objectives of this revised proposal in any balance.
- 8.10 The proposal continues to provide clear economic benefits. It is acknowledged that development in this location would assist in boosting the housing market and contributing to the local and wider economy of the Borough, both directly and indirectly. As established under the previous approval, 315 units would contribute to the ongoing vitality and viability of the town centre. The increased occupancy generated by 20 additional units would bring about added investment into the town centre, maintaining a significant number of construction jobs and maintaining previously agreed commitments to onsite apprenticeships and other construction-related training through a Construction Employment & Skills Plan. The development would continue to create 16 jobs in the onsite management and maintenance of

the BTR product. This revised scheme would therefore continue to fulfil an equally important economic role as with the approved application.

- 8.11 With regard to social objectives, the proposal continues to provide benefits in terms of the proposed BTR housing model as set out in national policy and guidance and emerging policy H4 in the Draft Local Plan. The benefits derived from the BTR product are not considered to substantially change with the increase in 20 additional units, with this revised scheme providing much the same benefit as that of the approved. However, there are material benefits in terms of the principle of an additional 20 dwellings being provided and their contribution to maintaining the Council's current housing land supply position against a backdrop of national policy seeking to boost the supply of new houses. Other social benefits include a new and enhanced pedestrian crossing, Employment Skills and Training, public transport (MRT) and an exemplary fire strategy.
- 8.12 As described in detail in Section 6(iii) of this report, this revised scheme now provides a substantially enhanced affordable housing offer when compared to that of the approved scheme. In absolute terms, the scheme will deliver an additional 54 affordable units when compared with the extant scheme 162166, therefore equating to a 12% increase in overall like-for-like provision. Careful scrutiny by external valuers and council officers confirm the revised proposal now delivers an equivalent level of affordable housing contributions that better meet the policy objectives of CS16 and draft Policy H4. This is considered a significant social benefit which is afforded substantial weight in the overall planning balance.
- 8.13 With regard to environmental objectives, the approved and implemented development has already facilitated the ongoing remediation of a contaminated, brownfield site, whilst the revised scheme will continue to deliver a net biodiversity gain through the provision of targeted habitat enhancements. New tree planting in the public realm (to be considered and approved at a later stage) would provide landscape enhancements, whilst a financial contribution towards environmental enhancements at the Vastern Road underpass continued to be a key benefit included as part of this proposal.
- 8.14 The question to be asked is whether this revised proposal causes more, the same, or less harm than the refused scheme; and whether the difference between the approved and this revised scheme is insufficient enough now to overcome the previous reasons for refusal?
- 8.15 The revised design, amended external elevations and additional information provided verify a reduction in the level of visual harm caused by the revised proposal when considered against the refused scheme. In addition, the substantially increased affordable housing contribution is considered a substantial benefit which is now considered to outweigh the identified tall building policy conflict. Officers are now of the view that these identified material considerations, including those set out in the NPPF and in terms of the direct benefits of the proposal, outweigh the harm previously identified through the marginal increase in the perceived bulk/massing of the benchmark element. It is therefore recommended that planning permission be granted subject to conditions as recommended, a S106 legal agreement for those matters identified in section (iv) of this report and satisfactory receipt of wind/microclimate verification from BRE.

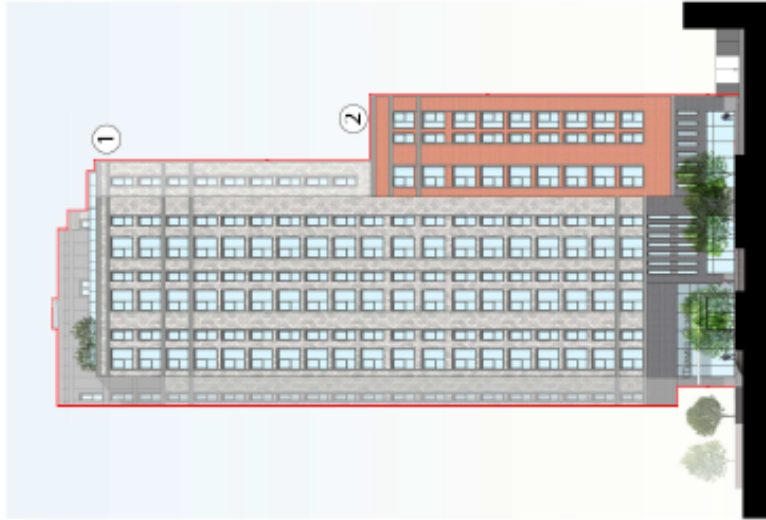
Case Officer: Brian Conlon

Drawings - Selection Only. Full set available at <http://planning.reading.gov.uk/>



Comparison diagram from Design and Access Statement

- 1 - Red line represents outline of the 315 consented scheme
- 2 - Identical to consented 315 scheme



335 Scheme



338 Scheme

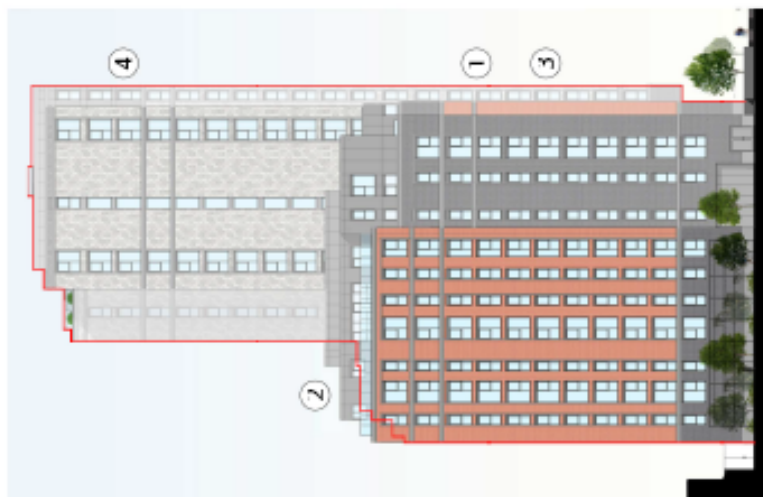


Consented 315 Scheme

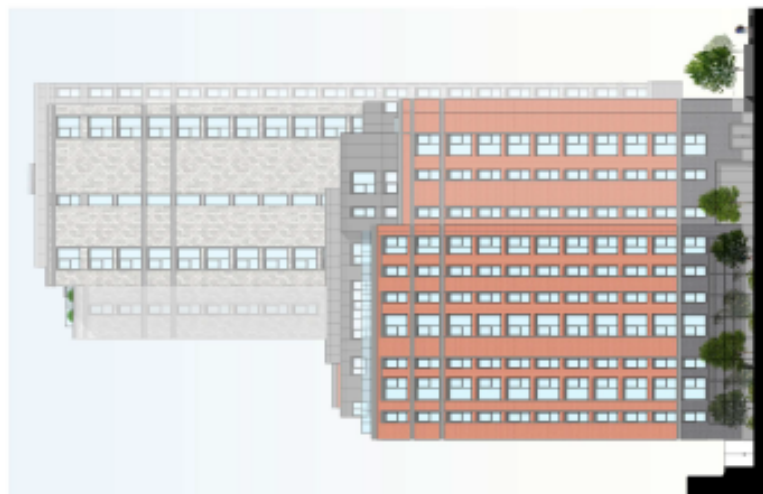
West Elevation Comparison image provided by Applicant.

East Elevation Comparison image provided by Applicant.

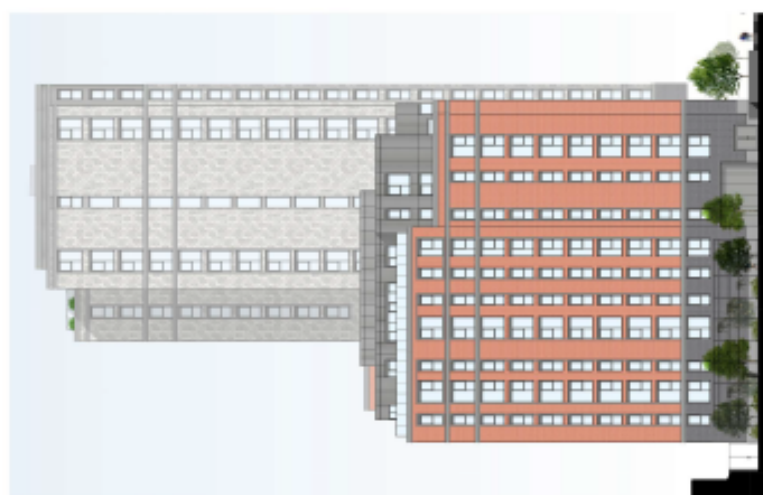
- 1 - Horizontal banding sits at same level as 315 consented scheme
- 2 - Roofscape sat back as consented scheme
- 3 - Grey colouration continues up elevation and wraps across top of podium. Same colour as consented scheme & approved conditions discharge
- 4 - Red line represents the outline of the 315 consented scheme



335 Scheme



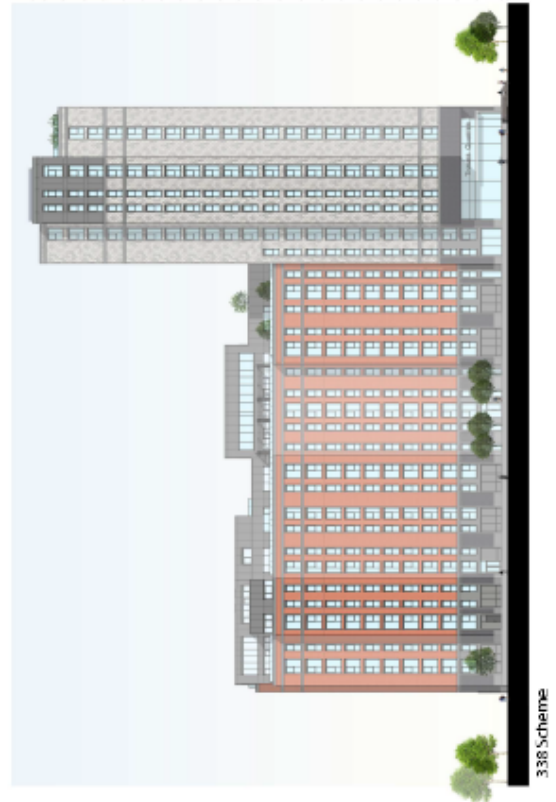
335 Scheme



Consented 315 Scheme



Consented 315 Scheme



338 Scheme



335 Scheme

- 1 - Horizontal banding sits at same level as 315 consented scheme
- 2 - Roofscape set back as consented scheme
- 3 - Grey colouration continues up elevation and wraps across top of podium. Same colour as consented scheme & approved conditions discharge
- 4 - Red line represents the outline of the 315 consented scheme

North Elevation

Proposed North Elevation Comparison image provided by Applicant (to Kings Meadow Road)



Proposed North Elevation (to Kings Meadow Road) (Not to scale).



① East Elevation
1:200

Proposed East Elevation (to Vastern Road roundabout) (Not to scale).



① West Elevation - NMA
1:300

Proposed West Elevation (From Vastern Road) (Not to scale).



Proposed South Elevation (Not to scale).



