

04 October 2023



Reading
Borough Council
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Title	PLANNING APPLICATION REPORT
Ward	Katesgrove
Planning Application Reference:	230814
Site Address:	9 Upper Crown Street, RG1 2SS
Proposed Development	Demolition of existing buildings and structures, associated re-use of frame with basement level used for car parking and servicing, erection of 3 no. residential blocks containing 46 no. dwellings above, associated parking (including replacement), access works and landscaping, relocation of substations and associated works to rear of Indigo apartments to facilitate pedestrian access.
Applicant	Irongate Property (Reading) Ltd
Report author	Tom Bradfield
Deadline:	13/10/2023
Recommendations	Grant planning permission, subject to S106 (terms as follows) & conditions as follows
S106 Terms	To secure affordable housing on site consisting of fourteen units (30% provision) on site, to be 5x one bedroom units of Reading Affordable Rent, 5x Two bedroom units of Reading Affordable Rent and 4x one bedroom units of First Homes. Reading Affordable Rent (RAR) tenure rent levels to be capped at 70% of market rent in accordance with the Borough Council's published RAR levels. The Housing Development team have confirmed that the offer is acceptable. Zero carbon offset financial contribution of £2,949.72. Employment, Skills and Training and Construction financial contribution of £8,820.75.
Conditions	1. Full - time limit - three years 2. Approved Plans 3. Materials (samples to be approved) 4. EV Charging Points 5. Cycle Parking (pre-commencement) 6. Refuse Collection (to be approved) 7. Parking Permits 1 (notification to LPA) 8. Parking Permits 2 (notification to occupants) 9. Car Parking Management Plan 10. Construction Method Statement 11. Noise Assessment and Mitigation 12. Contaminated Land Assessment 13. Remediation Scheme (To be submitted)

	14. Remediation Scheme (Implement and Verification) 15. Unidentified Contamination 16. Hours of Construction/Demolition 17. No Bonfires 18. Waste Storage 19. Sustainable Drainage (To be approved) 20. Sustainable Drainage (As Specified) 21. Archaeology 22. Biodiversity Enhancements 23. Hard and Soft Landscaping 24. Hard and Soft Landscaping (Implementation) 25. Green Roofs 26. Thames Water – Piling Method Statement 27. Boundary Treatment 28. SAP Assessment – Design Stage 29. SAP Assessment – As Built
Informatives	• Positive and Proactive • Pre-commencement conditions • Highways • S106 • Terms and Conditions • Building Regulations • Complaints about construction • Encroachment • Contamination • Noise between residential properties • CIL • Parking Permits • Thames Water

1. Executive summary

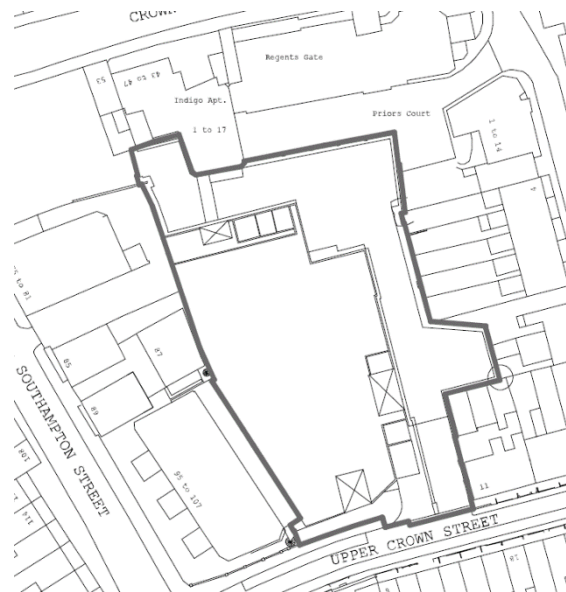
- 1.1. The proposal is recommended for approval subject to a legal agreement and conditions as set out above.
- 1.2. The proposal is very similar to a scheme which was refused under planning reference 211614 and dismissed at appeal. The applicant has addressed the Inspector's reason for dismissing the appeal, and although officers had concerns regarding the layout and design of the scheme, the Inspector was satisfied that the proposals would be acceptable. The Inspector's decision is a significant material consideration in this case and must be given due weight.
- 1.3. The proposal would successfully redevelop a previously developed site adjacent to the town centre which is currently underused. It would provide market housing, affordable housing and retain the existing parking spaces on site. The proposals would have an appropriate design, ensure that there would be no unacceptable impact on neighbouring properties and provide suitable accommodation for future residents. The proposal would have no adverse transport impacts, be acceptable in terms of ecology, biodiversity and sustainability. The application is therefore recommended to you for approval.

2. Introduction and Site Description

- 2.1. The application site is in current use as a data storage facility with roof deck car park above. The existing building is utilitarian in appearance and constructed from a mix of red brick and concrete frame. The site is accessed from Upper Crown Street and ground level via two vehicle ramps, one which slopes down to provide access to the data storage facility and to provide a servicing area for the building and three electrical

substations on the site, and one which slopes upwards to access the rooftop car park. The ground floor site level of the data storage facility is set down below the level of that of adjacent surrounding buildings to the south on Upper Crown Street and to the west on Southampton Street. The car park itself serves residents in the surrounding residential and commercial buildings, many of whom have long-term leases on car parking spaces on the site.

- 2.2. To the south and east of the site are modest two storey terraced residential dwellings on Upper Crown Street and Newark Street. To the west of the site is the rear of the properties fronting Southampton Street which are a mixture of commercial and residential ranging from single storey to five storeys in scale. To the north of the site is the rear of the large Indigo apartments building which ranges from four to six storeys in scale.
- 2.3. The application site is located outside of but adjacent to the Reading Central Area as defined by Policy CR1 (Definition of Central Reading). The site is also located within an area of potentially contaminated land and within an air quality management area.
- 2.4. The site location plan is below:



3. The proposal

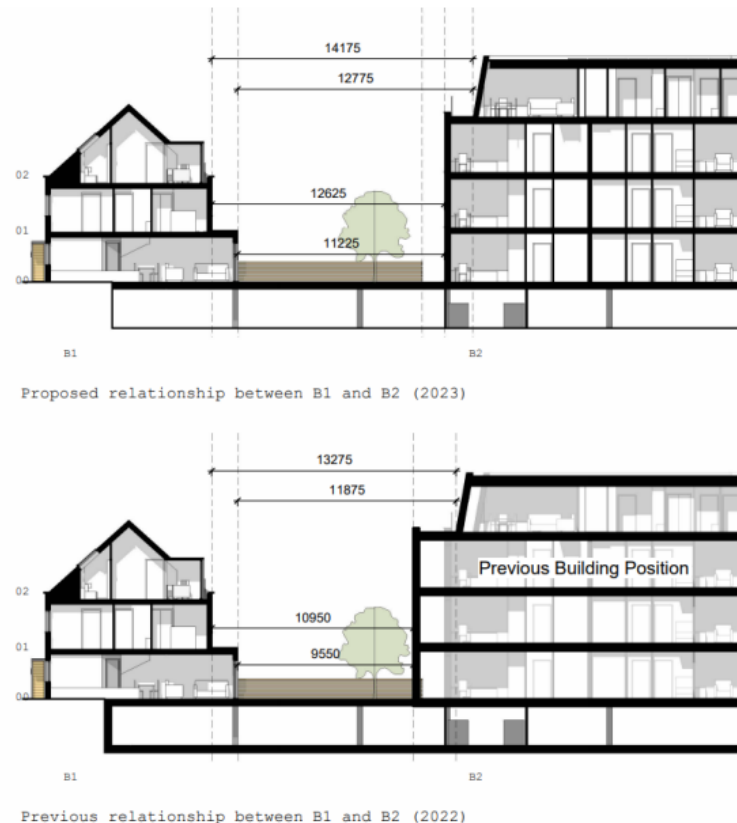
- 3.1. This application seeks to demolish the majority of the structures on the site, retaining some of the frame, and erect three buildings comprising 46 residential units. Building 1 would be four two storey houses which face south onto Upper Crown Street, Building 2 would be a four storey building containing flats behind Building 1 and Building 3 would be a five storey building on the western boundary. The mix of residential units would be as follows:

Type	Market	Affordable	Total
1 bedroom flat	13	9	22 (48%)
2 bedroom flat	11	5	16 (35%)
3 bedroom flat	4	0	4 (8.5%)
3 bedroom house	4	0	4 (8.5%)
Total	32 (70%)	14 (30%)	46 (100%)

- 3.2. Vehicle access would be retained as existing, with additional pedestrian access into the courtyard area from Upper Crown Street. 86 car parking spaces would be provided on

site in a basement car parking area. 68 of these car parking spaces would replace the existing leased car parking spaces for residents beyond the boundary of the site. 16 spaces would serve the residents of the proposed development and 2 spaces would be for servicing of the substation. 36 cycle parking spaces for residents would be provided, with additional spaces in the gardens of the houses and 6 visitor cycle parking spaces in the communal amenity space.

- 3.3. The proposals are very similar to the previously refused scheme (ref. 211614, latterly dismissed at appeal). The only substantive physical difference between the two applications is the repositioning of Building 2, so that the gap between the proposed terrace of houses and the wall of Building 2 increases from 9.55m to 11.225m at ground floor and from 10.95m to 12.625m at first floor. This is illustrated in the drawing below, taken from the submitted Planning & Affordable Housing Statement:



- 3.4. In order to facilitate this alteration, the unit mix is different from the previously refused scheme, which provided 21 one bedroom units, 11 two bedroom units and 14 three bedroom units.
- 3.5. The applicant has submitted the following documents for consideration:

- Planning and Affordable Housing Statement
- Air Quality Assessment
- Archaeological Assessment
- Contaminated Land Statement
- Ecology Statement
- Daylight/Sunlight Report
- Noise Impact Assessment
- External Daylight Study
- 3D Visuals
- Flood Risk Assessment and Sustainable Urban Drainage Statement
- Energy Assessment
- Energy & Sustainability Report
- Design & Access Statement
- Existing and Proposed Drawings (P001 – P041 & P090)

- 3.6. The previous application was a Major application which was refused under officers' delegated powers. This application is being referred to the Committee as it is a Major application with a legal agreement with a recommendation for approval.

4. Planning history

211614	Demolition of existing buildings and structures, associated reuse of frame with basement level used for car parking & servicing, erection of 3 no. residential blocks containing 46 no. dwellings above, associated parking (including replacement), access works and landscaping, relocation of substations & associated works to rear of indigo apartments to facilitate pedestrian access
	Refused: 20/06/2022 Dismissed at appeal (APP/E0345/W/22/3313234): 27th April 2023

- 4.1. The previous application was refused by the Local Planning Authority for the following reasons:

- 1. The development, as a result of the re-provision of significant number of on-site vehicle parking spaces unrelated to the proposed residential use, results in a significant proportion of the site being taken up by parking spaces and hardstanding. This, together with the scale and siting of proposed buildings 2 and 3, results in a development which appears cramped in terms of the proposed buildings within it but also in relation to existing buildings surrounding the site at no.s 75-81, 85, 87 and 89 Southampton Street. The extent of hardstanding and parking spaces proposed, together with the scale and cramped layout of buildings 2 and 3 results in provision of poor-quality areas of on-site landscaping and communal open space. The layout and scale of the proposed buildings is detrimental to the usability of these spaces and provision of suitable landscaping. The re-provision of the significant number of on-site vehicle parking spaces for off-site users unconnected to the development also fails to provide a safe environment for future occupiers of the development due to the level of pedestrian and vehicle movements that would occur within the development and its buildings that would be unrelated to the to the residential occupiers of the site. The proposals are considered to be an overdevelopment of the site and to fail to create a safe or high-quality residential layout contrary to Policies CC7, EN14, and H10 of the Reading Borough Local Plan 2019.*
- 2. The siting and the layout of proposed buildings 2 and 3 would result in direct overlooking between facing habitable rooms windows to the two buildings creating*

*a loss of privacy and overbearing form of development for future occupiers. The presence of balconies to the facing elevations exacerbates this unacceptable relationship and inadequate separation distance between the two buildings. **The siting and scale of proposed building 2 would result in an overbearing form of development for future occupiers of the proposed terrace of four dwellings (building 1) to the site frontage on Upper Crown Street and would be detrimental to the usability of their private amenity spaces.** The proposed development would fail to provide future occupiers with an acceptable standard of residential amenity or amenity spaces contrary to Policies CC8 and H10 of the Reading Borough Local Plan 2019.*

3. The siting of proposed building 3 directly on the west boundary of the site together with its scale is considered to result in an overbearing visually dominant relationship with the adjacent buildings at 85, 87, 89 Southampton Street which are either in residential use or have been granted prior approval for conversion to residential use. The siting of large windows directly on the boundary, whilst indicated on the proposed plans to be obscurely glazed, would result in a perception of overlooking to occupiers of these neighbouring buildings. The proposed development would be harmful to the residential amenity of both existing and future occupiers of no.s 85, 87 and 89 Southampton Street contrary to Policy CC8 of the Reading Borough Local Plan 2019.

4. In the absence of a completed legal agreement to secure provision of a construction phase and end user phase employment skills and training plan or equivalent financial contribution, provision of a policy compliant level of on-site affordable housing and a carbon off-setting contribution, the proposals fails to adequately contribute to local labour and training needs, the housing needs of the Reading Borough and to achieve zero carbon homes standards contrary to Policies CC9, H3 and H5 of the Reading Borough Local Plan 2019, the adopted Employment Skills and Training Supplementary Planning Document 2019, Affordable Housing Supplementary Planning Document 2021, Sustainable Design and Construction Supplementary Planning Document 2019 and Planning Obligations Under Section 106 Supplementary Planning Document 2015.

4.2. The refused scheme was the subject of an Informal Hearing, which took place on 28th March 2023 and the Inspector's decision letter was delivered on 27th April 2023. The Inspector found the proposal acceptable in the majority of respects, but found that the proposal was unacceptable with regard to the relationship between Building 2 and the

proposed terrace of houses facing onto Upper Crown Street (Building 1) and upheld that part of Reason 2 (highlighted in bold in the refusal reasons above). All other reasons for refusal were dismissed. The Inspector found that the harm arising from the unacceptable relationship between the two buildings, in particular the overbearing nature of the building that would compromise the outlook from the proposed houses and the quality of the rear gardens to the extent that the living conditions of the occupiers of the houses would be unacceptable. The Inspector's decision is included at Appendix 1.

5. Consultations

- 5.1. The following consultation responses were received from statutory and internal consultees:

RBC Transport

- 5.2. The Transport team raised no objection to the proposals. The access arrangements would be acceptable, the parking layout would also be acceptable. The number of parking spaces would be below the Council's adopted standards, but given the site's proximity to the centre of Reading and local transport networks, a lower provision is acceptable. The surrounding roads have extensive parking restrictions which would prevent overflow parking. A condition would ensure that no parking permits would be issued for new residents. Cycle parking provision would be acceptable. Additional information relating to access arrangements, electric vehicle charging points and reinstatement of dropped crossings was requested and received.

RBC Housing Development

- 5.3. The Housing Development Team welcome the 30% affordable housing offer, but would advise the supply of three bedroom units to ensure the mix is policy compliant. The provision of 25% of Affordable Housing as First Homes is required by national policy, but the provision of the remainder of the Affordable Housing as Reading Affordable Rent units rather than a split between RAR and Shared Ownership is welcomed.

RBC Natural Environment

- 5.4. The existing site has no planting or soft landscaping, and the proposal would introduce a soft landscaping area with trees, as well as green roofs. The layout and the hard-soft balance on the proposed plans are acceptable hence the proposal is supported in terms of trees and landscape. Several conditions requested relating to landscaping.

RBC Waste & Recycling

- 5.5. Further information was requested relating to the collection of waste and recycling, which was provided and is advised is now acceptable and would be secured by condition.

RBC Environmental Protection

- 5.6. Additional information relating to noise and air pollution was required and has been provided. A variety of conditions relating to noise, air quality, land contamination, bin storage, hours of construction and a CMS are suggested.

RBC Ecology

- 5.7. The proposals would have no impact on protected species or priority habitats, therefore no objection to the proposals. Conditions relating to landscaping and biodiversity enhancements are suggested.

Berkshire Archaeology

- 5.8. No objection subject to a condition relating to archaeological investigations.

Public Consultation

- 5.9. 144 neighbouring properties were consulted by letter and four site notices were displayed at the application site.
- 5.10. Nine responses were received and raised the below points:
- Loss of light (particularly to the City Gate building)
 - Loss of privacy (particularly to the City Gate building)
 - Loss of outlook from surrounding properties
 - Disruption during construction through noise, dust and debris
 - Lack of provision of secure car parking, bins and bicycles during construction and following construction
 - Lack of carbon capture
 - Too much car parking
 - Too little car parking
 - Resultant traffic would increase congestion on surrounding streets
 - Demolition of the existing building could harm the structure of surrounding buildings
 - Interference with access arrangements to parking for surrounding flats
 - Development is too large
 - Inappropriate access
 - Landscaping would not be sufficient and would not grow well given the scale of buildings
 - Impact on archaeological remains

6. Legal context

- 6.1. 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.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).
- 6.3. In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 6.4. Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Policy – National Planning Policy Framework (NPPF) 2023

Section 2 - Achieving Sustainable Development

Section 4 - Decision Making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making Effective Use of Land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Reading Borough Local Plan 2019

Policies:

CC1: Presumption in Favour of Sustainable Development
CC2: Sustainable Design and Construction
CC3: Adaptation to Climate Change
CC5: Waste Minimisation and Storage
CC6: Accessibility and the Intensity of Development
CC7: Design and the Public Realm
CC8: Safeguarding Amenity
EN1: Protection and Enhancement of the Historic Environment
EN2: Areas of Archaeological Significance
EN12: Biodiversity and the Green Network
EN15: Air Quality
EN16: Pollution and Water Resources
EN17: Noise Generating Equipment
H1: Provision of Housing
H2: Density and Mix
H3: Affordable Housing
H5: Standards for New Housing
H10: Private and Communal Outdoor Space
TR1 Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging

Supplementary Planning Documents

Affordable Housing (2021)
Planning Obligations under S106 (April 2015)
Sustainable Design and Construction (Dec 2019)
Employment, Skills and Training (2013)
Parking Standards and Design (2011)

7. Appraisal

7.1. The main considerations are:

- Principle of Development
- Future Residents' Amenity
- Neighbour Amenity
- Design, Character and Appearance of the Area
- Unit Mix and Affordable Housing
- Transport
- Ecology
- Sustainability
- S106 Legal Agreement

Principle of Development

7.2. The site is not allocated for development, but generally the proposals would align with the principles of the NPPF and the Local Plan which encourage the use of previously developed land where suitable opportunities exist.

7.3. The loss of the existing data storage use on the site would result in the loss of employment land, although given the use as a data centre, the number of employees is very low compared to the size of the site. The site is not located within a Core Employment Area, and is surrounded by residential uses, accessed via a modest, narrow road, there is no objection to the loss of employment land in this instance. Furthermore, the existing building is utilitarian in appearance and not considered to be of any architectural merit, so its loss would be acceptable, providing the replacement buildings maintain or enhance the character of the surrounding area, in accordance with

Local Plan Policy CC7 (Design and the Public Realm). The design of the proposals is assessed elsewhere in the report.

- 7.4. The proposed replacement of the existing employment use on the site with residential development would provide additional dwellings to the Borough's housing stock on previously developed land - the principle of which aligns with the broad objectives of Policy H1 (Provision of Housing) in assisting meeting annual housing targets. The application site is also situated within a predominately residential area, whereby its location and accessibility are considered to accord with Policy CC6 (Accessibility and the Intensity of Development).
- 7.5. The proposal is very similar to the previously refused scheme (ref. 211614). The principle of redeveloping this site was considered acceptable by officers then, and was considered acceptable by the Inspector at appeal stage. Given the differences between the two schemes are minimal, the principle of residential development on this site is considered acceptable. The previous officer report and the Inspector's decision are attached as appendices.

Future Residents' Amenity

- 7.6. Local Plan Policy H5 (Standards for New Housing) states that new build housing will need to comply with the nationally prescribed space standards. Policy H10 (Private and Communal Outdoor Space) requires dwellings to be provide with functional private or communal open space where possible. Local Plan Policy CC8 (Safeguarding Amenity) requires that homes should also have adequate natural light, outlook and privacy.
- 7.7. The previous scheme (ref. 211614) was refused on various grounds, several relating directly to future residents' amenity. The Inspector dismissed the appeal on the grounds that the relationship between Building 2 and the terrace of houses fronting Upper Crown Street would be unacceptable. The Inspector stated:

"The size and proximity of Building 2 to the rear of the terraced houses and their rear gardens would result in it being overbearing to the occupiers of these houses. The appearance of the building would be softened with a living wall on this elevation, which would also have some articulation from the siting of obscure glazed windows. In addition, the setting in of the mansard roof from this elevation would be significant, limiting its presence when seen from ground level in particular. I also recognise that for the easternmost house in the terrace, only part of the outlook would be onto Building 2. Nevertheless, the size and proximity of Building 2 would result in it being a dominant and oppressive presence that would compromise the outlook from the houses and the quality of the rear gardens to the extent that the living conditions of occupiers of the houses would be unacceptable.

I acknowledge that other properties may exist in the area with a similar outlook, and I saw during my site visit that neighbouring gardens are relatively small, in some instances smaller than those proposed for the terraced houses. However, development locally has been piecemeal in nature, and in the case of the older houses on Upper Crown Street and Newark Street these are of considerable age far predating modern standards for residential development. They also do not back onto buildings of the size and height of the proposed Building 2. In any case, the combination of factors identified above would result in unacceptable living conditions for the future occupiers of these properties. Even if a similar combination of factors does exist locally, this does not change my view that the appeal proposal would be unacceptable in this regard."

- 7.8. The current proposal increases the distance between the rear elevations of the houses and the wall of Building 2 by just under 2m. This also results in longer gardens for the houses. The increased distance between the houses and the side wall of Building 2 would ensure that the outlook from these properties would be significantly improved when compared to the previous scheme, and would be considered acceptable. Furthermore, the increase in the size of the gardens would contribute to the improved outlook both from within the properties and from within the gardens themselves. It is considered that this change overcomes the Inspector's concerns regarding the living

conditions of the future residents in the houses. A section comparison between the two schemes can be seen earlier in this report (between paras 3.3 and 3.4), and a floorplan comparison can be seen below, previous scheme on the left and proposed scheme on the right:



- 7.9. Buildings 2 and 3 would be separated by between 9m and 10m across the communal amenity space in the centre of the site with windows and balconies facing across this space. The appeal scheme had a similar relationship, and the Inspector found that this would be acceptable, and would ensure acceptable levels of privacy for the new units (para. 9 in the Inspector's Report). Furthermore, the Inspector found that the outlook and light provision would be acceptable for these units (para. 10 in the Inspector's report). Given the previous appeal decision is a significant material consideration when assessing a planning application, and the relationship between these two buildings has not changed, the proposals are considered acceptable in this regard.
- 7.10. The communal amenity space would be located between Buildings 2 and 3. It would include both hard and soft landscaping and be visible from Upper Crown Street. The Inspector identified that the communal amenity space would be "relatively compressed" (para. 15 in the Inspector's Report), however that given the landscaping it would be generally attractive and useable. The current proposal is similar in this regard, and the communal amenity areas are considered appropriate.
- 7.11. The units would all meet the relevant space standards, would have private amenity space and would receive appropriate levels of light and privacy.
- 7.12. The proposal would include adequate mitigation with regard to air quality through the implementation of an appropriate ventilation arrangement. Conditions are recommended to ensure that this is secured.
- 7.13. The proposal includes adequate noise mitigation to ensure that there would be no impact on future residents from external noise. Further mitigation is proposed to ensure that there would be no adverse impact as a result of noise between the two uses or from mechanical plant. Conditions securing these are recommended.
- 7.14. Overall, officers consider that the proposal would provide suitable future living conditions for residents on a constrained site adjacent to the town centre, and is therefore considered to comply with the Local Plan policies above.

Neighbour Amenity

- 7.15. Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan states that development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties.
- 7.16. The site is surrounded by residential uses on all sides. To the north are Indigo Apartments and Regents Gate, to the west a currently vacant site with planning permission for residential at 75-81 Southampton Street, a mix of offices (with permission to convert to residential) and residential uses at 85, 87 and 89 Southampton Street and

purely residential at City Gate Apartments (95-107 Southampton Street). To the south is Upper Crown Street itself, with a terrace of houses on the other side, and to the east mainly terraced houses with Priors Court in the north-eastern corner.

- 7.17. The previous scheme was refused and dismissed based on the position of Building 3 resulting in harm to numbers 85, 87 and 89 Southampton Street through loss of privacy through the perception of overlooking and an overbearing presence which would be harmful to the residents' amenity.
- 7.18. The Inspector found that there would be no harm to the living conditions of the current and future occupants at numbers 85, 87 and 89 Southampton Street. With regards number 85, which is currently in residential use, the Inspector stated that given the urban setting and separation distance of approximately 16m, there would be no harmful loss of outlook, or perception of overlooking (Paras. 20 & 21 in the Inspector's decision letter).
- 7.19. Number 87 Southampton Street is currently an office building, but has an extant planning permission to extend the building to provide a flat at existing roof level. Building 3 does not extend beyond the southern elevation of number 87, so there would be no impact on this side. The Inspector considered that it would extend beyond the northern direction, but that there would be no loss of outlook. The Inspector also determined that there would be no harm to the living conditions of potential future residents in the proposed new flat (paras 22 and 23 in the Inspector's Report). It was accepted at appeal stage that there would be no harm to number 89 given the position and orientation of the buildings.
- 7.20. Given that the size and position of Building 3 has not changed, these assessments carry significant weight in the planning assessment and accordingly, officers advise that there would be no harm identified to the living conditions of the neighbouring residents at 85, 87 and 89 Southampton Street.
- 7.21. The relationship between the previous proposals and the other surrounding residential buildings (in particular Indigo Apartments and City Gate) was considered acceptable as part of the previous application, and given the relationships between the buildings and the proposal has not changed in any substantive manner, is still considered acceptable.

Design, Character and Appearance of the Area

- 7.22. Policy CC7 (Design and the Public Realm) states that "all development must be of high design quality that maintains and enhances the character and appearance of the area". The NPPF in paragraph 130 c) states that planning policies and decisions should ensure that developments "are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)".
- 7.23. One of the reasons for the refusal of the previous scheme related to the development appearing cramped due to the scale and siting of Buildings 2 and 3 and their relationship with the existing buildings around the site, resulting in poor quality landscaping and open space and the proposal was considered to be an overdevelopment of the site.
- 7.24. However, the Inspector disagreed with this assessment and considered that the site is within an area of mixed character, with low-rise terraced properties and larger buildings of up to six storeys in close proximity. The Inspector also noted that the site has restrictions relating to re-provision of car parking spaces for surrounding leaseholders. They held that Buildings 2 and 3 would be positioned appropriately, closer to the taller buildings around the site, ensuring that their height and massing would be in keeping with the immediate context. As discussed earlier in the report, the Inspector also determined that despite the close proximity of the buildings, the communal space would be acceptable. The Inspector found that the proposal was acceptable in terms of its effect on the character and appearance of the area and that it would provide adequate, functional communal amenity space (paras. 12 – 19 of the Inspector's letter).

- 7.25. The nearest Conservation Area is Market Place/London Street, the edge of which is approximately 60m to the northeast. There is also a row of Grade II Listed Buildings at 92-106 Southampton Street, approximately 40m to the west. Given the position of the site, distances involved and intervening buildings, the proposal would not be readily visible from these locations and would have no impact on heritage assets.
- 7.26. The overall design of the scheme has not changed, beyond the slight reduction in Building 2, as discussed earlier in the report. The proposal would create a row of terraced properties on Upper Crown Street, which would be an appropriate design response to the immediate context of the area. Furthermore, as the Inspector identified, the scale, position and design of the larger Buildings 2 and 3 would be in keeping with the character of the area and would be considered acceptable. The proposal would represent an improvement compared to the existing building, and would not result in any harm to the character and appearance of the area. Although officers have previously refused a similar scheme, the appeal decision found that the proposals would be an appropriate design response. This carries significant weight in the planning balance, and officers recommend that the proposals are now considered acceptable in this regard.

Unit Mix and Affordable Housing

- 7.27. Local Plan Policy H2 states that wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6 of the Local Plan, in particular for family homes.
- 7.28. The proposal would provide 46 units at the following mix:

Type	Market	Affordable	Total
1 bedroom flat	13	9	22 (48%)
2 bedroom flat	11	5	16 (35%)
3 bedroom flat	4	0	4 (8.5%)
3 bedroom house	4	0	4 (8.5%)
Total	32 (70%)	14 (30%)	46 (100%)

- 7.29. 24 family sized units would be provided (52%), with the remainder of the mix being one bedroom units. Provision of this level of family housing exceeds the policy requirements of 50% of units on sites outside the Town Centre. There has been a change in the unit mix from the scheme which was considered at appeal, but the proposal would still comply with Policy H2.
- 7.30. Local Plan Policy H3 requires development to make an appropriate contribution towards affordable housing to meet the needs of Reading Borough. For a development of this size, 30% of the total dwellings are expected to be provided as affordable housing. If proposals fall short of the policy, then the developer should clearly demonstrate the circumstances justifying a lower contribution through an open-book viability assessment.
- 7.31. The proposal would provide 30% affordable housing, as per the above table. The Housing Development Team have indicated that whilst their preference would be to include three bedroom units in the mix, the provision of the entirety of the remainder (after First Home allocation) as Reading Affordable Rent (RAR) would be a significant benefit. Furthermore, the Inspector accepted the affordable housing offer at appeal stage. Given the proposals offer 30% Affordable Housing on a site adjacent to the town centre, with a high proportion of RAR units, it is considered that the proposal is acceptable in this regard.

Transport

- 7.32. Policy TR1 of the Local Plan requires developments to promote and improve sustainable transport. Policy TR3 states that consideration will be given to the effect of a new development on safety, congestion and the environment. Proposals should provide acceptable access to the site and ensure that there would not be a detrimental impact on the functioning and safety of the transport network.
- 7.33. The site is located within the Zone 2, primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs.
- 7.34. The site is currently in use as a data centre with a private car park providing 74 car parking bays on the roof provided on a lease basis to occupiers of buildings surrounding the proposed site. This existing parking area contains parking spaces which are separately leased out on 999-year leases. The submitted Car Parking Plan confirms that leased spaces cannot be removed and are proposed to be provided off-site during the construction phase. The Inspector accepted the legal requirement for parking re-provision as a constraint of the site, but did not identify that it had an impact on the good design of the proposals. Interim arrangements for car parking provision would be a Civil matter between the Applicant and the leaseholders and not a matter for consideration as part of the planning application.
- 7.35. The development will provide a total of 86 car parking spaces at basement level. The existing access from Upper Crown Street is to be retained which will lead to the ramp to the basement parking area. The access to the proposed parking area would be acceptable. The proposed parking layout is deemed acceptable, and the dimensions of the parking spaces comply to current standards.
- 7.36. 68 parking spaces would replace the existing leased parking spaces and 16 spaces are to be provided for residents of the proposed development and 2 spaces for the servicing of the substation. Although the overall parking provision falls below the Council's current adopted standards for a Zone 2 development, given the close proximity of the site to the town centre and transport networks, a lower parking provision is considered acceptable in this location. The surrounding road network has extensive parking restrictions in place preventing unauthorised on-street parking, any overflow in parking would not affect flow of traffic on the classified road network. New residents would be restricted from receiving Parking Permits by condition.
- 7.37. A total of 21 cycle storage spaces would be required for the development. Cycle storage can be provided in the private garden areas for houses. For the flats, two tier cycle stands providing 36 spaces for residents would be provided at street level. This provision is in excess of the Council's current standards, and is therefore considered acceptable. Three Sheffield stands providing a total of 6 spaces are proposed for visitors located within the main communal spaces, which is considered acceptable.
- 7.38. Overall, the proposals would represent an appropriate development in transport terms, and it would comply with the Local Plan.

Ecology

- 7.39. Policy EN12 seeks to protect existing green space, ensure that there would be no net loss of biodiversity, and where possible to demonstrate that there is a net gain for biodiversity.
- 7.40. The proposal is accompanied by an ecological survey which demonstrates that there would be no impact on existing species at the site. Several conditions are recommended to ensure that the proposals would provide landscaping details, the installation of Swift bricks and details of green roofs is carried out to ensure adequate biodiversity net gain on site.

Sustainability

- 7.41. Local Plan Policy H5 'Standards for New Housing' seeks that all new-build housing is built to high design standards. In particular, new housing should adhere to, water

efficiency standards in excess of the Building Regulations, zero carbon homes standards (for major schemes), and provide at least 5% of dwellings as wheelchair user units. Policy CC2 (Sustainable Design and Construction) and Policy CC3 (Adaption to Climate Change) seeks that development proposals incorporate measures which take account of climate change.

- 7.42. An energy and sustainability statement was submitted as part of the application. This demonstrates that the proposal would not meet zero carbon targets, but would achieve circa 70% carbon reduction through higher fabric standards and the low carbon and renewable energy systems, namely photovoltaic panels and air source heat pumps.
- 7.43. The Council's Sustainable Design and Construction SPD states in paragraph 3.11 that "in achieving Zero Carbon Homes for major residential developments, the preference is that new build residential of ten or more dwellings will achieve a true carbon neutral development on-site. If this is not achievable, it must achieve a minimum of 35% improvement in regulated emissions over the Target Emissions Rate in the 2013 Building Regulations, plus a Section 106 contribution of £1,800 per remaining tonne towards carbon offsetting within the Borough (calculated as £60/tonne over a 30 year period.)"
- 7.44. Residual emissions would be offset with a carbon offset payment of £1,800 per tonne, in accordance with Policy H5 and the SPD. This contribution would be £2,949.72.
- 7.45. Although it is unfortunate that the proposed development cannot achieve Zero Carbon, the submitted Sustainability Statement demonstrates that the development achieves a 35% improvement along with a carbon offsetting in the form of a financial contribution, which will be secured through a S106 legal agreement. Officers are therefore satisfied that the development would be policy compliant in this regard.
- 7.46. Policy EN18 requires all major developments to incorporate Sustainable Urban Drainage Systems (SUDS) with runoff rates aiming to reflect greenfield conditions and, in any case, must be no greater than the existing conditions of the site. The applicant has submitted a Surface Water Drainage Strategy which demonstrates that the proposed drainage rate would be a reduction when compared against the Brownfield runoff rate and provides a pipes' network to the attenuation tank. As such, the proposal complies with Policy EN18 and is considered acceptable subject to the conditions recommended above.

Legal Agreement

- 7.47. The overarching infrastructure Policy CC9 (Securing Infrastructure) allows for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. The following obligations would be sought and as set out in the recommendation above:
- To secure affordable housing on site consisting of fourteen units (30% provision) on site, to be 5 one bedroom units of Reading Affordable Rent, 5 Two bedroom units of Reading Affordable Rent and 4 one bedroom units of First Homes. Reading Affordable Rent (RAR) tenure would be capped at 70% of market rent as per published RAR levels. The Housing Development team have confirmed that the offer is acceptable.
 - In the event that a Registered (affordable housing) Provider is not secured for the provision of the Affordable Housing on site, the units to be offered to the Council to be provided by the Council as Affordable Housing. In the event that neither a Registered Provider or the Council can come forward to provide Affordable Housing on-site, the developer to pay to the Council a default sum equivalent to 12.5% of the Gross Development Value of the development for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) from two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any market housing unit. In this event, the sum to be paid prior to first occupation of any market housing unit and index-linked from

the date of valuation.

- Zero carbon offset financial contribution of £2,949.72.
- Employment, Skills and Training and Construction financial contribution of £8,820.75.

8. Equality implications

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

9. Conclusion & planning balance

- 9.1 As with all applications considered by the Local Planning Authority, the application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2 Any harmful impacts of the proposed development are required to be weighed against the benefits in the context of national and local planning policies, as detailed in the appraisal above. Having gone through this process officers consider that the benefits of the scheme in providing housing, affordable housing, redeveloping an underused brownfield site and providing a sustainable development would be sufficient to recommend the proposals for approval.
- 9.3 It is considered that officers have applied a suitable planning balance when reaching this conclusion. As such, this application is recommended for Approval.