



**M&G RPF Limited Partnership
Lochailort Thames Quarter Ltd
Thames Quarter Ltd**

PLANNING STATEMENT

Full: 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)

***Thames Quarter,*
Kings Meadow Road, Reading**

May 2019

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PREFACE

There is a **critical need** for affordable housing in Reading, and the consequences of not providing much-needed affordable homes would be **severe**. It is therefore **critical** that new residential development makes whatever contribution it can:

4.4.18 *The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the **critical need for affordable housing within Reading** as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable homes per year in Reading, which represents the majority of the overall housing required. **The consequences of not providing much-needed affordable homes would be severe**, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and **it is therefore critical that new residential development of all sizes makes whatever contribution it can.***

Emerging Reading Local Plan

March 2018

- *“More freedom will be given to local authorities to make the most of existing brownfield land to build homes that **maximise density**. Redundant land will be encouraged such as under utilised retail or industrial space for homes, with more flexibilities given to **extend upwards on existing blocks of flats** and houses as well as shops and offices. This will mean we can build the homes the country needs while maintaining strong protection for the Green Belt.*
- *Delivering more affordable homes that meet the housing needs of everyone wherever they are in their life, including **sites dedicated for ... build to rent homes with family friendly tenancies**, guaranteed affordable homes for key workers and adapted homes for older people.”*

Prime Minister's press release launching the revised
National Planning Policy Framework consultation, 5th March 2018

This application presents a **golden opportunity to double the amount of affordable housing** from the *Thames Quarter* development in a manner which addresses the subjective design-based refusal reason on previous application 182196. Amendments to the scheme's design have reduced the proposed additional quantum of development from 23 to 20 additional apartments, yet the applicants' **generous** affordable housing offer remains unchanged, at a policy-compliant **101 units**.

EXECUTIVE SUMMARY

- E1. *Thames Quarter* was granted planning permission in November 2017 and will be Reading's first bespoke "build for rent" development, bringing with it professional standards of spatial design, management and a new community. The scheme will:
- Deliver a range of enhancements to the public realm
 - Facilitate the *Mass Rapid Transport* route across the front of the site
 - Provide funding for a new signalised pedestrian crossing on Kings Meadow Road
 - Delivery a new community of high-quality apartments in a mix of unit types and sizes
 - Mark a step-change in how people rent high-quality homes in the town
 - Offer residents a range of facilities which improve their quality of living
 - Be a landmark building of which the town can be justifiably proud
 - Remain no higher than *3 The Forbury* in terms of its benchmark height
- E2. The grant of planning permission for this development recognised that the site is patently a highly sustainable location for new development. By virtue of its design (including an integrated onsite *Combined Heat & Power* facility), the proposed development is inherently sustainable in itself. The approved development was lawfully commenced in May 2018 and is due to be completed in Spring 2021.
- E3. In recognition of this high level of sustainability, and as part of the working drawings process, the applicant has identified an opportunity to make a modest amendment to the building which could accommodate 20 additional apartments on a partial additional floor. The previously-approved benchmark height is 76.97m AOD, almost 10m lower than the adjacent *3 The Forbury* at 86.66m AOD and 2m lower than *1 & 2 The Forbury* at 78.95m AOD. By increasing the benchmark element of the building by only 3.0m (a nominal 4% height increase of the lower part of the building) to 79.97m AOD, a partial additional floor can be inserted whilst still remaining lower than *3 The Forbury* and imperceptibly similar to *1 & 2 The Forbury*.
- E4. The benchmark height will still remain several metres lower than *3 The Forbury* and indistinguishable from the height of *1 & 2 The Forbury*. As the *Accurate Visual Representations* accompanying the application clearly demonstrate, the proposed additional height **will be imperceptible** compared to the approved scheme.
- E5. There would be no increase in the height of the tower element (remaining as per application 181537) and, as the enclosed supporting documentation also clearly illustrates, the proposed modest height increase of the benchmark element would have no effect on the town's emerging massing dome. Other proposals currently coming forward for tall buildings in the Borough will not affect *Thames Quarter's* place in the massing dome.
- E6. The "haunch" of the building (where the benchmark element abuts the southern elevation of the tower) will remain identical to that approved under 162166. The proportionality of the tower and benchmark will remain unchanged, particularly from the important viewpoints on Vastern Road.
- E7. Despite this very most height increase – just 4% on part of the building – the applicant proposes to **double the amount of affordable housing from the scheme, to 101 units in total**. This is a

policy-compliant **30% affordable housing** and, given the critical need for affordable housing in Reading, is a consideration which carries very substantial weight in the planning balance.

- E8. There are no policies in the *National Planning Policy Framework* or in the Development Plan which indicate that development should be restricted and accordingly, the Local Planning Authority is invited to approve this application without delay.

1.0 INTRODUCTION

Background

- 1.1 This Statement accompanies and supports an application for full planning permission which revises the extant and implemented planning permission (reference 162166 dated 23rd November 2017) for the *Thames Quarter* development. That planning permission conferred consent for the demolition of the existing multi-storey car park and the erection of a single new building of bespoke design comprising:
- 1.1.1 315 apartments in a mix of studio, one-bedroom, two-bedroom and three-bedroom units, or varying sizes within each apartment type;
 - 1.1.2 Extensive residents' facilities including lounges, a tech-hub, private dining room, cinema room, concierge/24-hour reception with coffee meeting area; and various rooftop outdoor amenity spaces;
 - 1.1.3 315 secure cycle parking spaces in a variety of formats; 49 car parking spaces; and residents' storage facilities;
 - 1.1.4 Postroom, ancillary back-of-house facilities including refuse management, loading bay, and various plant rooms;
 - 1.1.5 Hard and soft landscaping works, both onsite and providing enhancements to the wider public realm;
 - 1.1.6 Reservation of land along the Kings Meadow Road frontage to provide for the Local Authority's highway improvement works that will facilitate the *Mass Rapid Transport* (MRT) route in due course.
- 1.2 A more detailed assessment and explanation of the approved scheme can be found in the ***Design & Access Statement*** that accompanied that application.

The development now proposed

- 1.3 For the absolute avoidance of doubt, this new application does not seek any change to the building's tenure and this will remain a build-to-rent development.
- 1.4 Rather, in light of the Government's revised planning policy on density, and as part of the working drawings process, the applicant has identified an opportunity to make a modest amendment to the building which could accommodate 20 additional apartments. By increasing the "benchmark" element of the building by just 3.0m, a partial additional floor can be inserted.
- 1.5 There would be no increase in the height of the tower element and, as the application's supporting documentation clearly illustrates, the proposed modest height increase of the benchmark element would be imperceptible from distant and near views alike. Notwithstanding the further tall building proposals which continue to come forward in Reading (such as above the *Broad Street Mall* and at *Reading Metropolitan* to the north of the railway station), the proposal partial additional floor proposed at *Thames Quarter* will continue to respect the massing dome and will sit comfortably within it.
- 1.6 Consequently, the description of the development now proposed would differ from that already approved only as follows:

“Full: erection of a part ~~12~~ 13-storey, part 23 storey building comprising ~~315~~ 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; ~~315~~ 335 secure cycle parking spaces; car parking spaces; landscaping; and associated works. Demolition of existing multi-storey car park”

2.0 PLANNING HISTORY

Planning history context

- 2.1 The previous buildings occupying the site dated from the early 1990s. The last of these (a 3-level multi-storey car park) was demolished in early Summer 2018. The site's former use as a car showroom was based, axiomatically, on private car travel and whilst the surrounding road network is good, the number of permanent jobs that it had supported had been relatively low. The nature of the lawful previous use of the site, therefore, was at odds with its highly sustainable location within the centre of Reading, a location which lends itself to a much higher density.
- 2.2 There have been a number of planning applications for small scale developments associated with the site's previous lawful use as a car showroom since it was first constructed; these applications have no relevance to the current proposal.
- 2.3 Further recent approvals for the demolition of the former showroom building, and the temporary reuse of the site as a public car park (reference 160236) were explored in the *Planning Statement* submitted with planning application 162166. It is suffice for the purposes of this revised planning application to note that the showroom building was demolished in Spring 2016, and that (after a temporary period in use as a public car park) the multi-storey car park was demolished earlier this year.

Planning permission reference 162166: Thames Quarter

- 2.4 Following two years of extensive discussions, on 23rd November 2017 planning permission (ref. 162166) was granted for:

Full: 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; car parking spaces; landscaping; and associated works. Demolition of existing multi-storey car park.

- 2.5 Development of this scheme lawfully commenced in the Summer of 2018, and it is this scheme which is proposed to be revised. The Section 106 agreement pursuant to that planning permission places a number of obligations on the applicant in respect of:
 - 2.5.1 Affordable housing: a financial contribution of up to £5,900,000 as well as various review mechanisms that might result in additional contributions of up to a further £3,833,000, and thus a total Section 106 liability in respect of offsite affordable housing of up to **£9,870,000**;
 - 2.5.2 The potential acquisition of an affordable housing surrogate site, funded from out of the above contributions, for between 25 and 56 dwellings;
 - 2.5.3 Financial contributions towards a signalised pedestrian crossing (£86,700), improvements to Kings Meadow Park (£120,000) and to the Vastern Road railway underpass (£100,000), with a total contribution value of **£306,700**;
 - 2.5.4 Establishment of a 3-vehicle onsite car club;
 - 2.5.5 Implementation of a *Construction Employment and Skills Plan*;
 - 2.5.6 The provision of land required for the Council's MRT scheme.

- 2.6 In respect of the affordable housing surrogate site, the applicant has made extensive efforts to try to deliver a scheme for 56 new affordable homes. The site at North Street/Weldale Street identified in the *Thames Quarter* Section 106 agreement was subject to more than a dozen different design variations at preapplication stage, in an attempt to find an acceptable design solution which maximised the quantum of affordable homes. Ultimately, the Local Authority's requirement that an existing onsite tree be retained has constrained that site's development capacity to 47 affordable homes, as per the *Committee Report* at **Appendix 2**. Whilst an alternative surrogate site was identified and offered which would have delivered 56 affordable homes, this was rejected by the Local Planning Authority. Consequently, planning constraints mean that it has not been possible for the applicant to deliver a site for 56 affordable homes and as a result, an overage payment of more than **£945,000** is payable to the Local Planning Authority over-and-above that considered in the *Thames Quarter Viability Assessment*.
- 2.7 Additionally, in their Committee Report of 19th July 2017, Officers set out that the CIL liability of the development would be **£3,400,000**. The subsequent service by the Charging Authority of a CIL Liability Notice confirmed a higher CIL liability, at **£3,725,872** and thus more than **£325,000** more than that which had been allowed for.
- 2.8 In light of all of the above, the total value of financial contributions from the *Thames Quarter* development to the Local Authority would be up to **£13,902,572** – equating to more than **£44,000** for each of the 315 apartments previously approved. The modest proposed increase in the quantum of apartments offers an opportunity to further increase the total value of CIL contributions derived from the development whilst offsetting the additional cost resulting from unforeseen planning constraints on the affordable housing surrogate site.
- The working drawings process***
- 2.9 As with every major building project, prior to the commencement of development the drawings approved at planning application stage must be converted into significantly more detailed working drawings.

2.10 During that working drawings process, it has become apparent that **the approved benchmark height is too low** when viewed in its context. *3 The Forbury* is 86.66m AOD, almost 10m higher than the approved *Thames Quarter* benchmark height of 76.97m AOD.

- 2.11 Increasing the benchmark height by around 4% (3.0m) to 79.97m AOD will go a long way to correct this disparity. The enclosed *Design & Access Statement* and *Accurate Visual Representations* reports both demonstrate how, whilst the visual effect on the building itself would be imperceptible in the design terms, nonetheless the proposed alteration would allow the building to sit more harmoniously in its context. The height of the benchmark element will sit mid-way between the heights of *3 The Forbury* and *1 & 2 The Forbury*, which we contend is a more harmonious relationship than that previously-approved.
- 2.12 The applicant is mindful of the comments published by *Design: South East*² when they reviewed the *Thames Quarter* planning application and advised that:

"We would prefer to see a benchmark set by one or two buildings close by, not by a statistical median height."

Indeed, all independent design reviews of the building have consistently advised that it could be higher than the scheme that was ultimately approved. As demonstrated in the accompanying *Design & Access Statement*, the proportionality of the tower and benchmark elements would not be affected.

Planning application 182196 (refused 25th April 2019)

- 2.13 An application to add a partial additional floor containing 23 additional apartments was refused for five reasons. The enclosed revised application addresses the refusal reasons as follows:

2.13.1 *Design*

In order to mitigate the design-related refusal reason to application 182196, this revised application resets the haunch of the building (adjacent to the tower element) back to that which was previously approved. The revised design has the effect of ensuring that:

- Height in relation to topography would be reduced, specifically in relation to the Napier Road streetscene that you had previously cited as being of concern
- The combined effect of the overall scale of the building (benchmark and landmark combined) would be reduced
- The landmark tower would retain its strong vertical emphasis, with comparative proportions and its landmark nature unchanged
- The benchmark element would retain its relative subservience, with a clear distinction between the benchmark and landmark elements

2.13.2 *Affordable Housing*

For the avoidance of doubt, our Section 106 offer remains identical to that which BPS Surveyors have already advised the Local Planning Authority is policy-compliant. BPS have correctly advised you that 30% affordable housing on the enclosed 335-unit *Thames Quarter* application would be **101** plots. This uses the same methodology as was set out by Officers in the report to the *Planning Applications Committee* when the *Thames Quarter* scheme (reference 162166) was approved. There is no reason to depart from that methodology.

We are already obliged to provide the **47** affordable housing plots at North Street/Weldale Street and we propose to provide a further **54** affordable housing plots to give 101 in total. The cascade mechanism from the existing Section 106 agreement would be carried forward to the further surrogate site (or sites), as follows:

1. Within 12 months, provide up to 54 plots on a site or sites owned by the Local Authority, with a top-up contribution of £105,000/plot if less than 54 plots or the ability to cascade any missing plots to stage 2;
2. Provide up to 54 plots on a site or sites which we source ourselves, again with a top-up contribution of £105,000/plot if less than 54 plots are provided in stages 1 and 2;
3. Should no additional surrogate site or sites be provided within 12 months of the first occupation of *Thames Quarter*, a financial contribution of (54 x £105,000) **£5,670,000** would be payable

By way of a simple comparison with the existing *Thames Quarter* Section 106 agreement:

	With surrogate plots	Without surrogate plots
Existing 315 Section 106 agreement	£4M minimum contribution <i>minus the cost of buying the surrogate site</i>	£5.9M
Proposed 335 Section 106 agreement	£5M minimum contribution <i>minus the cost of buying the surrogate sites</i>	£8.1M*

* £8.1M is calculated by adding the £2.4M purchase price of North Street/Weldale Street to the £5.67M financial contribution due at the end of the cascade mechanism should no further surrogate site or sites be delivered.

It should therefore be reported that our offer increases the scheme's affordable housing liability from a minimum of £4M in the existing Section 106 agreement to a maximum of £8.1M in association with the partial extra floor.

2.13.3 *Wind and microclimate*

A wind and microclimate review is again enclosed with this application and the applicant reconfirms their willingness to fund the Council's costs in appointing a specialist consultant to review and endorse that review.

2.13.4 *Daylight and sunlight*

A *Daylight and Sunlight Assessment* is again enclosed with this application and the applicant reconfirms their willingness to fund the Council's costs in appointing a specialist consultant to review and endorse that assessment.

2.13.5 *Section 106 contributions*

- (i) Despite Wokingham Borough Council's recent refusal of planning permission for the Council's MRT scheme, we continue to **offer** the sum of **£86,700** towards the provision of a new signalised pedestrian crossing at Kings Meadow Road;
- (ii) We **offer** the sum of **£127,620** towards improvements to Kings Meadow Park;
- (iii) We **offer** a commuted sum of **£100,000** to be spent by the Local Authority on improvements to the pedestrian experience passing below the Vastern Road railway bridge;
- (iv) We **offer** to carry forward the *Employment & Skills Plan* that has been agreed in discussion with *Reading CIC* and the Local Planning Authority;
- (v) We **offer** to subsidise three car club vehicles for residents for an initial capital cost of £46,915 as part of our *Framework Travel Plan* (which, as with planning permission 162166, will be a delivery obligation rather than a financial contribution to the Local Planning Authority).

2.14 It is clear therefore that the enclosed revised application addresses all previous application 182196's reasons for refusal. There is no reason why this revised application **and its generous affordable housing offer** cannot be approved.

Planning history: summary

- 2.16 This is clearly a brownfield, previously-developed site. Planning permission for its residential development has been lawfully implemented and construction is underway, but changes in national planning policy now require the site to be used more efficiently. Minor cosmetic refinements proposed in a *Non-Material Amendment* application currently under consideration by the Local Planning Authority (reference 181537) are reflected in the enclosed application.
- 2.17 A modest and imperceptible increase in the height of the building's benchmark element offers an opportunity to comply with that new policy and to make best use of this highly sustainable location, increasing the supply of housing and thus avoiding the need for the equivalent number of new homes to be found on potentially greenfield land elsewhere.

² Advice letter from Design South East, 8th December 2015 (*Statement of Pre-application Consultation appendix 19*)

3.0 NATIONAL PLANNING POLICY

- 3.1 The importance of delivering sustainable development cannot be understated – a presumption in its favour is at the heart of the July 2018 *National Planning Policy Framework*.
- 3.2 Whilst the legislative starting point in the determination of planning applications remains as set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004, nonetheless the *Framework* is a key material consideration which provides a fundamental backdrop and context to the statutory Development Plan.
- 3.3 The Government’s intentions are clear in this respect, and are encapsulated at paragraph 11:
- “Plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means...approving development proposals that accord with an up-to-date development plan **without delay**.”* (our emphasis)
- 3.4 Of particular relevance is Annex 1, which deals with implementation and which advises how decision-makers should deal with Development Plan policies which were adopted prior to the *Framework*’s publication in July 2018. Paragraph 213 is clear: it is not open to decision makers to simply and blindly rely upon Development Plan policies which were adopted before July 2018. Rather, “due weight” must be given to relevant policies in existing plans, governed by their degree of consistency with the *Framework*. Simply put, the closer the policies in the Development Plan are to those in the *Framework*, the greater the weight they can be given.
- 3.5 The corollary, of course, is that where a pre-July 2018 Development Plan policy departs from its counterpart in the *Framework*, it must be given less weight accordingly. Depending on the nature and level of difference between the comparative policies, there may be situations whereby an Adopted Development Plan policy is so fundamentally at odds with the *Framework* that it can be given very little weight indeed, if any. In such circumstances, it is clear that the relevant *Framework* policy will be an important material consideration capable of outweighing Development Plan policy. This position has been upheld by the Courts in the case of *Wynn-Williams v Secretary of State for Communities and Local Government* [2014] EWCH 3374.
- 3.6 Given that the Council’s *Core Strategy* was adopted in January 2008 and the *Reading Central Area Action Plan* in January 2009, it is clear that *Framework* paragraph 213 and the requirements of Annex 1 are fully engaged.
- 3.7 Furthermore, Reading’s replacement *Local Plan*, submitted to the Secretary of State for Communities and Local Government on 29th March 2018 and at the time of writing still subject to Examination by an Inspector, is being considered against the policies in the *old* (March 2012) *National Planning Policy Framework*³. Even upon the new *Local Plan*’s adoption, its policies may immediately be considered to be out-of-date if they discord with the 2018 *National Planning Policy Framework* and consequently, *Framework* paragraph 213 continues to apply even to this emerging local policy document.

- 3.8 It is in this context that the ***presumption in favour of sustainable development***, summarised at *Framework* paragraph 11 but at the heart of that document, must be considered. Where a proposal accords with the Development Plan, or indeed where there are “*no relevant development plan policies*”, the presumption in favour of sustainable development is engaged.
- 3.9 Only in those circumstances where the adverse impacts of granting planning permission would “*significantly and demonstrably*” outweigh a scheme’s benefits should planning permission be refused.
- 3.10 In essence, the decision maker must undertake a planning balance exercise which starts with the weight firmly in favour of granting planning permission. Accordingly, in the specific context of the Development Plan’s applicability to this proposed development, a two-stage assessment is required:
- 3.10.1 Firstly, on a policy-by-policy basis it is necessary to compare and weigh each policy against its counterpart in the *Framework*, identifying (if any) the level of inconsistency and assessing how much weight can be attributed to local policy; and
- 3.10.2 Secondly, if it found that the Development Plan has no relevant policies, or that the policies most important for determining a specific planning application are out-of-date, the presumption in favour of sustainable development must be applied and an assessment made of whether the grant of planning permission would result in any “significant” or “demonstrable” adverse impact. That assessment is made at the end of this *Planning Statement*.

Making effective use of land

- 3.11 The publication of a replacement *National Planning Policy Framework* in July 2018 added a significant new policy imperative in respect of making the most efficient and effective use of land in the most sustainable locations. Indeed, so important is this change in national policy that **an entire chapter** of the new *Framework* is devoted to “***Making effective use of land***”. There are several paragraphs with this chapter which are directly applicable to *Thames Quarter* and are highly relevant to the enclosed application, which are worthy of replicating and interpreting in full.
- 3.12 **Paragraph 117** explains why making effective use of land is so important to proper land-use planning:

“Planning policy and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land⁴⁴.”

⁴⁴ Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

(our emphasis)

- 3.13 **Paragraph 118** relates to both plan-making and decision-taking and sets out a number of policy requirements. Amongst these, Local Planning Authorities are instructed to:

“c) **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;”

“d) **promote and support the development of under-utilised land and buildings, especially is this would help to meet identified needs for housing** where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure⁴⁵”;

⁴⁵ As part of this approach, plans and decisions should support efforts to identify and bring back into residential use empty homes and other buildings, supported by the use of compulsory purchase powers where appropriate.

“e) support opportunities to use the airspace above existing residential and commercial premises for new homes. **In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.**”

- 3.14 Paragraph 118(e) could not be more directly relevant to the current application. The proposed partial extra floor at *Thames Quarter* would:

- 3.14.1 **Clearly be consistent with the prevailing height and form of neighbouring properties.** As explored and demonstrated in both the accompanying *Design & Access Statement* and *Accurate Visual Representations Report*, the benchmark height established in planning permission 162166 is too low when compared to the building and *1 & 2 The Forbury* and *3 The Forbury*. Adding a partial extra floor solely to the benchmark element of the development will remain materially lower than *3 The Forbury* and almost identical to *1 & 2 The Forbury*. Indeed, the partial additional floor would be virtually imperceptible when the proposed building’s height, massing and appearance is compared with that of the approved development.
- 3.14.2 **Remain consistent with the overall street scene**, using the same architectural design language and elevational treatment as that already approved by planning permission reference 162166.
- 3.14.3 **Be well designed**, as set out in the enclosed *Design & Access Statement*. The development would remain compliant with the Local Authority’s *massing dome* strategy and would continue to offer the same exemplar residents’ facilities as those in the approved scheme.
- 3.14.4 **Maintain safe access and egress for occupiers**, including the same commitment to facilitating the Council’s *Mass Rapid Transit* proposals across the site’s Kings Meadow Road frontage. The level of onsite cycle parking would be increased to ensure that every apartment still has a secure cycle parking space, along with a modest proportionate increase in the quantum of onsite car parking.

- 3.15 It should also not be forgotten in this policy context that the *Thames Quarter* site was a contaminated one. A remediation strategy was approved by the Local Planning Authority on 26th April 2018 (**Appendix 1**) which, with the agreement of both the Environment Agency and the Council's Environmental Protection Team, confirms a comprehensive strategy and detailed methodology to permanently clean up the site. That remediation strategy has been undertaken and thus already the development is leaving a significantly improved environmental legacy.
- 3.16 **Paragraph 122** requirements that planning policies and decisions support development that makes efficient use of land, taking into various factors including:
- a) The need for different types of housing, *which by reference to other policies elsewhere in the Framework must include build-to-rent developments;*
 - b) Local market conditions and viability, *which will be explored in separate post-submission discussions with the Local Planning Authority;*
 - c) The capacity of infrastructure and services, *which in this instance it has already been confirmed pose no constraint to higher-density residential development;*
 - d) The desirability of promoting regeneration and change, *as confirmed by the site's ongoing allocation for a landmark tall building, as explored in Section 4 below;* and
 - e) The importance of securing well-designed, attractive and healthy places, *as confirmed in the praise for the approved Thames Quarter development by various independent design review bodies.*
- 3.17 **Paragraph 123** underlines the importance of avoiding homes being built at low densities, where there is an existing or anticipated shortage of land for meeting identified housing needs. Local Planning Authorities are **instructed to "ensure that developments make optimal use of the potential of each site"**, which is precisely what this application for a partial additional floor at *Thames Quarter* seeks to do.
- 3.18 As explored in **Section 4**, Policy RC1 of the *Reading Central Area Action Plan* (the "Action Plan") allocates this site for development as part of the Station / River Major Opportunity Area. The site is allocated as sub area RC1h, Napier Road Junction, with the policy text specifically confirming that, in principle, the site could appropriately be redeveloped to accommodate:
- "A landmark building, containing residential and/or offices is appropriate for this site, which may contain an active commercial use on the ground floor. An acceptable dry access scheme must be part of any development on this site."*
- 3.19 The approval of planning application 162166 for 315 apartments in an almost identical configuration on this site clearly demonstrates that higher-density residential development **is wholly policy-compliant in this location.**
- 3.20 As a direct consequence, *Framework* paragraph 11 gives very clear instructions as to how decision-makers must proceed:
- "For **decision-making** this means:*
- c) approving development proposals that accord with an up-to-date development plan without delay; or***

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

(our emphasis)

Footnotes 6 and 7 advise:

“6 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as a Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

7 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.”

3.21 Footnote 6 does not apply to this site, whilst footnote 7 is not engaged at the current time but may become so in the future. Accordingly, the clear direction contained in the *Framework* is that planning permission must be granted **without delay**, unless doing so would “significantly” and “demonstrably” outweigh the benefits of doing so.

3.22 In addition to the above specific national policy support for the development now proposed, the following chapters of this *Statement*, and the accompanying *Design & Access Statement*, review the material considerations associated with the proposed amended development quantum. Together with the findings of the other supporting reports submitted with this application, they confirm that there would be **no significant or demonstrable harm** from the proposed development that would outweigh the clearly-identified **significant public benefits** associated with the grant of planning permission.

Other statements of Government policy

3.23 In addition to the Government’s revised Framework, there are further relevant statements of Government policy which weigh heavily in favour of the proposed development are found in the various Ministerial Statements that accompanied the *Housing White Paper* and the publication of the draft revised *National Planning Policy Framework*:

- *“More freedom will be given to local authorities to make the most of existing brownfield land to build homes that **maximise density**. Redundant land will be encouraged such as under utilised retail or industrial space for homes, with more flexibilities given to **extend upwards on existing blocks of flats** and houses as well as shops and offices. This will mean we can build the homes the country needs while maintaining strong protection for the Green Belt.*
- *Delivering more affordable homes that meet the housing needs of everyone wherever they are in their life, including **sites dedicated for ... build to rent homes with family friendly tenancies**, guaranteed affordable homes for key workers and adapted homes for older people.”*

Prime Minister’s press release launching the revised National Planning Policy Framework consultation, 5th March 2018

*“4.58 Planning reform – The government has already revised the National Planning Policy Framework, implementing 85 of the proposals set out in the Housing White Paper and Autumn Budget 2017, ensuring that more land in the right places is available for housing. **The Budget announces that the government has launched a consultation on new permitted development rights to allow upwards extensions above commercial premises and residential properties, including blocks of flats, and to allow commercial buildings to be demolished and replaced with homes.**”*

Her Majesty’s Treasury Budget 2018, 29th October 2018

- 3.24 In light of all of the above, and the proper application of the *Framework’s* policies, the enclosed planning application should be approved **without delay**.

4.0 THE DEVELOPMENT PLAN

4.1 At the time of writing, the Development Plan comprises:

- 4.1.1 Core Strategy (January 2008 as amended in January 2015)
- 4.1.2 Reading Central Area Action Plan (January 2009)
- 4.1.3 Site and Detailed Policies Document (October 2012)
- 4.1.4 Proposals Map (December 2012)

4.2 As the Council's *Core Strategy* and *Reading Central Area Action Plan* ("RCAAP") were both adopted a number of years before the publication of the *Framework*, so paragraph 215 confirms that they cannot automatically be attributed full weight. As such, policies contained therein must be tested against the *Framework* rather than accepted and implemented at pure face value and accordingly, the two-stage assessment explained at paragraph 3.9 of this Statement applies.

Core Strategy (January 2008 with Alteration Adopted January 2015)

4.3 Aside from the specific policies themselves, Chapter 3 sets out the broad aims of the document as a Spatial Strategy for the development of Reading over the plan period. There are a number of key re-occurring themes in the *Core Strategy*, such as that "*Major development should be located in areas of high accessibility where it does least harm to the environment and delivers most benefits to the wider community.*" (paragraph 3.4). Paragraph 3.6 sets out another key principle, which is worthy of replicating here in full:

*"The predominantly urban character of Reading Borough, exacerbated by tightly drawn boundaries, means that the vast majority of any future development will be in the form of redevelopment and regeneration of previously developed land. In particular, there are areas or sites that are **currently under-utilised**, and/or are visually and environmentally detrimental which need to be brought forward for mixed-use schemes and developed at an appropriate density with appropriate infrastructure provision...**Development must have excellent access to effective and efficient public transport.**"*

(our emphasis)

4.4 Following on from this, the *Core Strategy* specifically sets out that new major mixed-use development should be focused on the Reading Central Area, within which the application site lies. This approach is consistent with the thrust of the *Framework* and so should be afforded significant weight. Paragraph 3.11 highlights that the "*centre of Reading is the most accessible location in the Western Corridor Sub Region...[and so] makes it the principal location for a range of major development opportunities*". Paragraph 3.12 of the *Core Strategy* is of particular pertinence here and is worthy of replicating in full as follows:

"Development in the centre will typically be medium to high-density, accessible mixed use schemes, incorporating housing and public spaces of an excellent and sustainable standard of design, that will improve the quality of life of those who live, work in or visit Reading. Private parking space will be limited, due to the proximity, frequency and choice of public transport options."

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- 4.5 The principle of the strategy is therefore that development should take place within and in close proximity to the most sustainable locations, of which the centre of Reading is placed above all others. This is again consistent with the *Framework's* requirement for development to take place in the most sustainable locations, and this the *Core Strategy's* overarching theme can be attributed full weight. The modest proposed increase in dwelling quantum does not incorporate any additional car parking over the 49 spaces (including 3 car share spaces) previously-approved, thus according with the policy imperative to limit private parking spaces in this part of Reading.
- 4.6 Starting with the highest level principles which govern the spatial distribution of development in the Borough, **Policy CS4** ("*Accessibility and the Intensity of Development*") confirms that the scale and density of development in different locations will be related to their levels of accessibility. This is consistent with the general thrust of the *Framework*, and also accords with the Prime Minister's March statement of Government policy that requires increased densities around public transport interchanges (such as the multi-modal interchange at Reading station).
- 4.7 Given the site's location in the centre of Reading with immediate access to excellent public transport connections and the facilities that the town has to offer, this is patently one of the most sustainable locations within the Borough and, by implication, suitable for development at a commensurate scale and high density. The utility of the adjacent Reading railway station as a public transport hub will be further enhanced by:
- 4.7.1 The start of Crossrail services on the *Elizabeth Line* in 2018/19, offering direct trains to new destinations in the capital;
 - 4.7.2 Electrification of the Great Western mainline, giving faster direct services to London Paddington and west towards Bristol and South Wales;
 - 4.7.3 The confirmed new rail link to Heathrow Airport, offering fast convenient services to the UK's largest international airport;
 - 4.7.4 Implementation by the Council of its *Mass Rapid Transit* scheme, providing a bus every three minutes at peak times eastwards to the major employment area at Thames Valley Park and the recently-approved Park & Ride facility. It must not be forgotten that the approved *Thames Quarter* scheme has played a critical role in facilitating the *Mass Rapid Transport* improvements on Kings Meadow Road, and the proposed addition of a further benchmark floor will in no way change the site's layout or fetter the MRT's delivery.
- 4.8 The proposed development clearly fully complies with Policy CS4, which itself complies with the *Framework* and can be attributed full weight.
- 4.9 High-level design advice is given in **Policy CS7** ("*Design and the Public Realm*") which requires that new developments "*must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.*" The policy then goes on to set out a list of overarching urban design objectives that any development must achieve and continues by listing a number of generic design criteria that proposals will be assessed against, such as ensuring that they create safe and secure environments.
- 4.10 This policy is broadly consistent with the *Framework's* thrust of requiring high quality design and its recommendation that good design is indivisible from good planning (*Framework* paragraph 56). The policy is overarching in that it is setting out the principles against which

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- new development will be assessed. It does not favour one design approach over another, which again is consistent with the *Framework's* instruction that Local Planning Authorities should not seek to impose particular architectural tastes or styles. To this end, the policy is compliant with the *Framework* and so attracts full statutory weight.
- 4.11 The accompanying *Design & Access Statement* clearly sets out how the proposal would meet the very detailed design criteria in Policy CS7, and how the proposed development accords with this part of the Development Plan. The approved scheme is for a truly iconic statement building that reflects the town's vibrancy by sending a clear message of quality and identity, whilst the changes now proposed will have no perceptible effect on the appearance of the previously-approved building.
- 4.12 **Policy CS15** ("*Location, Accessibility, Density and Housing Mix*") relates to these characteristics in new developments. The criteria-based policy sets out how development will be informed by a range of factors, and in essence is linked to *Core Strategy* Policies CS4 and CS7. Policy CS15 sets a minimum density of 70 dwellings per hectare in the town centre, **but does not specify an upper density ceiling**. Again, this policy is consistently with the thrust of the *Framework* and also more recent speeches of Government policy by the Prime Minister, Chancellor of the Exchequer, and Secretary of State for Housing, Communities & Local Government. By suggesting no limit or cap on the density of developments in the most sustainable locations, the policy can properly be interpreted to mean that such locations are not just suitable for, but rather the emphasis should be on, development at higher densities. It carried substantial weight as a result.
- 4.13 The accompanying *Design & Access Statement* clearly sets out how the revised development quantum would meet the assessment criteria listed in Policy CS15 and consequently, how the proposed amendment remains clearly consistent with this part of the Development Plan.
- 4.14 **Policy CS16** ("*Affordable Housing*") was amended by an alteration to the *Core Strategy* in January 2015, and sets out that for developments of 15 new residential units or greater, the Council will seek a provision of 30% of these to be for affordable purposes. This is consistent with the *Framework's* requirement that local planning authorities should provide for such housing where a demonstrable need exists, subject to viability considerations.
- 4.15 The Section 106 agreement pursuant to the extant *Thames Quarter* planning permission recognises and accepts that, in respect of this Build to Rent development, it is most appropriate for affordable housing to be provided for by way of a financial contribution towards offsite provision and/or a surrogate affordable housing site. The same fundamental approach is appropriate in relation to this application. In the *Heads of Terms* letter submitted separately as Exempt Information, the applicant sets out a proposed increase in the value of the scheme's contribution towards offsite affordable housing associated with the 23 additional apartments proposed.
- 4.16 **Policy CS26** ("*Network and Hierarchy of Centres*") sets out a hierarchy of town, district and local centres and states that Reading Centre is the only regional centre within the Borough. The policy is consistent with the *Framework's* emphasis of improving the vitality and viability of such centres and as such has great weight. The proposed additional resident population would make a valuable contribution to the vitality and viability of Reading Centre through increased footfall and spend in the area. Consequently, the proposed amendment is consistent with this part of the Development Plan.

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- 4.17 **Policy CS33** (*“Protection and Enhancement of the Historic Environment”*) seeks to prevent all development that has any adverse impact on heritage assets, contrary to the *Framework* which takes a completely different, public-benefits based approach. Section 12 of the *Framework* (*“Conserving and enhancing the historic environment”*) advises Local Planning Authorities to consider whether a proposed development will lead to substantial harm to, or total loss of significance of, a designated heritage asset. Proposals that lead to such harm or loss should be refused unless they pass the test at paragraph 133. Where a development will lead to less than substantial harm, any such harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134). Significance, as advised with the *Framework*, is derived not solely from a heritage asset’s physical presence, but also from its setting. When assessing significance, it is advised that great weight should be given to the asset’s conservation and the more important the asset, the greater the weight to be applied. Where a development leads to less than substantial harm to the significance of the heritage asset, any such harm should be weighed against the public benefits of the proposal, including its optimum viable use.
- 4.18 The Government’s *Planning Practice Guidance* advises that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. It also advises that “substantial harm” is a high test, and will not arise in many cases. As such, it is clear that Policy CS33 is inconsistent with the *Framework* and must be considered out-of-date accordingly. It can be attributed only limited weight.
- 4.19 Notwithstanding the above, the impact on designated heritage assets is assessed in the accompanying *Design & Access Statement*, which clearly demonstrates that the imperceptible amendment of the previously-approved scheme will have no additional effect whatsoever on heritage assets.
- 4.20 **Policy CS37** (*“Major Landscape Features and Strategic Open Space”*) sets out a number of landscape elements and states that development will not be allowed that detracts from the character or appearance of these areas. The policy is reflective of the *Framework* in terms of its advice that the planning system should protect valued landscapes, but is inconsistent with *Framework* paragraph 113 and its requirement for Local Planning Authorities to “set criteria based policies against which proposals for any development on or affecting...landscape areas will be judged.”
- 4.21 As such, it is clear that Policy CS37 is inconsistent with the *Framework* and should be considered as being out-of-date accordingly. Whilst the policy does have some relevance to the proposed development (given its proximity to the Thames Valley Major Landscape Feature), as demonstrated in the *Design & Access Statement* the proposed amendment would result in no material harm to that feature. Consequently, notwithstanding that Policy CS37 can carry only limited weight, there would in any case be no policy conflict from the proposed development.
- 4.22 In respect of highway and transport-related matters, **Policies CS20** (*“Implementation of the Reading Transport Strategy”*), **CS21** (*“Major Transport Projects”*) and **CS23** (*“Sustainable Travel and Travel Plans”*) sit together as a suite of policies that seek to deliver major transport improvement schemes whilst at the same time fostering sustainable travel. When read in conjunction with **Policy CS5** (*“Inclusive Access”*), it is clear that these policies give substantial support for the *Mass Rapid Transit* scheme separately proposed across the northern site

boundary, whilst seeking to safeguard and enhance the journeys of non-motorised users. These policies are all generally compliant with the transport and travel sections of the *Framework* and can be given significant weight accordingly.

- 4.23 Compliance with the Core Strategy's highways and transport policies is evidenced through the reservation of the required land for the MRT-related highway improvements, in the submitted *Transport Statement*, and in the *Design & Access Statement*. The proposed amendment will facilitate the provision of the MRT at Kings Meadow Road in a manner identical to that of the previously-approved scheme.
- 4.24 **Policy CS38** calls for a net increase in tree cover in the Borough, which would be delivered by the proposed onsite landscaping, the proposed public realm enhancements, and via the financial contribution already secured towards improvements to Kings Meadow Park. The enclosed application proposes no amendment to the previously-approved landscaping proposals.
- 4.25 Finally and for completeness, **Policy CS34** ("*Pollution and Water Resources*") requires that contaminated land is remediated to a standard appropriate to the nature of the development proposed, and that noise and air quality considerations are subject to "*adequate mitigation measures*". The cost of remediating this contaminated brownfield site has already been subject to detailed viability submissions in support of application 162166 and is therefore well-known to the Local Authority.

Reading Central Area Action Plan (2009)

- 4.26 The *Reading Central Area Action Plan* ("RCAAP") allocates this site for development as part of the Station/River Area Major Opportunity Area at **Policy RC1**. The policy sets out that identified sites in the Major Opportunity Area will be suitable for new development, subject to compliance with six criterion. The policy then goes on to set out a high-level brief for each of the nine sub-areas.
- 4.27 The application site is allocated a site **RC1(h)** ("*Napier Road junction*") for development as follows:

"A landmark building, containing residential and/or offices is appropriate for this site, which may contain an active commercial use on the ground floor. An acceptable dry access scheme must be part of any development on this site."

- 4.28 Just then as the principle of development complies with the spatial distribution of development set at Core Strategy Policy CS10, so too does the scheme comply with the site-specific allocation at Policy RC1(h). Simply put, there can be no question whatsoever that a high density residential development on this site is wholly and unequivocally in accordance with the adopted Development Plan's spatial policies.
- 4.29 As can be seen, Policy RC1(h) specifically allocates the site for a "**landmark building**", with the supporting text at paragraph 6.13 noting that "*the area will be developed at a higher density even where there are no tall buildings*". For the most part, Policy RC1 is consistent with the *Framework* in that it sets out general aspirations for the development of the sites within the various sub-areas placing **no restriction** on height or density, instead giving flexibility in terms of how these sites are to come forward.

- 4.30 RCAAP Figure 9.1 specifically sets out that RC1(h) is the only site within the Major Opportunity Area that is designated for delivery in the short term. All other sites are designated as a mixture of short to medium term in terms of their delivery priority. This emphasises the importance the Council placed on seeing the early development of this specific site, something that evidently has not yet happened. Given this, the delivery of the site's redevelopment by way of the proposed enhanced residential building should be given substantial weight, **particularly as Build to Rent developments are typically constructed and occupied more quickly than build-for-sale schemes.**
- 4.31 Policy RC1 criterion (vi) places a direct link between development density and the setting of listed buildings, flowing from the *Framework*-discordant approach set out in Core Strategy Policy CS33 preventing any harm whatsoever to heritage assets. As set out at paragraph 4.15 above, it is clear that Policy RC1 criterion (vi) is inconsistent with the *Framework* and must be considered out-of-date as a result. No weight should be given to it in terms of the assessment of the merits of the application in the planning balance.
- 4.32 **Policy RC5** relates to the design of new development specifically in the central area. This policy is broadly consistent with the *Framework's* thrust of requiring high quality design and its recommendation that good design is indivisible from good planning (*Framework* paragraph 56). The policy is detailed in terms of some of the specific matters that development in the town centre should achieve, but is generally reflective of well-established and sound urban design principles. Policy RC5's remit is limited in this regard, and does not set out to favour any one specific design approach over another. It is consistent with the *Framework* accordingly and can continue to carry significant weight.
- 4.33 The accompanying *Design & Access Statement* sets out how the proposed changes would continue to meet the detailed design criteria on Policy RC5 and consequently, how the scheme continues to comply with this part of the Development Plan.
- 4.34 **Policy RC9** is entitled "*Living in the Centre*" and deals with how proposals for residential development within the central area will be assessed, listing criteria that relate to housing mix, residential amenity, affordable housing and the provision of community facilities. The policy is broadly consistent with the *Framework* with the exception of the requirements for affordable housing. Here, Policy RC9 does not make any provision that differentiates *Build to Rent* development from other forms of housing delivery, as required by the Government's *Planning Practice Guidance*:
- "Some privately rented homes can come from purpose built schemes held in single ownership which are intended for long term rental. The economics of such schemes differ from build for sale and should be determined on a case by case basis. To help ensure these schemes remain viable while improving the diversity of housing to meet local needs, local planning authorities should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required. So these homes remain available to rent only, local planning authorities may choose to explore using planning obligations to secure these schemes for a minimum period of time."***
- Planning Practice Guidance Paragraph: 017 Reference ID: 10-017-20140306
- 4.35 Consequently, the policy does not comply with national guidance and so carried limited weight. The proposed amendment to the extant *Thames Quarter* planning permission should

simply carry forward the principles established in that planning permission and its associated Section 106 agreement.

- 4.36 **Policy RC13** sets out “*Areas for Tall Buildings*” and defines these on the adopted Proposals Map. Policy RC13 provides **explicit and detailed policy support for a tall building on this site** identifying it as falling within the Station Area Cluster and importantly, placing no policy cap on building height. It is highly material to note that planning permission 162166 approved a 23-storey residential building in this location, and that the “tower” element of that approval will remain unchanged in the scheme now proposed.
- 4.37 Setting out a policy position in support of a specific spatial area for tall buildings in broadly reflective of the *Framework’s* requirement at paragraph 57 to plan positively for individual buildings and the wider development of areas and thus broadly speaking, Policy RC13 is compliant with the *Framework*. Nonetheless, there are two elements of the policy that depart from the *Framework* which must be given lesser weight:
- 4.37.1 Criterion (i) refers to Figure 8.2 which gives an “at a glance” diagrammatic representation of the principles for each sub-area. Whilst this is a useful tool to aid in the interpretation of the policy, it is a very basic diagram that should not be used to determine whether a specific proposal is consistent with all Development Plan policies. To do so would be at odds with the *Framework’s* clear directive that such policies should not be overly prescriptive, and in this regard this part of the policy is inconsistent with the *Framework* can carry only limited weight accordingly.
- 4.37.2 Criterion (ii) specifies a number of criteria which seek to dictate how tall buildings should be configured within the Station Area Cluster. Whilst there are some sound urban design principles within the text of the policy, there is a single policy bullet point requiring a “stepping down” towards the fringes of the cluster. Again, the *Framework* is clear that design-based policies should not be overly prescriptive or seek to stifle innovative design, innovation which is clearly evident in this proposed office development with its enclosed split-level publically-accessible Sky Garden. Indeed, the supporting text acknowledges that stepping-down is only one of several ways by which a human-scale environment can be achieved. All of this points to criterion (ii) be attributed only limited weight. Nonetheless, the enclosed *Design & Access Statement* clearly demonstrates how this element of the policy is complied with, and in particular, how the changes proposed in this application would be imperceptible compared to the approved building.
- 4.38 **Policy RC14** protects specific areas from development, which excludes the application site. RC14(i) and (ii) both endorse high-quality public realm improvements, which in respect of this scheme follow the principles established by planning permission 162166. Whilst these will be confirmed at reserved matters stage, nonetheless the scheme complies with Policy RC14, which is broadly compliant with the *Framework* can which can be attributed full weight accordingly.
- Sites and Detailed Policies Development Plan Document (October 2012)***
- 4.39 This DPD was adopted post-publication of the *Framework* and, unlike the other Development Plan documents assessed above, contains a presumption in favour of sustainable development. It is not necessary to weigh its policies against those of the *Framework*.

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- 4.40 Whilst the DPD's policies apply in the Central Area where there are no other policies in place that cover the relevant consideration, in reality the policies in the Core Strategy and RCAAP – where they have been found to be consistent with the *Framework* – are most relevant to the proposed development.
- 4.41 **Policies DM1 and DM2** both seek to mitigate climate change. The *Sustainability Statement* and *Energy Strategy Report* approved pursuant to planning permission reference 162166 both demonstrate how the scheme would comply with these policies, and remain unchanged by the current application. **For the avoidance of doubt, in sustainability terms the development will deliver a 19% improvement over Building Regulations and a 26.5% reduction in Co₂ emissions.**
- 4.42 **Policy DM3** deals with planning obligations and was adopted prior to the introduction of the Council's Community Infrastructure Levy and amendments to the Community Infrastructure Levy Regulations which prevent the pooling of Section 106 contributions. The policy can carry very little weight as a result.
- 4.43 Be that as it may, the Section 106 agreement pursuant to planning permission reference 162166 already provides for:
- 4.43.1 Signalised pedestrian crossing
A financial contribution of £86,700 has already been secured for a new pedestrian crossing outside the site on Kings Meadow Road. The proposed amendment does not result in any requirement for this sum to be increased.
- 4.43.2 Open space improvements
A financial contribution of £120,000 towards various improvements to Kings Meadow Park is contained within the existing Section 106 agreement. The proposed amendment does not result in any requirement for this sum to be increased.
- 4.43.3 Vastern Road railway underpass improvements
A financial contribution of £100,000 towards environmental enhancements to the Vastern Road railway underpass is contained within the existing Section 106 agreement. The proposed amendment does not result in any requirement for this sum to be increased.
- 4.43.4 Construction Employment and Skills Plan
The applicants have entered into a detailed training plan, in discussion with Reading UK CIC, pursuant to the existing Section 106 agreement. This commitment remains unchanged.
- 4.43.5 Car club
The applicant will still be establishing a 3-vehicle onsite car club, subsidised to the value of £46,915. The car club has always been designed to be expandable to 4 vehicles subject to demand, and thus the proposed amendment does not result in any requirement for this provision to be increased.
- 4.43.6 Affordable housing
The existing approval (162166) already provides 47 offsite affordable housing plots and this application proposes to **more than double this to 101 plots**. The applicant's proposed further offsite affordable housing contribution is set out at **Section 5** of this Statement.

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- 4.44 **Policy DM4** seeks to safeguard the “amenities” (living conditions) of existing occupiers. The proposed development has been carefully designed to ensure that the full content and purpose of this policy is adhered to, through:
- 4.44.1 Using wind modelling as a design tool throughout the iterative design process, including using the site-specific learnings gained by application 162166;
 - 4.44.2 Similarly using daylight, sunlight and shadowing assessments to ensure that the proposed amendment will have no perceptible effect over-and-above the approved scheme;
- 4.45 **Policy DM6** relates to the provision of affordable housing, which is proposed to be dealt at set out at **Section 2** of this *Statement*. The **more than doubling** of the amount of affordable housing derived from the development in the context of a **critical need** carries **very substantial weight indeed** in the planning balance.
- 4.46 **Policy DM10** relates to private and communal open space, and is generally compliant with the *Framework’s* intentions to deliver good quality design. The proposed amendment carries forward the design principles established in the extant *Thames Quarter* planning permission by:
- 4.46.1 Providing a choice of high-quality landscaped rooftop terraces for all residents to enjoy;
 - 4.46.2 Ensuring (through careful design and using technical assessments as a design tool) that all the proposed amenity spaces meet the highest standards of daylight, sunlight, air quality and noise levels.
- 4.47 As per the approved scheme, trees are proposed in planters in a number of rooftop terrace locations both to provide wind gust mitigation and in compliance with **Policy DM18**. Further compliance with the policy’s intention of increasing tree cover in the Borough continues to be demonstrated by way of the public realm tree planting improvements at ground level, and through the financial contribution already secured towards enhancements to Kings Meadow Park.
- 4.48 **Policy DM19** seeks to ensure that the effects of poor air quality are mitigated and in this respect, measures approved in the extant *Thames Quarter* are simply proposed to be carried forward, including:
- 4.48.1 Provision of mechanical heating and ventilation to the proposed apartments;
 - 4.48.2 Using natural windflows to beneficial effect in “cleansing” the air quality in the approved podium courtyards on level 03 through natural ventilation;
 - 4.48.3 Continuing to provide the primary residents’ outdoor amenity terraces on level 10 and above, where the air is demonstrably of high quality.

5.0 OTHER CONSIDERATIONS

- 5.1 The law is clear that development proposals must be determined in accordance with the statutory Development Plan, unless material considerations indicate otherwise. As set out throughout this statement, the proposed development fully accords with the Development Plan and thus should be granted planning permission accordingly. Nonetheless, it is still necessary to identify and weigh any other material considerations in order to be able to properly perform the planning balance exercise.

Reading Borough Council Community Infrastructure Levy

- 5.2 The Council adopted its Community Infrastructure Levy in 2015. The applicant estimates the CIL liability of the proposed **additional** development of 1,702m² Gross Internal Area as being in the order of **£250,687** when charged at the 2018 indexed rate of £147.29/m². This is in addition to the CIL already fixed by the CIL Liability Notice dated 20th December 2017 pursuant to implemented planning permission reference 162166, of £3,725,872.

- 5.3 Consequently, the CIL liability of the entire 338-apartment development as proposed is estimated at **£3,976,560**. This significant sum's contribution towards the provision of additional infrastructure to serve the Borough is a material consideration in its own right.

Additional Section 106 contributions

- 5.4 Planning obligations may only constitute a reason for granting planning permission if they meet the tests of being:

- 5.4.1 Necessary to make the development acceptable in planning terms
- 5.4.2 Directly related to the development, and
- 5.4.3 Fairly and reasonably related in scale and kind.

These tests are set out as statutory tests in the *Community Infrastructure Levy Regulations 2010* and as policy tests in the National Planning Policy Framework.

- 5.5 Applying these three tests, and as set out at paragraph 4.43 above, the modest additional number of apartments now proposed would not give rise to the need for any additional financial contributions relating to the signalised pedestrian crossing, improvements to the Vastern Road underpass, or open space improvements at Kings Meadow Park. These contributions will remain as per the extant Section 106 agreement.

Reading Station Area Framework SPD (2010)

- 5.7 The Reading Station Area Framework ("RSAF") SPD must not, as a matter of law, be given the same weight as the Core Strategy of RCAAP, which are both Development Plan Documents which have been subject to far more rigorous examination and which form the statutory Development Plan. Indeed, the RCAAP is very clear in explaining the status of the RSAF, correctly noting that "*SPDs (are)...a useful tool for giving specific guidelines*".

- 5.8 The illustrative, non-binding nature of the RSAF is perhaps best summarised by text within the document itself, at paragraph 14.1:

"The following illustrations are included as an aid to the wider framework development process, primarily to establish the potential density and massing of

*development and to determine key principles of site layout. **They provide an indicative vision of the Station Area in the future, but represent one possible scheme that would comply with the Framework and are provided for illustration only.***

(our emphasis)

- 5.9 Also limiting the amount of weight attributable to the RSAF is its age, given that it was adopted some two years before the *Framework* was published. The *Framework* is clear that, whilst high quality outcomes should be sought, Local Planning Authorities should avoid unnecessary prescription or detail and should not stifle innovation, originality or initiative through unsubstantiated requirements.
- 5.10 Consequently, it is quite clearly the case that any development proposal on this site cannot be required to slavishly follow any of the illustrative, conceptual and indicative forms set out in the RSAF, and that any divergence from those illustrations can only be attributed very limited weight in the planning balance.
- 5.11 Notwithstanding this, the submitted *Design & Access Statement* demonstrates the manner in which this bespoke landmark building complies with the aspirations of the RSAF and that its visual appearance, including its contribution to the town's emerging massing scheme, will be imperceptible to that of the previously-approved scheme.

Reading Tall Building Strategy (2008)

- 5.12 Almost 10 years ago the Council commissioned ENTEC UK Ltd to prepare a tall buildings strategy for the Borough, with the principle purpose of that strategy then informing the RCAAP. As that document itself confirms, it is simply a background document which carries no policy status and does not form part of the adopted Development Plan.
- 5.13 Nonetheless, the applicants have had regard to the strategy's aspirations when preparing this proposed amendment application. It is noted that the aim of the strategy is to establish the centre of Reading as an area for new **high density and high quality innovative development**, aspirations which by virtue of the previous approval of planning application reference 162166 this scheme demonstrably meets.

Emerging planning policy

- 5.14 The Local Planning Authority is preparing a new Local Plan, which will replace the adopted Core Strategy, RCAAP and Sites & Detailed Policies DPD with a single new plan setting out how the town will develop up to 2036. On 29th March 2018 the *Pre-Submission Draft Local Plan* was submitted to the Secretary of State for approval. Until such time as the Plan has advanced further through the examination and adoption process, it can carry only limited weight.
- 5.15 The emerging *Local Plan* recognises in terms that there is a **critical need** for affordable housing in Reading, and the consequences of not providing much-needed affordable homes would be **severe**. It states at paragraph 4.4.18 that it is therefore **critical** that new residential development makes whatever contribution it can:

4.4.18 *The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the **critical need for affordable housing within Reading** as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable homes per year in Reading, which represents the majority of the overall housing required. **The consequences of not providing much-needed affordable homes would be severe**, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and **it is therefore critical that new residential development of all sizes makes whatever contribution it can.***

5.16 As set out earlier in this *Statement*, the applicant is already obliged to provide **47** affordable housing plots at North Street/Weldale Street and we propose to provide a further **54** affordable housing plots to give 101 in total. The cascade mechanism from the existing Section 106 agreement would be carried forward to the further surrogate site (or sites), as follows:

1. Within 12 months, provide up to 54 plots on a site or sites owned by the Local Authority, with a top-up contribution of £105,000/plot if less than 54 plots or the ability to cascade any missing plots to stage 2;
2. Provide up to 54 plots on a site or sites which we source ourselves, again with a top-up contribution of £105,000/plot if less than 54 plots are provided in stages 1 and 2;
3. Should no additional surrogate site or sites be provided within 12 months of the first occupation of *Thames Quarter*, a financial contribution of (54 x £105,000) **£5,670,000** would be payable

Given that *Thames Quarter* would be providing a policy-compliant 30% affordable housing, the various revaluation and tenure restrictions in the existing Section 106 agreement would no longer be required.

5.17 The graphic language of the emerging *Local Plan* is set against the vast underprovision of affordable housing in recent years and Reading's clear position that it is getting even harder to deliver affordable housing. This underlines the **very significant weight indeed** that must be attributed to the applicant's affordable housing offer.

5.18 **Draft Policy H4 ("Build to Rent Schemes")** seeks to introduce a new locally-specific Build to Rent policy, which is worthy of replicating here in full:

"Planning permission will be granted for developments of self-contained, private rented homes which:

1. *Are secured in single ownership providing solely for the rental market for a minimum 30 year term with provision for clawback of affordable housing contributions should the covenant not be met; and*
2. *Provide tenancies for private renters for a minimum of three years with a six month break clause in the tenant's favour and structured and limited in-tenancy rent increases agreed in advance; and*

-
3. *Provide a high standard of professional on-site management and control of the accommodation; and*
 4. *Meet Reading Borough Council's Rent with Confidence Standards; and*
 5. *Provide for a mix of unit sizes in accordance with Policy H2; and*
 6. *Meet the standards of design set out in Policy H4; and*
 7. *Provide 30% on-site affordable housing, either in accordance with Policy H2 and any relevant Supplementary Planning Document; or in the form of Affordable Private Rent Housing as defined and set out in a relevant Supplementary Planning Document."*

5.19 Whilst the Local Planning Authority's emerging support in principle for Build to Rent developments has been welcomed, representations have been made to the Council asserting that the requirements in draft Policy H4 render the policy unsound for reasons of viability and the absence of an evidential basis.

5.20 The draft Policy is a late addition to the draft Local Plan. It did not appear in any of the previous consultation versions of the Plan and has not been subject to any public consultation other than at the final pre-submission stage. Consequently, the evidential basis for some of the draft Policy's requirements is absent and the lack of proper prior consultation with interested parties further undermines the vague or generalised assertions in both the draft Policy and its supporting text. Specifically:

5.20.1 The proposed minimum 30-year term for which a Build to Rent development must be retained in a single ownership and provide solely rented accommodation is excessive and without any evidential justification. This extended minimum term (in excess of an entire generation and almost 40% of the average life expectancy in Reading) may fetter the ability of institutional investors to incorporate Build to Rent investments into their wider investment strategies, thus stifling the investment capital essential to such schemes. Whilst the Local Planning Authority may seek the reassurance that Build to Rent schemes will not be broken up and sold on the open market for quick or elevated returns, a more reasonable and appropriate minimum term should be set. A 20-year term was agreed by the Local Planning Authority when it granted planning permission 162166 (Thames Quarter) and there has been no subsequent new evidence or change in national policy to demonstrate that a longer term is necessary. Indeed, by way of comparison, the Homes for Londoners Supplementary Planning Guidance document published by the Mayor of London (August 2017) looks for a minimum 15-year period as a matter of guidance, not adopted policy. For all these reasons, Lochailort Thames Quarter Ltd has submitted representations asserting that draft Policy H4 is unsound.

5.20.2 The draft policy requirement of a minimum tenancy term of 3 years with a six month break clause in the tenant's favour and structured/limited in-tenancy rent increases agreed in advance is wholly unjustified and has no evidential basis. There is no evidence whatsoever in the Berkshire (including South Bucks) Strategic Housing Market Assessment or in the Housing Implementation Strategy to substantiate this requirement, with the draft Local Plan's evidence base containing no evidence that short tenancy periods are a social or economic issue in Reading. Whilst it is in the institutional investor's interests to maximise a Build to Rent development's occupancy rates, site-specific tenancy policies must remain a matter for commercial consideration and control by the operator. Equally, as with all forms of market housing, pricing is not a matter within which the Local Planning Authority has any legal

authority to intervene. Whilst rental controls are appropriate in respect of affordable housing, it is not for the Local Planning Authority to seek to extend those controls to market housing. For all these reasons, Lochailort Thames Quarter Ltd has submitted representations asserting that draft Policy H4 is unsound.

- 5.20.3 The draft policy requirement for Build to Rent developments to meet Reading Borough Council's *Rent with Confidence* Standards is wholly inappropriate. Those standards are not contained within an adopted Supplementary Planning Guidance document but rather, simply provide a voluntary framework which has no legal basis. They have not been subject to the necessary minimum level of documented public consultation and have not been subject to any independent examination. Consequently, Lochailort Thames Quarter Ltd has submitted representations asserting that the draft policy requirement for compliance with such an evidently non-statutory document renders draft Policy H4 unsound.
- 5.20.4 The draft policy requirement to provide 30% on-site affordable housing (either in accordance with Policy H2 and any relevant Supplementary Planning Document, or in the form of Affordable Private Rent Housing as defined and set out in a relevant Supplementary Planning Document) does not make any reference to scheme viability testing. It is therefore not compliant with National Planning Policy Framework paragraph 173. The financial viability model that underpins commercial investment appraisal of a Build to Rent scheme is entirely different to traditional build-to-sell housing or apartments. Lochailort has made representations asserting that the draft policy's expectations must be adjusted accordingly in order to provide the necessary certainty to investors, requiring a recalibration of the approach to financial viability and assessing Build to Rent proposals based on the longer term operational net income stream generated by the asset combined with a reversionary value based on the valuation of net receipts from the asset via investment sale or a unit disposal programme. This distinction is recognised in both the National Planning Practice Guidance and the RICS Information Paper Valuing Residential Property Purpose Built for Renting (1st edition, September 2014). Lochailort Thames Quarter Ltd has thus submitted representations asserting that the absence of reference to viability testing in the draft policy text, and the lack of flexibility within the policy in terms of acceptable solutions, renders draft Policy H4 unsound.
- 5.20.5 In light of the accepted need for flexibility with Build to Rent schemes compared to traditional "for sale" developments, the lack of reference in the draft Policy to offsite provision on surrogate sites or the potential ability for an applicant to agreed a financial contribution in lieu of onsite provision may render any future such development unviable. Consequently, Lochailort Thames Quarter Ltd has submitted representations asserting that the lack of flexibility in the draft policy in respect of allowable affordable housing solutions renders Policy H4 unsound.
- 5.21 Given the nature of the unresolved objections to draft Policy H4, and that as a consequence the draft policy may be subject to change by the Inspector or indeed struck out completely, **it can carry no weight whatsoever at the current time.**
- 5.22 **Draft Policy CR11(h)** directly replicates RCAAP Policy RC1(h) in terms of precisely the same land uses and largely the same policy wording, but inserting the requirement that "*land on the Napier Road frontage will be safeguarded for Mass Rapid Transit*" and rephrasing the flood risk-related element of the policy (albeit not materially changing its purpose).

Adopted RCAAP Policy RC1(h)	Pre-Submission Draft Local Plan CR11(h)
<i>A landmark building, containing residential and/or offices is appropriate for this site, which may contain an active commercial use on the ground floor. An acceptable dry access scheme must be part of any development on this site.</i>	<i>A landmark building, containing residential and/or offices is appropriate for this site, which may contain an active commercial use on the ground floor. Land on the Napier Road frontage will be safeguarded for Mass Rapid Transit. Development should take account of mitigation required as a result of a Flood Risk Assessment.</i>

Emerging Hosier Street Development Framework SPD

- 5.23 The recently-consulted draft *Hosier Street Supplementary Planning Document* endorses additional tall buildings in Reading over-and-above those identified in the *Reading Central Area Action Plan* and the amended scheme at *Thames Quarter* will complement, rather than detract from, this emerging new cluster of tall buildings:



Extract from the emerging Hosier Street SPD: note the new tall buildings being encouraged above the Broad Street Mall and on the former Reading Civic Centre site

- 5.24 The emerging local planning policy context, whilst attracting very little weight at the current time, also makes no material difference to the acceptability of the proposed development given that application complies with both the adopted and the emerging site-specific policies.

6.0 PLANNING CONDITIONS

- 6.1 The enclosed application is for full planning permission, which if implemented will in this instance replace the original permission. We therefore anticipate that the Local Planning Authority will repeat the original conditions attached to planning permission reference 162166, **unless they have already been discharged.**
- 6.2 It is the case here that, ahead of the lawful implementation of planning permission reference 162166, all of the pre-commencement conditions have been submitted to and discharged by the Local Planning Authority. Consequently, those exact-same details have also been submitted within this new application, avoiding the need for any precommencement conditions or further submission of details:

KEY

A. Condition wording to remain unchanged

B. Development to be implemented in accordance with the previously-approved details

C. Amended condition wording proposed

~~D. Condition no longer required~~

1. Commencement time limit (A)
2. Revised list of drawings for approval
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. ~~Contamination characterisation (D)~~
8. Remediation scheme (B)
9. Remediation timetable (B)
10. Unexpected contamination (A)
11. Land gas investigation (B)
12. Land gas protection measures (B)
13. Land gas validation report (A)
14. Piling details (B)
15. Foul & surface water drainage strategy (B)
16. Archaeological investigation (B)
17. Demolition Method Statement (B)
18. Construction Management Method Statement (B)
19. Limited construction working hours (A)
20. No materials to be burnt onsite (A)
21. Previously-approved materials to be used (B)
22. SUDS management and maintenance (A)
23. Details of ground floor laminated glass (A)
24. Security features to be approved (A)
25. 10% Part M(2) units to be identified (A)
26. Communal area extract facilities (A)
27. Bird nesting features to be approved (A)
28. Mechanical ventilation & heat recovery to be approved (A)
29. Acoustic glazing to be installed (A)
30. ~~Level 12 parapet wall detail to be approved (D)~~
31. External lighting to be approved (A)

-
32. Temporary surfacing schedule of works (A)
 33. Sprinklers to be fitted (A)
 34. Development completed in accordance with the Flood Risk Assessment (A)
 35. Accessibility of communal facilities (A)
 36. Council to be notified of each postal address (A)
 37. Residents informed of non-eligibility for parking permits (A)
 38. Noise assessment of mechanical plant required (A)
 39. Service vehicle strategy to be approved (A)
 40. Parking space provision/maximum (A)
 41. Refuse storage facilities to be provided (A)
 42. Cycle parking facilities to be provided (A)
 43. Development completed in accordance with the Sustainability Strategy (A)
 44. Emissions reduction certification to be submitted (A)
 45. Lifts to be provided and retained in working order (A)
 46. No Building Maintenance Units permitted (A)

7.0 THE PLANNING BALANCE AND CONCLUSION

7.1 There are significant material public benefits that would flow from the proposed development, the most notable of which is **the more than doubling of the amount of affordable housing**, increased from 47 plots in the current approval to 101. This is a material consideration which **must be given very significant weight indeed** in the planning balance.

7.2 Additionally, the following material benefits carry weight in the planning balance:

Economic benefits

- 7.2.1 The increased resident population would bring increased spend into the retail catchment, **enhancing the vitality and viability of the town centre**;
- 7.2.2 The Council could expect to receive further-increased **Community Infrastructure Levy** payment and **Section 106 contributions** over-and-above the substantial sums already secured;
- 7.2.3 **Hundreds of construction jobs** would be created, including an extended commitment to providing **onsite apprenticeships and other construction-related training** through a *Construction Employment & Skills Plan*;
- 7.2.4 As with all Build to Rent schemes, **dozens of permanent jobs** would be created in the onsite management and maintenance team;
- 7.2.5 The economics of spreading the cost of the scheme's 2 acres of communal facilities across more units would **proportionately reduce service charges** and make best use of the approved facilities;

Social benefits

- 7.2.6 The provision of **additional high-quality accommodation** in this eminently sustainable location;
- 7.2.7 The **timely delivery** of that additional housing on a site where construction has already commenced in earnest;
- 7.2.8 Continuity in the funding for a **new signalised pedestrian crossing** across Kings Meadow Road which will enhance pedestrian connectivity between the site and its surroundings, providing safe and convenient access between the nearby riverside park and the town centre/railway station;
- 7.2.9 A renewed commitment to entering into a *Construction Employment & Skills* obligation which will bring additional training (notably apprentices) and other construction skills training to the local workforce;
- 7.2.10 Existing public transport, as well as the future MRT, would likely encounter **increased patronage** from the additional workforce population in the proposed development;
- 7.2.11 The development will make a further financial contribution towards **affordable housing**;
- 7.2.12 The building's outstanding **Fire Strategy** and commitment to installing sprinklers throughout will act as a local exemplar;

Environmental benefits

- 7.2.13 The development will facilitate the ongoing **remediation of a contaminated, brownfield site**;
- 7.2.14 Demolition of the existing multi-storey car park and its replacement with a bespoke scheme of the highest architectural quality would significantly **enhance the character and appearance of the area**;

- 7.2.15 There would be a **net biodiversity gain** through the provision of targeted habitat enhancements;
- 7.2.16 **New tree planting** in the public realm (to be considered and approved at reserved matters stage) would provide landscape enhancements, habitat enhancements and make a modest contribution to **CO₂ reduction** targets;
- 7.2.17 Locations suitable for the installation of **public art** have been identified, funded via the continuation of the financial contribution towards environmental enhancements at the Vastern Road underpass.
- 7.3 Continued **facilitation of the Council's Mass Rapid Transport** scheme is a benefit with multiple economic, social and environmental advantages, notwithstanding that the programme for its delivery has been delayed and the precise design of the scheme is under review.
- 7.4 The proposed revised scheme would be **imperceptible compared to the extant planning permission** and **no "significant" or "demonstrable" adverse impacts have been identified**. There would be no demonstrable harm to highway capacity. There would be no demonstrable harm to the living conditions of nearby occupiers. There would be no increased risk of flooding onsite or elsewhere. There would be no harm to landscape or heritage assets.
- 7.5 A reduction in the proposed bulk and massing compared to recently-refused application 182196 has addressed the design-related refusal reason of that scheme. The other refusal reasons have already been addressed as set out in this *Statement*.
- 7.6 The proposed partial additional floor is wholly compliant with the relevant policies in the statutory adopted Development Plan and **enjoys specific support from the 2018 National Planning Policy Framework**:
- 118(e) Planning policies and decisions should...support opportunities to use the airspace above existing residential and commercial premises for new homes. **In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers."**
- 7.7 Meanwhile, this application presents a **golden opportunity** to **double the amount of affordable housing** from the *Thames Quarter* development in the context of a **critical need** for affordable housing in Reading and the **severe consequences** of not providing this:

4.4.18 *The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the **critical need for affordable housing within Reading** as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable homes per year in Reading, which represents the majority of the overall housing required. **The consequences of not providing much-needed affordable homes would be severe**, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial*

*proportion of the identified housing need presents significant challenges, and **it is therefore critical that new residential development of all sizes makes whatever contribution it can.***

Emerging Reading Local Plan

March 2018

THE PLANNING BALANCE

- 7.8 A explored above, the proposed development would deliver **numerous and significant public benefits** which cumulatively carry **substantial** weight in the planning balance.
- 7.9 Against these benefits, there is a **complete absence** of “significant and demonstrable harm” with no disbenefits having been identified to be weighed in the planning balance.
- 7.10 Consequently, it is very clear that **the planning balance weighs firmly in favour of granting planning permission.**
- 7.11 As demonstrated throughout this statement, the proposed development is in accordance with the Development Plan and as per Section 38(6) of the Planning and Compulsory Purchase Act 2004, **planning permission should therefore be granted.**
- 7.12 There are no material considerations whatsoever that indicate that planning permission should be withheld. Indeed, in the unlikely event that the decision maker were to find that there was a conflict of some kind in relation to the provisions of the Development Plan, then the cumulative material planning considerations compellingly indicate that any such perceived conflict would be wholly outweighed, so still pointing to the grant of planning permission. Previous refusal reasons have been comprehensively addressed.
- 7.13 In this regard, the *Framework’s* presumption in favour of sustainable development is undoubtedly engaged and accordingly the decision-taker is instructed as a matter of Government policy to **grant planning permission**. As has been clearly demonstrated, there would be no adverse impacts whatsoever of doing so that might outweigh the benefits, either “significantly” or “demonstrably”.
- 7.14 There are no policies in the Development Plan or in the *Framework* that indicate that development should be restricted and accordingly, the Local Planning Authority must approve this application **without delay**.

Appendix 1

North Street/Weldale Street surrogate site planning permissions (references 181652 & 181653)

 TOWN AND COUNTRY PLANNING ACT 1990 PLANNING AND COMPENSATION ACT 1991 THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 APPLICATION FOR OUTLINE PLANNING PERMISSION To: Lochailort Thames Quarter Ltd Eagle House 108-110 Jermyn Street London SW1Y 6EE Application No: 181653 Application type: Regulation 3 Planning Approval Applicant: Lochailort Thames Quarter Ltd READING BOROUGH COUNCIL as Local Planning Authority GRANT OUTLINE planning permission for the following development: Proposal: Outline - erection of a 2.5, 3.5 and 4.5 storey building comprising 47 apartments for affordable housing in a mix of one, two and three- bedroom units. Landscaping, cycle & car parking with associated works (all matters reserved except layout and means of access). At: Former Reading Family Centre North Street Reading RG1 7DA Subject to such conditions and for such reasons as may be attached OTHER STATUTORY CONSENTS MAY BE REQUIRED PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE Date: 12 March 2019  Head of Planning, Development & Regulatory Services	 Application At: Former Reading Family Centre North Street Reading RG1 7DA Application No: 181653 Application type: Regulation 3 Planning Approval CONDITIONS & REASONS - The development hereby permitted shall begin before either:- a) the expiration of three years from the date of this permission; or b) the expiration of two years from the date of approval of the last reserved matters to be approved under the terms of this permission, whichever is the later. Reason: to prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. - Application for approval of the reserved matters shall be made to the Local Planning Authority no later than three years from the date of this outline permission. Reason: Under section 92 of the Town and Country Planning Act 1990, applications for approval of reserved matters must normally be made within three years from the date outline planning permission was granted. 'No development shall take place until plans and particulars of all reserved matters not detailed in this outline application; namely detailed plans and drawings showing the Appearance, Landscaping and Scale have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory form of development and in accordance with the provisions of Article 4 of the Town & Country Planning (General Development Procedure) Order 1995 (as amended by the Town & Country Planning (General Development Procedure) (Amendment) (England) Order 2006). - The development hereby permitted shall be carried out in accordance with the following approved plans/documents (received 10 October 2018, unless otherwise indicated): Location Plan (no reference) (received 20/9/2018) 061807-APP1 Rev A Appraisal Layout [Site Plan] 061807-LOC Design & Access Statement 061807-PRE-APP-ELE 2 Rev C - illustrative elevation - North Street 061807-PRE-APP-ELE Rev C - illustrative elevation - Woldale Street Design and Access Statement (DAS); 'Land off Weldale Street, Reading: Design and Access Statement' ref. 061807-LOC by dha Architecture, dated October 2018. Date: 12 March 2019  Head of Planning, Development & Regulatory Services
 Reason: because permission is granted in respect of the development as detailed in the approved plans and documents only. 5. The details to be submitted in pursuance of Condition 3 above shall accord with the principles set out in the Design and Access Statement dated approved in Condition 4 above submitted in support of the application. Reason: to ensure that the detailed proposals accord with the design and access principles set out in the Design and Access Statement, in the interests of achieving high standards of design and access in accordance with Policy CS7. 6. For the avoidance of doubt, this outline planning permission permits no more than 47 dwellings. Reason: as it is considered that the development shown represents a maximum number/suitable mix of units/unit density on this site, given the constraints of the footprint (Layout as applied for) and building envelope approved by the plans in Condition 4 above. Policy CS7 7. 'No development shall take place until an assessment of the nature and extent of contamination has been submitted to and been approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: • human health, • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, • adjoining land, • groundwaters and surface waters, • ecological systems, • archaeological sites and ancient monuments; Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34. 8. 'No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the Date: 12 March 2019  Head of Planning, Development & Regulatory Services	 preferred option (s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34. 9. The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority prior to construction of the development. Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34. 10. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the Local Planning Authority. An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval. The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be re-commenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority. Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34. 11. 'No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and been approved in writing by the local planning authority to provide for: a) space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided b) location on site for storage of plant and materials used in constructing the development c) the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site Date: 12 March 2019  Head of Planning, Development & Regulatory Services



d) any footpath closures or road closures needed during construction
 e) wheel washing facilities on site
 f) Control of noise and dust
 g) a scheme for recycling waste resulting from the construction works
 The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and in writing by the local planning authority.
 Reason: In the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety. In accordance with policies CS34, DM4 and DM12.

12. The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.
 Reason: In the interests of the amenities of nearby residents. Policies: DM4

13. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
 Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with policies CS2 and CS34.

14. "Notwithstanding any subsequent approval of Landscaping as a reserved matter, no development shall take place until full details of both hard and soft landscaping have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall be in accordance with the principles shown on Landscape Concept Plan received 27/11/18 9527-KC-XX-YTREE-LCP01RevC and include:

- (a) hard surfacing materials; and
- (b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate.

(d) Tree pit specifications.
 Reason: because the Layout approved provides a relatively limited opportunity to achieve a suitable landscaping arrangement and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CS7.

Date: 12 March 2019

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15. "Notwithstanding any subsequent approval of Landscaping as a reserved matter, no development shall take place until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings (in Condition 4 above), both within and adjacent to the site, has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.
 Reason: to ensure that appropriate protection is given to trees of amenity value within and adjacent to the site in accordance with Policy CS38.

16. "Notwithstanding any subsequent approval of Appearance as a reserved matter, no development shall take place until details of the materials to be used in the construction of the external surfaces of the development including all external fixtures, fittings, window frames/details of noise suppression and mortar and details of window and doorway reveals have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out using only the approved materials.
 Reason: as no details have been submitted and in the interests of the visual appearance of the building/noise performance of the windows and the area.
 Policies: CS7, CS34, DM4

17. The development hereby approved shall only be constructed and thereafter retained such that the internal noise levels from outside sources within the dwellings such be no greater than 35dB(A) during the daytime and 30dB(A) at night, and internal noise levels of 45 dB Lmax would not be exceeded more than 10 times per night, in accordance with BS8233 and to accord with the submitted noise report (plus the supplemental noise comments made in the letter from Lochallort Thames Quarter Ltd dated 12/11/18) ("Noise Assessment: Land at North Street/Waldale Street" by Stuart Michael Associates Ltd. Ref. 5946/NA, Status: ISSUE, dated August 2018).
 Reason: because alternative ventilation is required due to the Lmax levels of 60 dBA outside being regularly exceeded in this area and therefore to protect the amenity of future occupants of the proposed development in accordance with policies CS34 and DM4.

18. "No development shall commence until a residential ventilation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MHR) system with cool air bypass as an alternative means of cooling and ventilation. Noise from the system

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should not result in BS8233 internal levels being exceeded. Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.
 Reason: to protect the amenity of future occupants of the proposed development in accordance with Policy CS24, given that the submitted noise strategy requires closed windows to achieve suitable internal noise levels in terms of Lmax.

19. "No development shall commence before a Security Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall achieve the "Secured by Design" standard and cover security measures for, inter alia, access controls, boundary treatments, postal services, parking controls and bin/cycle stores. The development shall be implemented in accordance with the approved Strategy before first occupation and be retained in accordance with such thereafter.
 Reason: to ensure that the development is suitable in terms of providing a safe environment, which minimises the potential for and fear of crime.
 Policies: CS7

20. "No development shall take place until details of the design, implementation, maintenance and management plan of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The details/plan shall conform with the submitted SUDS report (Project: North Street, Reading, Drainage Statement Technical Note) by Stuart Michael Associates, ref. 5946, dated November 2018).
 The scheme shall be implemented and thereafter managed and maintained in accordance with the approved plan. The plan shall include:
 i. a timetable for its implementation, and
 ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
 In accordance with NPPF Paragraph 103, Core Strategy Policy CS1 Sites and Detail Policies document Policy DM1.

21. 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, as approved in Condition 20 above. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. In accordance with NPPF, Core Strategy Policy CS1 and Sites and Detail Policies document Policy DM1.

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22. The dwelling(s)/building(s) hereby permitted shall not be occupied until details of all electric vehicle (EV) charging points have been submitted, approved and thereafter provided. Thereafter the vehicle parking space(s) shall be kept available for parking at all times. Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupants to accord with the Council's Local Transport Plan 3 Strategy 2011 - 2026 and Policy DM12.

23. The dwelling(s)/building(s) hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the approved plan. The space(s) shall be kept available for parking at all times thereafter.
 Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupants and reduce the likelihood of roadside parking which could be a danger to other road users to accord with Policy CS24 & CS24 and Policy DM12.

24. No dwelling/building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the approved drawing.
 Reason: In the interests of road safety in accordance with Policy CS20 and Policy DM12.

25. "
 (a) No development shall take place until a plan has been submitted to and been approved in writing by the Local Planning Authority to show how bicycle parking facilities can be provided on site.
 (b) No building or use hereby permitted shall be occupied or the use commenced until the bicycle parking facility for that building or use has been completed as shown on the approved plan.
 (c) Thereafter the bicycle parking facility shall be kept free of obstruction and available for the approved use at all times.
 Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

26. "No dwelling/building shall be occupied until the bin storage facility shown on the approved plans in Condition 4 above has been provided and the bin storage facility shall be retained thereafter for use by occupiers of the dwelling/building at all times.
 Reason: in the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CS7.

27. "No development shall take place until written documentary evidence has been submitted to, and receipt acknowledged in writing by, the Local Planning Authority demonstrating that 50% of the dwellings hereby permitted will achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as

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