

Note on Section 73 Application and the emerging Reading Local Plan

A Section 73 Application has been submitted at Weldale Street to amend condition 2 (the Plans List). The only other conditions proposed to be amended relate to those which have been previously varied by a Section 96A Application (reference 190793) or those where the conditions have been previously discharged and would not be affected by the minor amendments to the Plans.

Section 73 of the Town and Country Planning Act 1990 states

“On such an application, the Local Planning Authority shall consider only the question of the conditions subject to which the previous permission was granted, or that it should be granted unconditionally and they shall grant planning permission accordingly, and

- (a) If they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally then they should grant permission accordingly, and*
- (b) If they decide that planning permission should be granted subject to the same condition was granted, then they will refuse the application”.*

In the case of the Weldale Street site, the proposals are considered to be minor in nature, only seeking to amend the floor plans to some of the buildings to reduce the number of flats and create amenity space for residents on the lower ground and ground floors. Whilst there are some external alterations proposed following the detailed design process, these are considered to be de-minimus when considering the proposals as a whole.

It is noted and acknowledged that Reading Borough Council are shortly due to adopt their Local Plan following receipt of the Inspector’s Report and that increasing weight is therefore being given to the policies within the Plan.

The emerging Local Plan sets out a presumption in favour of sustainable development at CC1 in line with the NPPF.

Within the emerging Local Plan, the site is still remains within the Reading Central Area (policy CR1) and policy CR12b retains the allocation within the emerging Local Plan with the area being developed primarily for residential. This is in line with both the existing and emerging Local Plan as well as the extant planning permission for the site. As a result, the principle of development remains acceptable on the site.

The scale, bulk, mass, and design of the building together with the associated landscaping has had only minimal changes. The key pedestrian route remains through the centre of the site and the courtyards remain the same size with public access still being maintained to courtyard B and secured through a S106 Agreement to which a deed of variation is proposed in order to ensure that the existing S106 obligations will remain

binding on any development carried out pursuant to a consent granted under the Section 73 Application. The changes proposed to the external appearance of the buildings relate to the fenestration details only and the applicant is currently preparing materials samples for discharge of conditions. As a result, the proposal accords with policies CR2 and CR3. The separation distances between the buildings remain the same and an updated Daylight/ Sunlight report has been produced where flats have been relocated within the scheme in accordance with policy CC8.

At the time of the original application, the scheme was the subject of extensive viability discussions. Despite a decrease in the number of market apartments on the site, the applicant is not seeking to amend the previously agreed level or mix of affordable housing on the site, and as such the proposals still accord with policy H3.

Overall, the very minor amendments proposed to the scheme are considered to be in line with both the existing and emerging Local Plan.

Emma Wilsdon
Ridge and Partners LLP
3rd October 2019