



**Unit 1,
Reading Gateway,
Imperial Way,
Reading**

Planning Statement

February 2019





Document Control

Project: Reading Gateway, Imperial Way, Reading

Client: Aberdeen Standard Investments Ltd

Job Number: A109924

File Origin:

Document Checking:

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Issue	Date	Status
1	February 2019	FINAL
2		
3		
4		



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1.0 Introduction

1.1 Background

- 1.1.1 This Statement has been prepared by WYG on behalf of our client, Aberdeen Standard Investments. The Statement provides the planning policy justification in support the change of use and subdivision of Unit 1 and associated development at Reading Gateway, Imperial Way, Reading.

1.2 Structure

- 1.2.1 The following report assesses the requirements of local and national planning policy relevant to this location and the development proposed, including (but not limited to) town centre use policy. The report is structured as follows:

- Section 2: describes the proposed development, the site and the relevant planning history for the retail/leisure park, where relevant;
- Section 3: sets out the local and national planning policy context;
- Section 4: considers the existing retail provision in surrounding centres;
- Section 5: considers the application of the sequential approach and the search for a sequentially preferable site;
- Section 6: addresses the specific impact tests set out in the National Planning Policy Framework (NPPF);
- Section 7: addresses other considerations material to the consideration of the proposed development; and
- Section 8: provides a summary of conclusions.



2.0 The Proposed Development

2.1 The Site

- 2.1.1 The site is Reading Gateway, which is a mixed retail/ leisure development accessed from Imperial Way, via the A33 Basingstoke Road, to the south of Reading. Reading Gateway lies directly north of Junction 11 of the M4. The application specifically relates to Unit 1 of the retail/leisure park as shown on the accompanying Site Location Plan.
- 2.1.2 The surrounding area is characterised by a mix of commercial and residential land uses. To the east is the residential suburb of Whitley. To the south is Reading International Business Park (inc. Verizon UK offices). Directly west of the site is Tesco's Reading Distribution Warehouse on Basingstoke Road, beyond which is the Madejski Stadium.
- 2.1.3 Access to the site is from Perkins Way via Imperial Way.
- 2.1.4 The site lies within South Reading Strategic Development Site (SA2a – Worton Grange).
- 2.1.5 The site lies in Flood Zone 1 and is at low risk of flooding. Both the existing and proposed uses are classified as 'Less Vulnerable'.

2.2 Relevant Planning History

- 2.2.1 We outline the site's relevant planning history below:
 - Pp ref: 151944 - Full planning permission for the development of 12 commercial units; two car showrooms (Sui Generis); three retail warehouse units (Class A1); hotel (Class C1); pub/restaurant (Class A4); coffee shop (Class A1); restaurant (Class A3); and bank (Class A2). Creation of new vehicular access arrangements and all other ancillary development. Granted April 2016.
 - Pp ref: 161672 - Non-material amendment following a grant of planning permission ref: 151944. Agreed October 2016.
 - PP ref: 162257 - Erection of a 557sqm building for use within Class A1 (retail) / A2 (financial & professional services) / A3 (restaurants and cafes) or A5 (hot-food takeaway) and associated works. Granted March 2017.



- 2.2.2 Condition 42 of planning permission ref: 151944 (wording as amended by NMA ref: 161672¹) restricts the use of Units 1 (unit B), 2 (unit A) and 6 (unit C) to specified retail goods. Condition 43 prohibits the extension/ enlargement of Units 1, 2 and 6 (including installation of mezzanine floors) without planning permission. Planning applications are therefore required for the proposed change of use and the insertion of a 93sqm non-trading mezzanine floor.
- 2.2.3 Planning permission ref: 162257 granted consent for an alternative building to the originally permitted bank (Unit D, Class A2) (pursuant to pp ref: 151944) to allow flexibility (i.e. Class A1, A2, A3 and A5) in terms of use for the proposed building.
- 2.2.4 We understand, and it is material for officers to recall, that the original planning application for Reading Gateway development included mezzanine floors to Units A, B and C. These mezzanine floors were assessed as part of the original planning application and considered by officers to be acceptable in principle. Notwithstanding this, in February 2016 the mezzanines were subsequently removed from the development, for commercial reasons, prior to the granting of consent and were not implemented. The present proposal for the insertion of a limited 'back of house' mezzanine at Unit 1 (Unit B) effectively seeks to deliver a quantum of the previously assessed mezzanine floorspace. It should, therefore, be considered in this context.
- 2.2.5 The above planning history has informed the content of this Planning and Retail Statement.

2.3 Proposed Development

- 2.3.1 This application for **Unit 1** (Unit B) seeks change of use and subdivision to provide:
- 1no. Class A3 unit measuring 465sqm (including 93sqm mezzanine) (to be occupied by Nando's restaurant);
 - 1no. Class A2/A3 unit measuring 416sqm GIA (no named occupier);
 - external alterations to unit including new shopfronts; and
 - alterations to existing car park/landscaping to relocate 2no. parking bays.
- 2.3.2 Marketing has been difficult and the unit the subject of this application remains vacant. However, interest has been confirmed by Nando's (Class A3) which is seeking to increase its representation

¹ Allowing baby goods to be sold from Unit A, B and C



in Reading i.e. the proposed occupancy of Nando's at Reading Gateway is intended in addition to its existing town centre restaurants (at Friar Street and The Oracle Centre); both of the existing Nando's restaurants at Reading Town Centre will continue to trade as existing. Subdivision and a small 93sqm mezzanine is required to meet Nando's operational requirements. Change of use of the residual half of the unit is sought to increase the likelihood of finding a tenant.



3.0 Planning Policy Context

3.1 Local Development Plan

3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

“If regard is to be had to the Development Plan for any purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise”.

3.1.2 The statutory development plan for Reading is the Core Strategy (revised 2015).

3.1.3 Policies and guidance contained within the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are also material considerations in the determination of this planning application and are considered further below.

3.2 Reading LDF Core Strategy (2008, revised 2015)

3.2.1 Policy CS1 Sustainable Construction and Design stipulates that proposals including the construction and refurbishment of existing buildings will be acceptable where the design of buildings and site layouts use resources appropriately take account of the effects of climate change. Policy CS2 (Waste Minimisation) requires development to demonstrate measures to minimise the generation of waste.

3.2.2 All members of the population should be provided with access to good quality health, education and other social facilities (Policy CS3 - Social Inclusion and diversity).

3.2.3 Policy CS4 stipulates that the scale and density of development should be related to its level of accessibility by walking, cycling and public transport to a range of services and facilities.

3.2.4 All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. (Policy CS7 - Design and the Public Realm)

3.2.5 Policy CS9 (Infrastructure, Services, Resources and Amenities) states that development will not be permitted unless the LPA is satisfied that infrastructure, services, resources, amenities or other assets lost or impacted upon as a result of the development or made necessary by the development will be provided at the appropriate time.



- 3.2.6 Development must contribute appropriately to the provision of a balanced transport network. (Policy CS20 Implementation of the Reading Transport Strategy). Development proposals must make appropriate provisions to ensure an adequate level of accessibility and safety by all modes of transport, particularly by public transport, walking and cycling (Policy CS22 Transport Assessments). Policy CS24 (Car/Cycle Parking) states maximum car parking standards and cycle parking requirements will be applied.
- 3.2.7 Policy CS25 Scale and Location of Retail, Leisure and Culture Development stipulates that major retail and main town centre leisure and culture development will take place in, or as an extension to, the centre of Reading. Where a need for additional development has been identified, and no sites are available in or adjoining the centre of Reading, a sequential approach should be adopted to identifying alternative sites. All development will comply with the relevant tests for retail, leisure and culture development set out in government guidance.
- 3.2.8 Policy CS34 Pollution and Water Resources states development will only be permitted where it would not be damaging to the environment through air, land, noise or light pollution.

3.3 Sites and Detailed Policies Document (SDPD) (2012, revised 2015)

- 3.3.1 The application site lies within the Policy SA2a South Reading Strategic Development Sites – Worton Grange designation where redevelopment will incorporate a mix of uses including housing (between 175 – 275 units), community uses, additional small retail and leisure uses at a scale commensurate to the needs of the housing proposal (and, subject to improved pedestrian links, the identified underserved area²), open space and a public transport interchange. There is also potential for some office floorspace (ranging from small-scale up to the equivalent of the previous levels of floorspace on site).
- 3.3.2 Policy SA3 Retail, leisure and culture uses in south Reading: development proposals within South Reading will maintain and enhance the identified network of District and Local Centres. Proposals will not detract from the vitality and viability of these centres.
- 3.3.3 The SDPD states the main focus for additional retail, leisure and culture uses in South Reading will be in or as an extension to the Whitley District Centre. We understand this policy has now partly been delivered through the opening of a new Aldi foodstore, Pure Gym and public house on former employment land.

² In line with Policy SA3: see paragraph 13.8.5 of the Local Plan



- 3.3.4 There is no identified need for additional District or Local centres in South Reading. On strategic sites which cannot be effectively served by existing or extended identified centres, retail, leisure and culture uses of a scale to serve the residential development and identified under-served residential areas will be appropriate.
- 3.3.5 Paragraph 13.8.5 states that on large developments which are outside existing residential areas, provision of small-scale retail, leisure and culture uses of a scale to serve the residential elements of the development may be appropriate, as long as it would not be possible for the development to be served by an existing centre, or an extended existing centre.
- 3.3.6 The policy therefore refers to 'strategic sites', which are sites that cannot be effectively served by identified centres, and which fulfil the following criteria:
- Sites of over 1,000 dwellings;
 - Sites of less than 1,000 dwellings which would also serve identified underserved areas. Only one existing residential area is considered to currently be underserved, and that is the western part of Whitley Wood, west of Whitley Wood Lane; (underlining added) or
 - Sites of less than 1,000 dwellings which are completely isolated from existing residential areas.
- 3.3.7 Policy SD1 (Presumption in Favour of Sustainable Development) requires a positive approach to considering development proposals and reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 3.3.8 Policy DM1 requires all development to demonstrate it has been designed to incorporate measures to adapt to climate change. Policy DM3 Infrastructure Planning requires all development to make appropriate provision for the following infrastructure, services, resources and amenities.
- 3.3.9 Policy DM12 Access, Traffic and Highway-Related Matters stipulates that in determining proposals involving a new or altered access onto the transport network, improvement works to the transport network, the creation of new transport infrastructure or the generation of additional trips on the transport network consideration will be given to the effect on safety, congestion and the environment. Development will only be permitted where:
- Accesses and works to the highway comply with the adopted standards of the Transport Authority;



- The development would not have a material detrimental impact on the functioning of the transport network;
- The proposals would not be detrimental to the safety of users of the transport network, including pedestrians and cyclists;
- The proposal would not generate regular movement of heavy goods vehicles (HGVs) on unsuitable roads, or on roads without easy access to the Classified Highway Network; and
- For non-residential uses, or new dwellings on classified roads, off-street servicing would be provided.

3.3.10 Proposals involving either the construction of a new site access, or a material increase in the use of an existing site access, will not be acceptable if they would be likely to result in the encouragement of the use of the network for short local trips or compromise the safe movement and free flow of traffic on the network or the safe use of the road.

3.3.11 Policy DM14 Impact of Main Town Centre Uses: Proposals that include more than 1,000sqm (gross) of new or additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location should demonstrate that there will be no significant adverse impact on existing centres. Ensuring that centres within areas of deprivation are not adversely affected is of particular local importance.

3.3.12 New development shall make provision for tree planting within the application site, or off-site in appropriate situations (Policy DM18 Tree Planting)

3.3.13 Under Policy DM19 Air Quality development should have regard to the need to improve air quality and reduce the effects of poor air quality.



3.4 Other relevant local planning documents:

3.4.1 Other supplementary local planning documents that have been considered in respect of the proposed development include:

- Employment Skills and Training SPD (April 2013);
- Revised Parking Standards and Design SPD (Oct 2011); and
- Sustainable Design and Construction SPD (July 2011).

3.5 Western Berkshire Retail and Leisure Study 2017 (WBRLS)

3.5.1 The WBRLS notes changing retail requirements and finds the growth of the internet means that many retailers are focusing their development programmes on the provision of large flagship stores in strategic locations (para 4.4). Reading is an example of a centre which continues to represent an attractive comparison-goods shopping destination for many retailers (para 4.5).

3.5.2 Another trend is the evolution of traditional retail 'box' warehouse developments into retail parks, sub-dividing units, expanding the product offer, and developing beyond just retail to introduce food and beverage, encouraging longer dwell times. Retail parks are increasingly being refurbished to enhance the visitor experience (para 4.22).

3.5.3 In recent years, expansion in the restaurant sector has been driven by 'casual dining' operators such as Byron, Giraffe, GBK, Wagamama, Carluccios, Pizza Express and so on. The study finds these are well represented in many of the higher-order centres across Western Berkshire, with Reading having a particularly strong range of operators, largely focussed on the Oracle Centre (para 4.24).

3.5.4 The most popular destination for comparison goods spending in the survey area is Reading town centre (para 5.3). Reading also has a number of district centres which serve a more localised catchment (para 5.11).

3.5.5 Reading town centre is doing a good job at retaining comparison goods expenditure from local residents. Reading town centre accounts for £7 in every £10 spent on comparison goods shopping for residents in zone 2 (para 7.5). Comparison goods floorspace in Reading town centre is performing particularly strongly (para 7.11).



3.5.6 In respect to leisure trends the Study finds that (para 11.5):

- The most popular leisure activity undertaken is visiting restaurants, attracting an aggregate response of over 75% from each of the individual sub-zones in the survey area. Visiting cafes was the second-most popular leisure activity.
- Apart from cinema visits the only other commercial leisure activity which over 50% of respondents participate in is visiting arts/ cultural venues such as theatres, museums, art galleries;
- 37.4% of respondents visit health and fitness facilities.

3.5.7 In the Reading urban area and its surrounding hinterland, as would be expected the majority of residents look towards Reading town centre for café and restaurant visits (para 11.8).

3.5.8 The WBRLS demonstrates that a significant growth in commercial leisure expenditure can be expected to come forward in the survey area over the period to 2036, particularly in the food and drink sector (para 12.14). It shows that there is scope for further restaurant uses to be accommodated.

3.6 Emerging Reading Local Plan – Submission Draft (March 2018)

3.6.1 The Council is in the process of producing a new Local Plan, to guide development up to 2036. The examination of the local plan took place in September and October 2018. Following the examination, we understand additional information is currently in production.



3.6.2 Some of the key principles for **South Reading** include (para 6.2.1):

- South Reading will be the location for a significant amount of new residential and employment development over the plan period.
- Development will contribute to revitalising and regenerating the wider South Reading area, by integrating with established residential areas, and by providing new employment opportunities;
- The environs of the A33 and the Basingstoke Road will be enhanced to provide an attractive entrance into Reading;
- The isolation of some existing and new housing areas in South Reading will be reduced, thereby enhancing it as an attractive and pleasant place to live;
- Whitley district centre will be expanded to serve as the main district centre for South Reading;
- Opportunities to undertake renewal and regeneration of some of South Reading's suburban areas will be investigated.

3.6.3 We note policies CC1 to CC7 of the emerging local plan are broadly reflective of adopted policy CS1 to CS7. Policy EN14 reflects Policy DM18 insofar as new development shall make provision for tree retention/ planting. Emerging policy EN15 (Air Quality) reflects adopted policy DM19.

3.6.4 Emerging Policy TR3 (Access, Traffic, and Highway related matters) reflects adopted policy DM12. Emerging Policy TR5 states development should provide car parking and cycle parking that is appropriate to the accessibility of locations.

3.6.5 Emerging Policy RL1 (Network and Hierachy of Centres) sets out the local retail hierarchy and requires the vitality and viability of these centres to be maintained and enhanced. The emerging local plan recognises Reading has a very strong town centre which is by far the dominant centre within the Borough and for much of the surrounding area (paras 4.6.1 & 4.6.2).

3.6.6 Policy RL2 makes provision for up to 34,900sqm of retail and related facilities in Reading to 2036, together with new leisure facilities. Where a need for additional development has been identified, and no sites are available in or adjoining the centre of Reading, or other defined centres, a sequential approach should be adopted to identifying alternative sites.

3.6.7 Retail, leisure and culture development outside designated centres will only be allowed in those exceptional circumstances where the provisions of national policy are met. That is, demonstrating



a sequential approach to site selection has been adopted, and that there will be no adverse impact on existing centres. Proposals that include more than 1,000sqm (gross) of new or additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location should demonstrate that there will be no significant adverse impact on existing centres (Policy RL5). Accordingly, this requirement is not relevant to the current application which falls significantly short of the 1000sqm threshold.

3.7 National Planning Policy

National Planning Policy Framework (July 2018)

- 3.7.1 The National Planning Policy Framework (NPPF), published in July 2018 sets out the Government planning policies for England and how these should be applied. The current revision makes a number of minor changes to the policies comprised in the preceding March 2012 Framework. In particular, the new Framework provides further clarification on the application of the presumption in favour of sustainable development. National policy relating to the application of the sequential and impact tests however remain largely unchanged.
- 3.7.2 The Framework notes that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Paragraph 8 indicates that achieving sustainable development means that the planning system has three overarching objectives: a) an economic objective, b) a social objective and c) an environmental objective which are interdependent and need to be pursued in mutually supportive ways. The economic objective is to *'help build a strong, responsive and competitive economy....'*
- 3.7.3 The Framework at Paragraph 11 states that for decision taking, the 'presumption in favour' means:
- "c) Approving development proposals that accord with the 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-date, 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 proposed; 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."*



3.7.4 The Framework states that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80). The Framework makes clear that policies and decisions should **recognise and address the specific locational requirements of different sectors** (paragraph 82) (emphasis added).

3.7.5 The key considerations in the NPPF are the main town centre use policy tests of impact and the sequential approach to site location Paragraph 86 advises that:

"Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered."

3.7.6 The Framework also indicates that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored (paragraph 87).

3.7.7 Paragraph 89 sets out the impact test in respect of town centre uses. It states:

"When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 m² of gross floorspace). This should include assessment of:

a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme)."



- 3.7.8 Accordingly, it remains clear that an impact assessment is not required given the proposal falls considerably short of the national threshold and the local threshold.

National Planning Practice Guidance (NPPG)

- 3.7.9 NPPG guidance is split into a number of topics, including “Ensuring the vitality of town centres”. Of particular relevance are the following extracts:

What does the National Planning Policy Framework say about planning for town centres? - *“The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy). It applies only above a floorspace threshold as set out in paragraph 89 of the National Planning Policy Framework”³. (underlining added)*

How should the sequential test be used in decision-taking? – *“...The application of the test should be proportionate and appropriate for the given proposal... The checklist below sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:*

- *with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. Any associated reasoning should be set out clearly.*
- *is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.*
- *if there are no suitable sequentially preferable locations, the sequential test is passed.”*
(underlining added)

³ Paragraph: 001 Reference ID: 2b-001-20140306



3.7.10 Other relevant extracts from the adopted NPPG include:

How should viability be promoted? – *"The sequential test seeks to deliver the Government's "town centre first" policy. However as promoting new development on town centre locations can be more expensive and complicated than building elsewhere local planning authorities need to be realistic and flexible in terms of their expectations."*⁴

When should the impact test be used – *"The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority... As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly)." ⁵*

Planning Appeal & Legal Decisions

3.7.11 The Court and Appeal decisions have provided clarification of the interpretation of the NPPF and NPPG on the matter of the application of the sequential and impacts tests in recent years. Such decisions form a material consideration when determining planning applications of this type. These are discussed in detail at Sections 5 and 6.

3.8 Summary

3.8.1 The application site(s) lie within the Policy SA2a South Reading Strategic Development Sites – Worton Grange designation whereby small-scale leisure uses (at a commensurate scale) are acceptable in principle.

3.8.2 South Reading will be the location for a significant amount of new residential and employment development over the emerging plan period.

3.8.3 Development proposals within South Reading will maintain and enhance the identified network of District and Local Centres in accordance with Policy SA3. Additional retail, leisure and culture uses in South Reading will be in or as an extension to the Whitley District Centre. We understand this provision has been delivered through the opening of a new Aldi foodstore, gym and public house.

⁴ Paragraph: 012 Reference ID: 2b-012-20140306

⁵ Paragraph: 016 Reference ID: 2b-016-20140306



- 3.8.4 Retail, leisure and culture uses of a scale to serve the residential development and identified under-served residential areas will be appropriate. Only one existing residential area is considered to currently be underserved, and that is the western part of Whitley Wood, west of Whitley Wood Lane.
- 3.8.5 The WBRLS demonstrates that a significant growth in commercial leisure expenditure can be expected to come forward in the survey area over the period to 2036, particularly in the food and drink sector (para 12.14). It shows that there is scope for further restaurant uses to be accommodated.
- 3.8.6 A sequential approach to site selection should be applied for town centre uses outside of designated centres. Only proposals that include more than 1,000sqm (gross) of new or additional floorspace for main town centre uses in an edge-of-centre or out-of-centre location need demonstrate that there will be no significant adverse impact on existing centres and this does not therefore apply to the current application.



4.0 The Sequential Approach to Site Selection

4.1 Introduction

4.1.1 Paragraph 86 of the NPPF states that local planning authorities (LPAs) should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period should out of centre sites be considered. Paragraph 87 states that applicants and LPAs should demonstrate flexibility on issues such as format and scale.

4.1.2 National Planning Practice Guidance (NPPG) advises the application of the test should be proportionate and appropriate for the given proposal⁶. It sets out key considerations that should be taken into account in determining whether a proposal complies with the sequential test:

- Has the suitability of more central sites been considered?
- Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre;
- Is there scope for flexibility in the format/scale of the proposal?
- If there are no suitable sequentially preferable locations, the sequential test is passed.

4.2 How should locational requirements be considered in the sequential test?

4.2.1 NPPG advises the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations (WYG emphasis). Robust justification must be provided where this is the case, and land ownership does not provide such a justification.⁷

4.2.2 The primary catchment area (PCA) for the proposed development is the area the proposed development is primarily intended to serve. In respect of the proposal, this is the area where a significant proportion of the residential population will seek to primarily focus these leisure/service

⁶ NPPG Paragraph: 010 Reference ID: 2b-010-20140306

⁷ NPPG Paragraph: 011 Reference ID: 2b-011-20140306



activities, having regard to, inter alia, Reading Gateway's geographical location, its relative accessibility/proximity to residential population, and the proximity of other centres.

- 4.2.3 Reading town centre lies beyond the primary catchment area of the proposed development. It is the locational requirement of future tenants to be located in south Reading. Indeed, Nando's is already represented in Reading town centre with two restaurants - at the Oracle centre and Friar Street. It is the commercial requirements of the restaurant operator to locate in the south of Reading, to meet the needs of the, underserved residents of South Reading e.g. residents in and around Whitley Wood (as recognised in the local plan and outlined in preceding chapters).
- 4.2.4 Notwithstanding the site lies at an out-of-centre location, it forms part of the Policy SA2a South Reading Strategic Development Site - Worton Grange designation. The site has been permitted redeveloped for a mix of uses in accordance with its strategic allocation including housing, community uses and additional small retail and leisure uses at a scale commensurate to the needs of the housing proposal. It lies in close proximity to the main road network, and is easily accessed by public transport. The site is well connected to the surrounding pedestrian and cycle network, with a substantial residential population within walking distance. Pre-application advice from officers acknowledges *"that a mix of retail and leisure uses has already been accepted within the overall site. The principle of A3 [and D2 (gym)] uses is therefore considered acceptable."*⁸
- 4.2.5 The provision of the proposed use increases prospects of nearby residents using local facilities which is considered to accord with national guidance with respect to ensuring minimising travel, subject to there being no in-centre sequentially preferable alternative sites being available, suitable and viable.
- 4.2.6 A proportionate sequential site search has been carried out.

⁸ Dated 21st September 2018



4.3 Correct Application of the Sequential Approach

4.3.1 It is important that the sequential approach is applied in a policy and legally compliant manner. Given the relative brevity of the sequential test as set out in the NPPF, it is helpful to give consideration to how the policy has been applied in practice by the Courts and by the Secretary of State. The following bullet points below provide a summary of the key matters regarding the application of the sequential test including suitability and the need to disaggregate:

- For a sequentially preferable site to be suitable, it must be "suitable for the development proposed by the applicant." The "whole exercise is directed to what the developer is proposing, not some other proposal which the planning authority might seek to substitute for it which is for something less than that sought by the developer." (Dundee, paras 24 and 38⁹);
- The application of the sequential test is "for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so." (Dundee, para 38);
- "Had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF." (Rushden Lakes¹⁰, para 8.47). It is clear, then, that "there is no requirement to disaggregate" (as confirmed in the Secretary of State decision letter for Rushden Lakes, para 16);
- The appellant's own commercial objectives are relevant to the question of suitability, even where these are site specific (Telford Forge appeal ref: APP/C3240/A/12/2172756, para 16)
- For a site to be suitable, it would have to be a genuine "real world" alternative for the development. If the appeal were dismissed, would the developer build the development on the sequentially preferable site is the relevant question (Telford Forge appeal ref: APP/C3240/A/12/2172756, para 19).
- "... "suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type, and range of goods. This incorporates the requirement for flexibility in NPPF, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer. The area and sites covered by the sequential test search should not vary from applicant to applicant according to their

⁹ Tesco Stores Limited (Appellants) v Dundee City Council (Respondents) (Scotland) [2012] UKSC

¹⁰ APP/G2815/V/12/2190175 - LXB RP (Rushden) Limited v East Northamptonshire Council, June 2014



identity, but from application to application based on their content.” (paragraph 35, Aldergate v Mansfield District Council & Anor [2016] EWHC 1670 (Admin)).

- 4.3.2 Having regard to the prevailing legal and policy context WYG has conducted a sequential site search in order to ascertain whether there are any suitable, available or viable sites which could accommodate the proposed development.
- 4.3.3 Applying a reasonable degree of flexibility the physical requirement to meet the needs of the proposed development have been taken to be:
- Unit measuring c. 465sqm GIA (reflecting the proposed quantum of floorspace required);
 - Parking in the vicinity;
 - Level pedestrian access or Equality Act compliant ramps (or the ability to install these);
 - Servicing space and access, preferably separate to the customer access;
 - Room to accommodate plant/air handling unit(s).
- 4.3.4 Cognisant of the foregoing legal and policy context, WYG has conducted a sequential search of: the South Reading Opportunity Areas as outlined in the Submission Draft of the emerging Reading Borough Local Plan (March 2018); and PCA based centres.
- 4.3.5 We have also considered the sites with existing planning permission outlined in the Submission Draft Local Plan (March 2018)¹¹. These sites vary in size and committed land uses, but all of these sites lie outside of the nearest defined district or local centres and are therefore not sequentially preferable. Accordingly, these sites are discounted from further assessment.

¹¹ Paragraph 6.3.18


Table 1.5: Opportunity Areas

Area		Location	Indicative Potential Uses	Assessment
SR1	A	Former Landfill, Island Road	95,000sqm to 116,000sqm industrial warehouse use	This area measures 32.13ha and lies at the north-west of the catchment area. This area is not available in a reasonable timeframe and is designated for non-leisure uses. It is unavailable and unsuitable for the proposed development.
	B	North of Island Road	7-9,000sqm industrial warehouse use	This area measures 3.1ha lies at the north-west of the catchment area. This area is not available in a reasonable timeframe and is designated for non-leisure uses. It is unavailable and unsuitable for the proposed development.
	C	Island Road, A33 Frontage	27k to 32k sqm	This area measures 9.7ha. It is designated for industrial/warehouse or other commercial development. This area is unavailable in a reasonable timeframe and unsuitable for the modest amount of quantum of development proposed.
SR2		North of Manor Farm Road	Up to 1,000 dwellings, retail and leisure	Land to the south of Whitley DC has recently been developed for a foodstore (Aldi), gym (Pure Gym) and pub/restaurant. Policy stipulates this area is not to be brought forward in a piecemeal nature. The area is considered unsuitable for the development proposed.
SR3		South of Elgar Road	330-500 dwellings	The site (5.38ha) is allocated for housing and is unavailable in a reasonable timeframe. It is unsuitable for the proposed development.
SR4	a	Pulleyn Park, Rose Kiln Lane	70-100 dwellings	The site (1.29ha) is allocated for housing and is unavailable in a reasonable timeframe. It is unsuitable for the proposed development.
	b	Rear 3-29 Newcastle Rd	18-27 dwellings	The site (0.47ha) is allocated for housing and is unavailable in a reasonable timeframe. It is unsuitable for the proposed development.
	c	169-173 Basingstoke Road	5-80 dwellings	The site (0.8ha) is allocated for housing and is unavailable in a reasonable timeframe. It is unsuitable for the proposed development.
	d	16-18 Bennet Road	2,200sqm-2,700sqm industrial/warehousing	The site (0.74ha) is allocated for industrial/warehousing uses and unavailable in a reasonable timeframe. It is unsuitable for the proposed development.
	e	Former Berkshire Brewery site	11,000-13,000sqm industrial/warehousing	The site (3.7ha) is allocated for industrial/warehousing uses. While related commercial uses (as part of a mix) may be appropriate the site is unavailable in a reasonable timeframe. It is considered unsuitable for the proposed development.
	f	South-west of M\$ J11	No designated uses	The site (3.84ha) is considered to be unavailable in a reasonable timeframe. It is considered unsuitable for the modest quantum of development proposed.

Source: Submission Draft Reading Local Plan March 2018



Shinfield District Centre

4.3.6 We have not identified any in-centre vacant, available sites/ premises at Shinfield District Centre.

Whitley District Centre

4.3.7 Our search identified three vacant units:

- Unit 273 Junction of Buckland Road and Basingstoke Road – we understand this vacant unit was formerly in use as a local bank branch. It is being marketed and is understood to be available. The site measures c.500sqm and the existing unit measures c.200sqm. It is too small and unsuitable to accommodate the proposed development and has been discounted.
- 269 Basingstoke Road – the availability of this vacant unit is unknown. It measures c.200sqm and is too small and unsuitable for the proposed development.
- 242 Northumberland Avenue - the availability of this vacant unit is unknown. It measures c.200sqm and is too small and unsuitable for the proposed development.

Whitley Street

4.3.8 Our search identified two vacant units:

- 81 Whitley Street – This vacant unit is being marketed and appears available. At c.65sqm the unit is too small to accommodate the development proposed at Unit 1 or Unit 6, even allowing a reasonable degree of flexibility. The unit is **unsuitable** and has been discounted.
- Whitley Street – This vacant office unit measures c.200sqm. The unit is too small to accommodate the development proposed at Unit 1 or Unit 6, even allowing a reasonable degree of flexibility. The unit is **unsuitable** and has been discounted.

Whitley Wood Local Centre

4.3.9 168a Whitley Wood Road – The vacant unit is being marketed at the time of survey and appears available. At c.50sqm the unit is too small to accommodate the proposed development, even when allowing a reasonable degree of flexibility. Therefore, the unit is **unsuitable** and has been discounted.

4.3.10 **Lower Earley District Centre**



- 4.3.11 The Square, Chalfont Way – The vacant unit appears available at the time of survey. At c.300 sqm the unit is too small to accommodate the proposed development. The unit is therefore **unsuitable** and has been discounted.

4.4 Concluding Comments

- 4.4.1 While the NPPF requires that a sequential test be applied, this must be done in a way which is compliant with recent judicial authority, Ministerial and appeal decisions. It is clear that the suitability of a site depends upon it being suitable to accommodate the development proposed by the applicant. While flexibility must be applied, it is not for LPAs to require applicants to radically alter their proposals. Decisions of the sequential test must be applied in a 'real-world' context and case law reaffirms the salient question whether, if the application were refused, would the applicant/developer develop the floorspace on a sequentially preferable site.
- 4.4.2 The development seeks to meet the needs of the underserved residents of South Reading e.g. residents in and around Whitley Wood (as recognised in the local plan and outlined in preceding chapters). It is recognised that here "opportunity for new development within the existing residential areas are more limited" (para 6.2.3, submission draft Reading Local Plan)
- 4.4.3 Notwithstanding the site lies at an out-of-centre location, it forms part of the Policy SA2a South Reading Strategic Development Site - Worton Grange designation, where it is recognised that "that a mix of retail and leisure uses has already been accepted within the overall site and that the principle of A3 uses is considered acceptable.
- 4.4.4 A thorough sequential site search has identified that no site can be considered available, suitable and viable sequentially preferable alternative in respect of the proposals. The proposal is considered to fully accord with local and national policy and guidance as well as judicial and appeal authority with respect to the sequential approach.



5.0 Other Principal Planning Considerations

5.1 Introduction

5.1.1 This section addresses other related planning policy matters relating to the proposed development:

- Design and Appearance
- Highways/Parking matters
- Drainage; and
- Air Quality

5.2 Design and Appearance

5.2.1 In respect to design and appearance considerations, we provide a summary of works to Unit 1 below:

5.2.2 Unit 1 is to be subdivided into two units by a full height party wall. Alterations to front elevation (South-East) facing car park will include the existing façade cladding to be retained generally and locally adapted to accommodate one new fire escape door, with finish and colour to match existing adjacent single doors. The existing shopfront incorporating a bi-parting door is to be adapted/replaced to accommodate three new single leaf manually operated glazed entrance doors and sidelights set within a metal framed and glazed shopfront curtain wall, with the finish and colour to match existing. The existing feature sign frame is to be removed and the cladding to be made good. Any and all Tenant signs to be fixed to shopfront or cladding will be subject to separate advertisement consent application(s).

5.2.3 Alterations to rear elevation (North-West) facing Imperial Way/Service Yard comprising, existing façade cladding to be retained generally and locally adapted to accommodate 1No. new single leaf solid fire escape doors, finish and colour to match existing adjacent doors; 1No. new solid double door, finish and colour to match existing adjacent doors; Existing Armco barriers to be reconfigured to accommodate new fire escape doors (shown on plan drawing 1949-11).

5.2.4 Alterations to side elevation (North-East) facing Perkins Way/Service Yard comprising the replacement of shopfront curtain wall within the existing opening with new only where necessary due to the nature of construction practices in the reconfiguration of the shopfront to the front



elevation. Any replaced shopfront is to match the existing fenestration/setting out of mullions and transoms.

- 5.2.5 Service Yard to be reinstated to match existing standard following laying of new services and foul drainage connections.
- 5.2.6 Car Park to Unit 1 frontage alterations comprising, removal of existing area of bitmac accessible parking bays and extension and making good of paved apron and kerb edging with new to match existing, where necessary; relocation of existing bollards, or replaced with new to match existing, where necessary; 2No. standard size parking bay markings removed and replaced with 2No. accessible parking bay line markings to match adjacent existing bay markings; 3No. new metal protection barriers to the new entrance doors set in paving.
- 5.2.7 Relocated parking adjacent Unit 6 (vacant Toys'R'Us) alterations to accommodate relocated 2No. spaces removed from Unit 1 frontage as detailed above, comprising, extension of bitmac parking bays and reconfigured raised kerbs to suit, replaced with new to match existing, where necessary; new parking bay line markings to match existing adjacent line markings, removal/relocation of 1No. existing sapling tree to suit Landscape Consultant's recommendations/details, 1No. existing foul drain manhole chamber to be adapted to suit; removal of soft landscape planting where new parking bays are to be sited.

5.3 Transport

- 5.3.1 The proposed development will result in no additional trading floorspace and no change in parking provision at the site. The following can be stated:
 - The location of the site is accessible and there are a variety of sustainable transport options including walking, cycling and public transport services available;
 - The proposals will result in a reduction in vehicle trips for Unit 1 (Unit B) in both peak periods, due to the change of use sought (due to the likely use profile of restaurants);
 - In accordance with Policy DM12, there will be no material changes to the effect on safety, congestion or the environment;
 - There will be no net change in car parking numbers proposed. The overall parking provision is considered appropriate, with provision adhering to the principles of local maximum parking



policy standards whilst ensuring that an appropriate level of parking provided to accommodate potential demand.

5.4 Flood Risk/Drainage

- 5.4.1 Flood risk is one of the issues to be considered by planning authorities when determining change of use applications.
- 5.4.2 The impermeable area within the site will not increase and no changes to the existing drainage system will be required as a result of the proposed development.
- 5.4.3 The site is in Flood Zone 1 and both the existing and proposed uses are classified as 'Less Vulnerable' according to Table 2 of the PPG (Flood Risk & Coastal Change). Therefore, as the site is at very low risk of fluvial flooding and it is not proposed to increase the flood risk vulnerability of the existing units nor the drained impermeable area, it is considered that the proposed development is acceptable from a flood risk and drainage perspective and no flood risk & drainage assessment is required in support of the planning application. This has been agreed following pre-application discussions with Reading Council as Lead Local Flood Authority.

5.5 Air Quality

- 5.5.1 The site lies within an AQMA. Accordingly, WYG has undertaken an Air Quality Screening Assessment for the proposed development which accompanies the application. (NB this report also relates to development at Unit 6, which is to be the subject of a separate application in due course, however, the findings of the report remain relevant to this application for Unit 1).
- 5.5.2 The potential effects during the construction phase are anticipated to include fugitive dust emissions from site activities, such as construction and trackout. The impacts during the operational phase take into account of exhaust emissions from additional road traffic generated due to the proposed development.
- 5.5.3 The air quality background concentrations in the vicinity of the proposed development site are below the Air Quality Objective (AQO) of 40µg/m³ for NO₂ and PM₁₀.
- 5.5.4 The Design Manual for Roads and Bridges (DMRB) screening assessment concluded that during the operational phase, there will be no significant effects on local air quality from the additional



development traffic on the local road network. Therefore, further detailed operational air quality assessment is not required.

5.5.5 Mitigation during the construction phase of the development and adherence to good practice measures will be implemented.

5.5.6 Based on the assessment undertaken it is concluded that the site is suitable for the proposed development and no further air quality assessment is required.



6.0 Conclusions

- 6.1.1 Marketing of Unit 1 for Class A1 purposes has not resulted in a letting. Interest has been confirmed by Nando's to occupy half the space to comprise a Class A3 restaurant to serve south Reading. A small, non-trading mezzanine and subdivision of the unit are required to accommodate this tenant and are the subject of this application.
- 6.1.2 Given the small size of the mezzanine proposed, no impact assessment is required by national or local policy. Furthermore, having carried out a proportional sequential search, no sequentially preferable sites have been identified.
- 6.1.3 The proposal will have no measurable effect on transportation matters and maintains the number of parking spaces currently at the site. Air quality and flood risk/drainage are not significant considerations for the size and type of development sought.
- 6.1.4 The NPPF contains a 'presumption in favour' of sustainable development. Paragraph 11 states that for decision taking, the 'presumption in favour' means:

"Approving development proposals that accord with the development plan without delay;"
- 6.1.5 The proposal is considered to continue to accord with both national and local policies, as anticipated in the pre-application advice given. Accordingly, permission ought to be granted.