

Planning Statement Addendum

“Part-demolition of existing retail units, car park and service areas, demolition and rebuild of car park ramp, and construction of a residential-led, mixed-use development fronting Queens Walk and Dusseldorf Way, including all necessary enabling and alteration works required”

and

“Part-demolition of podium deck on Dusseldorf Way and Queens Walk, amendments to existing retaining wall, excavation works and road and hardstanding re-alignment to create a temporary construction area related to proposed redevelopment works at Broad Street Mall”

Broad Street Mall, Reading, RG1 7QE

15th August 2024

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Client
McLaren (Broad Street Mall) Ltd and UREF III LP

Our reference
OP-08-22

15th August 2024

1. Introduction

1.1. This short report has been prepared by Opus Works Group Ltd to respond to comments made by the Council and statutory consultees in relation to the redevelopment application at Broad Street Mall, ref: 240173.

1.2. The submission of this report is made alongside the following documents:

- Design and Access Statement Addendum, August 2024, produced by AHR Architects
- Response to Historic England comments, provided by Montagu Evans
- Bat Survey and Preliminary Roost Assessment, produced by Sweco
- Appendix A, BNG Calculator (pdf), produced by Sweco
- Economic Benefits Infographic, produced by Savills
- A full suite of updated site plans, GA plans, elevations and sections, supplemented by detailed bay studies and CGI's to demonstrate the significant changes made to public realm, the roof top car park and the proposed approach to materiality throughout the scheme. Minor changes have also been made to floor plans to provide improved delivery areas to assist with residents moving in/out in line with advice provided by Allsops, the Property Management Agents for the scheme.
- A drawing register to identify all amended plans

1.3. Discussions have also been ongoing with the Council's Planning, Housing and Valuation teams regarding the delivery of affordable housing on-site and an updated and improved offer will now be made, as set out later in this document.

1.4. Following our response to comments provided, this addendum statement also provides details of updated S106 Heads of Terms and sets out our conclusions on planning balance matters, taking into account changes made to the scheme, additional obligations proposed, recent Appeal decisions in the Borough and emerging national policy legislation.

1.5. The updated proposals match or improve upon all consented parameters set by the extant consent, meaning that the development will provide:

- A greater quantum of much-needed housing
- An improved affordable housing offer in terms of quantum and mix

- A mix that represents an improvement over the extant consent, is closer to policy expectations and which exceeds requirements in terms of larger units, particularly within the affordable housing offer
- All units to Nationally Described Space Standards
- A tenure-blind development
- Substantial improvements to the ground floor frontage of Broad Street Mall, including the Dusseldorf Way entrance and provision of an enhanced food and beverage offer
- Increases in urban greening, tree cover and biodiversity
- Improvement to the public realm, including provision of informal play and programmable spaces
- Creation of meaningful community/public art within the scheme to support existing community initiatives

2. Comments and Project Team response in relation to the redevelopment scheme, ref: 240173

2.1. The following section identifies comments made by consultee/stakeholder and provides the Project Team's considered response. Where appropriate, new plans or reports are identified.

Affordable Housing

- Which units would be the affordable ones? The mix (as per the application form) is 23 1bed, 22 2bed and 4 3bed, but it would be useful to know whether these are 1b2p, 2b4p etc – is there a detailed schedule of the affordable housing offer?

Project Team Response: The mix proposed is now 5no. 1B1P (8%), 22no. 1B2P (34%), 7no. 2B3P (11%), 24no. 2B4P (37%) and 7no. 3B5P (11%), which reflects an improved affordable offer (see below bullet and response for details).

The mix proposed is beneficial in that the majority of 2 bed units are provided as the larger 2B4P accommodation, meaning that it can provide a meaningful space for smaller families. Together with 3 bedroom homes the affordable housing offer provides almost 50% of units as larger accommodation capable of accommodating families.

It is proposed that the affordable housing will be pepper-potted throughout the development and it is suggested that a planning condition is attached to any consent to identify the location of units before the commencement of above ground works.

- Comment provided by Planning Officer - We are currently awaiting our review of the submitted viability information, but notwithstanding that, the proposed level of affordable housing is not usually considered acceptable.

Project Team Response: Discussions with the Council have identified that the initial offer of 7.5% affordable housing is the maximum possible given viability constraints relevant to the scheme. It is important to identify that the scheme is not simply about housing; it is a project that is regenerating an aging shopping centre and redelivering vibrancy, visual interest and public benefit back into an area that is subject to significant urban decay and anti-social behaviour. The complex works required to bring the scheme forward whilst maintaining an operational shopping centre are significant and have a corresponding impact on scheme viability. Notwithstanding this, the applicant wishes to work with the Council and in addition to the significant local regeneration that this scheme will bring to central Reading, acting as a catalyst for wider improvement, it is proposed to improve the

affordable housing offer to 10%, meaning that 65 units will now be provided on-site. Each unit will be provided to Local Housing Allowance rents (inclusive of service charges), which is the Council's preference, and a skew towards larger accommodation is also proposed as a means of seeking to provide the best offer that the development can afford given viability constraints.

Following a series of meetings with the Council's Valuation Officer and more latterly the Council's S106 Officer, an update has been sent to the Council to more clearly present the updated viability offer and we await the Council's response. McLaren is committed to ongoing discussions with the Council in respect of this matter.

RBC Access Officer

- How will disabled residents deal with their refuse; it wouldn't necessarily be easy or even possible in some cases to take their refuse down in the lift. Is there any way there could be a chute of some kind, or other solution?

Project Team Response: There is an onsite management team who will deal with specific needs such as this. Section 3 of the BSM Management Strategy document, submitted with the initial application, provides greater detail in this regard.

- Residents who are wheelchair users will have more need of space than others – how big are the flats which are earmarked as M4(3)?

Project Team Response: There are 33 M4(3) units provided within the scheme, all as 1B2P units. These are provided within Blocks B and C. The attached accommodation schedule identifies a range between 58.09m² and 69.82m². The units are located on Level 2 of Block B (B.02.01 and B.02.08) and Levels 1 – 16 of Block C (provided as C.Level.01/06/07 on levels 1 – 7, C.08.02/04 on level 8 and C.Level.02 on levels 9 – 16). The units have all been reviewed to ensure that they meet specific access requirements and are at least 16% larger in size than standard. The applicant is happy to accept a planning condition to ensure that the M4(3) units are provided as expected.

- The Council has a task and finish group that could help with the play areas.

Project Team Response: It is anticipated that the details of the play areas will be determined via planning condition. The applicant welcomes the opportunity to discuss this matter with the Council's Task and Finish Group at the appropriate time.

- How many parking spaces for disabled drivers/passengers with Blue Badges will be lost?

Project Team Response: No disabled parking spaces will be lost because of the development. Whilst there will be an overall loss of 294 spaces associated with the proposed development, the Level 01, 02 and 03 General Arrangement Plans identify 21 disabled spaces to be re-provided, representing an increase of 4 spaces over existing provision.

- Click and Collect and local collection points to pick up parcels are not always easily accessible for some disabled people, so there may need to be concessions. (I know it's not strictly a planning issue, but it was in one of the documents).

Project Team Response: There is an onsite management team who will deal with specific needs such as this. Section 3 of the BSM Management Strategy sets out further details. Floor plans have also been revised to improve the move in/move out strategy further to comments provided by our Management Agents, Allsops. The changes allow for an increased number of delivery bays.

- Is there any alternative to the steps near the podium planted areas?
- Seating should be in varied styles, including with and without arms, and different heights.
- Any planting should not present a hazard, either with regard to dropped leaves, or other detritus such as berries.
- As well as Part M of the Building Regulations, and BS8300, the developers should also look at the new standard, PAS 6463, Design for the Mind, Neurodiversity and the Built Environment.

Project Team Response: The proposals for the public realm will be subject to submission of further details post-consent via planning condition. It is considered that this should propose the phasing and timing of public realm provision, as well as any interim arrangements. This is to ensure that the proposals are fully co-ordinated with the emerging Minster Quarter which extends to the building line of the shopping mall. The applicant will work with the Council Officer's to respond appropriately to the matters raised above.

Conservation Area Advisory Committee

Reading Conservation Area Advisory Committee - OBJECTION: We object to this application because it:

- Fails to respect the 1970s architectural heritage of the Broad Street Mall,
- Does not comply with the principles of the Minster Quarter Framework,

- Fails to protect or enhance the character and appearance of the adjacent conservation areas and listed buildings,
- Is detrimental to short and long range views into the area
- Is unimaginative in design and materials

Project Team Response: The Design and Access Statement Addendum identifies several design improvements to the scheme, which provide greater visual distinction, articulation and quality. The resultant proposals represent a step-change in quality over both that in-situ and the extant consent.

It is not considered that the area of Broad Street Mall earmarked for demolition has architectural heritage of sufficient merit to warrant retention. This is borne out in the exhibition comments and many of the emails submitted in support of the planning application. Nevertheless, in terms of good design, a number of architectural references to previous built form are included within the proposed scheme.

The scheme does sufficiently comply with the Minster Quarter Area Outline Development Framework (MQAODF), which is supplementary planning guidance that helps to direct, rather than dictate development parameters. It is notable that the MQAODF was published in 2018, before changes to the NPPF that now warrant update to the Local Plan. Equally and importantly, the scheme has needed to change to overcome legislative and engineering obstacles that precluded the original scheme from coming forward.

Further, the site is located within a building earmarked for tall buildings and the approach to height is consistent with the strategy for the town centre set out in Policy CR10b.

The resultant proposals reflect the outcome of nearly three years pre and post-application discussions with statutory and non-statutory consultees and it is considered that the design parameters proposed strike the right balance in terms of delivery of significant housing and regeneration of a brownfield site when assessed against perceived impact on listed buildings and adjacent Conservation Areas.

Montagu Evans has undertaken significant townscape and visual impact review of the proposals in context of both short-term and long-term views and adjacent heritage assets that has assisted the design development process. A further response on heritage matters has been prepared and is submitted herewith.

Whilst it is recognised that the proposals will create an element of harm, this 'less than substantial harm' is outweighed by the very significant benefits offered by the proposals,

which are set out in Section 8.0 of the DAS Addendum. An infographic to set out wider economic benefits associated with the scheme is also submitted as part of our response.

The weight to be given in the determination of this application has been made clear in both the Secretary of State's decision on the Aviva scheme and more recent guidance from the Labour Government which has placed housing delivery and use of brownfield land at the pinnacle of decision-making. Whilst the NPPF is currently at consultation stage, it sets out a strong rationale for urban uplift and maximising the efficient use of land and delivery of development on brownfield land first. Chapter 2, paragraph 4 of the consultation document sets out the main policy objectives, which the scheme performs well against. In particular, the proposals will:

- get Britain building again...creating new homes, jobs and delivering new and improved local infrastructure;
- take a brownfield first approach...;
- boost affordable housing...;
- extract more public value..., including through infrastructure, amenity and transport benefits...;

Further, the scheme at Broad Street Mall will be seen in the context of emerging development at Minster Quarter and the Thames Valley Police sites, these forming the foreground from the south and west of the site. Views from the Minster remain largely unimpacted due to existing development opposite this building and the proposed parameters of Block C, which is of comparable height to the extant scheme and which obscures views of the higher towers. Views of the scheme are therefore taken in the context of intervening development and at relatively significant distance. Taken from the closest point to point in each case, the figures below identify the distance to key points around the site:

- Reading Minster - 111m
- Castle St/Gun St junction - 138m
- Castle Street/BSM roundabout - 95m
- Howard St - 130m
- Baker St/Zinzan St junction - 207m
- Baker St/Waylen St junction - 286m

RBC Environmental Health

Noise

- A condition is recommended, as set out below, or an assessment to be provided prior to consent being given to ensure the amenity of incoming residents:.

N24 NOISE MITIGATION SCHEME (INTERNAL) - MIXED USE (TO BE SUBMITTED)

No development shall commence on site until a detailed scheme for protecting the dwellings from noise emissions from the commercial use hereby approved and informed by an assessment of the likely noise emissions from the approved commercial use, has been submitted to and approved in writing by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the separating floor/ceiling between the uses achieves a minimum airborne sound insulation performance of greater than or equal to 55 dB (Dntw +Ctr) and ensures that the noise levels within the property do not exceed the values specified in BS8233:2014 with appropriate penalties and adjustments for the character of the noise. The scheme shall make suitable provision for insulation from structure borne noise.

Thereafter, the development shall not be carried out other than fully in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is first occupied and shall be retained and maintained as such at all times thereafter.

- Prior to any consent being given for the gym, a noise assessment of the proposed use should be submitted. The assessment should be carried out for in accordance with BS4142:2014+A1:2019 methodology and should take into account any other relevant guidance relating to the particular noise source or activity including structure borne noise and vibration.

The starting point should be that the predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade should be at least 10dB below the pre-existing background sound level, LA90,T when the activity is taking place. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive façade (habitable window of a dwelling) should not exceed the pre-existing background sound level, LA90,T when the use is taking place.

Project Team Response: The applicant is willing to accept appropriately-worded planning conditions to adequately control these elements of the scheme.

Air Quality

- In addition to concerns about noise (as discussed above), cooking odour and the Council has requested an assessment of the likelihood of odours based on the proposed cuisine and a statement of how the proposals will ensure that odour nuisance will be prevented.

A planning condition has been proposed, as set out below. The Council identifies that it is possible that the criteria cannot be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.

N11 VENTILATION & EXTRACTION (TO BE SUBMITTED)

No development shall commence on site until an odour assessment has been carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the EMAQ guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Sept 2018) or the (withdrawn) DEFRA version (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. When assessing potential odours, the assessment shall consider the full range of cooking types that may be conducted under the permitted use. Thereafter, the development shall not be carried out other than in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

- Applications which include noise generating plant or commercial activities when there are nearby noise sensitive receptors should be accompanied by an acoustic assessment carried out in accordance with BS4142:2014+A1:2019 methodology.

A noise assessment has not been submitted with the application and therefore I cannot determine the likely noise impact of the proposal and whether the proposals are acceptable. I therefore recommend refusal unless a noise assessment can be submitted and considered by us before the application is determined.

Alternatively the following condition could be attached to consent, however it is possible that the criteria would not be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.

N2 MECHANICAL PLANT (NOISE ASSESSMENT REQUIRED)

No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out for in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

Project Team Response: A Noise and Vibration Assessment forms Chapter 8 of the Environmental Impact Assessment. Notwithstanding this, the applicant is willing to accept planning conditions along the lines of that proposed above to appropriately control this matter.

Air Quality - Increased emissions

- The assessment concludes that the impact on air quality will be negligible due to reductions in trips. Can this reduction be explained given the addition of a large number of dwellings? Will electric vehicle charge points be provided?

Project Team Response: Table 8.5 of the Transport Statement summarises the traffic impacts of the proposed development site, which across a daily period will be very low across the local highway network. Through limiting the provision of on-site parking for future residents and the highly sustainable site location in respect to access to public transport and access to jobs and amenities, the assessment concludes that the proposed development site will have no material impact on the local transport network. Furthermore, due to the reduction in available public parking spaces at the Broad Street Mall MSCP (from 784 public spaces to 394 public spaces), there will be an associated reduction in generated vehicle trips arriving at the site.

- The desk study assessment recommends some site investigation to clarify risks, mostly from made ground present and condition wording is suggested.

Project Team Response: The applicant is willing to accept an appropriately-worded condition to control this aspect of the proposed development.

- Concerns are raised about potential noise, dust and bonfires associated with the construction (and demolition) of the proposed development and possible adverse

impact on nearby residents (and businesses). Fires during construction and demolition can impact on air quality and cause harm to residential amenity. Burning of waste on site could be considered to be harmful to the aims of environmental sustainability.

Project Team Response: Such matters will be set out and controlled by details to be set out in a Construction Environmental Management Plan, which will be controlled by planning condition. It is proposed that the CEMP includes for phasing of development, including how this can include for wider works relating to the Hexbox and emerging Minster Quarter to ensure full co-ordination of activities across this major development area.

Waste Management

- Attention is drawn to a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. Where developments involve a food related business then there is a greater risk of rats being attracted to the waste. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste. A planning condition is proposed and wording provided.

Project Team Response: The applicant is willing to accept an appropriately-worded condition to control this aspect of the proposed development.

HSE

- QDR - Compliance will need to be demonstrated at later regulatory stages.
- Means of escape - CFD analysis has not yet been undertaken. It will need to be shown that the CFD analysis supports the design at a later regulatory stage.
- Fire separation - The connection shown between car park and amenity area appears to be in contrast to the connection shown in Block A, which has imperforate separation between car park / residential occupancy.
- Due to the height of the building, connection between the two occupancies are not appropriate because the proposal does not meet the specific criteria listed in the sited fire safety standard for flats in mixed use buildings - Design changes to remove the connection are suggested.
- Open Plan Apartments - Floor plans shown some apartments with kitchen areas near/adjacent the entrance door.

- Means of escape from bedrooms passing the kitchen area in order to achieve reasonable safety in the common corridor.
- Cooking facilities should be located at the most remote part of the flat to protect means of escape.
- Design changes could be required internally.
- External terraces - 25th floor plan shows escape from external communal terrace by way of an unprotected area
- Stage 2 Fire Strategy illustrates corridor provision between residential terrace and the storey exit of 25th floor. Is this a drafting error on the submitted plans, and the corridor should in fact be included?
- Green Roofs - Plan drawings show residents podium gardens at storey 3, 9, 18, 25 and 28.
- External envelope of a building should not provide a medium for undue fire spread.
- A green roof may constitute a fire hazard as it requires regular management and maintenance.
- Where green roofs are proposed, roof construction will need to provide sufficient fire resistance to prevent fire spread to any adjoining walls.
- Will have to show that proposed green/planted roofs are viable in relation to fire safety.

Project Team Response: A comprehensive response to the comments raised was produced and submitted to the Council for the HSE's consideration. Subsequently, we understand that HSE has no objection to the development.

RBC Transport

Construction Vehicle Movements

- The construction works access to the site compound will be taken from Castle Hill which requires a widening of the one way section to facilitate the movement of articulated vehicles. This is deemed acceptable subject to the applicant gaining suitable licences from the Council to undertake work on Council land.
- The application would however need to confirm how the proposed ramp is to be managed to ensure that conflicting movements do not occur. The ramp and much

of the basement in that area is only sufficient to accommodate one-way movement and therefore it would need to be confirmed what traffic management would be in place to ensure that conflicting movements do not occur, this is particularly important given that the applicant has identified two-way movements through the one-way section for construction vehicles. To ensure that the ramp can be utilised for access and egress a drawing is required confirming that construction vehicles can turn on the podium.

Retained commercial uses

- The introduction of the ramp creates a blockage to the one way loop around the servicing area and as a result the proposal includes the introduction of two turning areas for servicing of the retained commercial uses however the submission does not include the tracking diagrams to ensure that these turning areas are acceptable. These must be provided.
- In addition to this the proposal includes a further section of road that is currently one-way becoming two-way with traffic control proposed. However, full details of this would need to be provided given that there are numerous potential conflicts in movement within the basement that would occur as a result of this two-way movement.

Pedestrian routes on the podium

- It would need to be confirmed exactly what pedestrian routes would be retained as a result of the part-demolition of the podium, it is noted that the Outline Construction Environmental Management Plan states that 'The walking route between Hosier Street and The Hexagon/Queens Walk will be temporarily unavailable during the construction works, but an alternative route is available via Oxford Street.' However, given that this would be an important route to the Hexagon, the Magistrates Court and the Police Station clarity is required on what routes would remain and why routes could not be retained.
- Any routes that are retained must be provided to the required width standards and this would need to be submitted as part of any resubmission of information.

Project Team Response: Significant discussions have been held with RBC Transport regarding the above matters, particularly as these will need to work in unison with changes on the adjacent Minster Quarter site and in consideration of existing landowners in the immediate locality. A detailed construction logistics submission has now been made to set out the applicant's full response and it expected that further discussions will be required regarding the various licences required in addition to any planning consent to enable

building works to commence and development to come forward. It is proposed that a planning condition is attached to any consent to allow for more detail regarding methodology, programme and phasing to be developed, most likely in unison with a wider strategy for the Minster Quarter and Hexbox. As part of this process, discussions (which have started) will be held regarding the various building licences required to allow construction access, compounds, enabling works and crane oversailing to take place on or over RBC-owned land.

Planning Policy

Unit Mix

- The unit mix currently does not meet policy CR6, as the 1 bedroom/studio unit level is at 46.27% rather than at 40% or below. Is there scope for rearranging the layout to get closer to a policy compliant unit mix?

Project Team Response: The proposed mix, whilst not policy-compliant, allows the scheme to achieve greater financial viability, which in turn is reflected in the affordable housing offer. It is notable that the proposals represent a substantial improvement over the extant consent in terms of lower number of 1 bedroom and a higher number of larger 2 bedroom and 3 bedroom stock. In addition, all dwellings are provided to meet Nationally Described Space Standards and the larger units sizes allow for delivery of a significantly higher level of 2 bedroom 4 person dwellings, which can meet smaller family need. In terms of the planning balance, it is considered that the proposed mix provides the optimal policy response, as it helps deliver more affordable housing than would otherwise be possible.

RBC Ecology

- The areas beneath ground level of the development may host roosting/hibernating bats and to confirm whether this is the case, and if so how bats will be affected by the proposals, Officers have requested that a bat survey will need to be carried out (prior to determination)
- A request was also made for Preliminary Roost Assessment and BNG Calculator (sent as an excel, but pdf requested for review)

Project Team Response: A Bat Survey, including a Preliminary Roost Assessment was undertaken in May and June, which found no evidence of roosting bats. The service area was found to be well lit at all times, frequently disturbed by continuous vehicle traffic, and subject to temperature fluctuation. In addition, any potential roosting features such as gaps in brickwork and ventilation shafts, were found to be either cluttered by pipes and services, well-lit by artificial lighting, and/or were in an extremely dusty and cobwebbed state. In

addition, no bat calls were recorded by any of the three static bat detectors deployed inside the building during the 14-night survey period, despite recording taking place during the peak bat active season. As a result, the service area is not considered to be suitable for roosting or hibernating bats and no further survey is recommended. A copy of the Bat Survey, including Preliminary Roost Assessment, is attached for the Council's review.

The BNG Calculator has previously been sent to the Council, but is appended for completeness. It is noted that the actual BNG achieved by the scheme is in excess of that currently recorded, given the proposals to partially green the roof top area of the existing BSM car park.

Planning

Car Park Roof

- The outlook of many of the proposed units would be over the roof of the Broad Street Mall car park, which is not particularly desirable. Are you able to address this through visual improvements to the car park as part of the proposals?

Project Team Response: The Design and Access Statement Addendum provides details of proposed greening and other visual improvements of the roof top car park area. The applicant is willing to accept a planning condition to allow further details to be discussed and agreed with the Council post-consent.

NHS

- Current scheme objection - We have also been contacted by the NHS team who run the walk in centre in Broad Street Mall who are seeking some kind of contribution towards the improvement of services – this is something that we would support, and I would be grateful if you could let me know whether this is something that your client would be amenable to?

Project Team Response: A number of discussions have been held with the NHS regarding expansion of the walk-in centre in Broad Street Mall. Currently the NHS does not have the funding required to take on the additional space offered (they receive funding as residents start to live in the locality) and so the Applicant has been seeking to agree an appropriate contribution towards service provision.

Thames Valley Police

- Comments received from the CCTV unit at Thames Valley Police requesting that the two cameras that will be affected during the demolition and construction phases

are repaired or replaced (if removed or damaged as part of this) – can you confirm that this is something you will do (we can include as a condition)

Project Team Response: The Applicant has sought to discuss this matter with Thames Valley Police, as CCTV will possibly need removing and replacing more than once during the construction phase. To ensure that the matter is satisfactorily resolved, it is considered appropriate for the matter to be controlled via planning condition.

Berkshire Archaeology

- Berkshire Archaeology has requested that further site investigations are controlled via planning condition and provided a draft condition, which the Planning Officer has requested we review and respond to.

Project Team Response: Further to review by our Archaeological Consultants, we propose a small change to the wording of the planning condition to better reflect on-site conditions:

- A. No development shall take place/commence **in Area A** until a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. **A programme of archaeological work is not required in Area B as the existing deep basement will have removed all archaeological remains in that part of the site.** The WSI shall include an assessment of significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.
- B. The Development **in Area A** shall take place in accordance with the WSI approved under condition (A).
- C. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Historic England

- Historic England has objected to the application, outlining this objection around Planning guidance. The objection also noted that the application makes no consideration for presenting heritage "benefits".

Project Team Response: Our Heritage Consultants, Montagu Evans, has reviewed Historic England's comments and has produced a response to provide further clarification on the

assessment of assets listed by Historic England and wider scheme benefits. This rebuttal document is provided as part of this submission for the Council's review and Historic England's further feedback. In light of the changes made to the scheme since submission, which add to an already substantial set of scheme benefits and which will regenerate an area beset by urban decay which currently detracts from the wider locality, including its listed buildings and conservation areas, it is considered that the proposals are merited and warrant permission.

Thames Water

A number of comments have been received from Thames Water relating to foul water not connecting into the public network, building within 5m of the main sewer and water capacity.

Project Team Response: A comprehensive response to comments raised has been previously submitted to the Council and any further comments from Thames Water are awaited.

Baker Street Area Neighbourhood Association (BSANA)

Height, Massing and Impact

- The application proposes towers that substantially exceed the maximum heights specified in the development framework, the proposed tallest tower reaches 87m above the BSM (142.855m AOD) and is 45% greater in height than the 60m maximum specified (115.590m AOD). This would result in a 30-storey tower block overshadowing BSANA's low rise neighbourhood.

Project Team Response: The extant consent set a datum of 120.45m. As such, the tallest building at 142.86m is 29.7% higher.

As set out earlier, the minimum distance to properties in the Conservation Area to the west of the development is 130m. Existing plans for the wider locality identify substantial buildings occupying the foreground. The Western Grouping of tall buildings within the Local Plan, which includes the Minster Quarter area, including Broad Street Mall, is allocated as an area of change. This change needs not only to reflect realities at the point of policy-making in relation to the Local Plan and MQAODF, but subsequent national policy changes (which in themselves are enacting changes to the Local Plan) and a consequent, appropriate response in terms of design, layout, density and resultant built form.

It is considered that the revised proposals reconcile several competing interests, allowing a vibrant neighbourhood to emerge that will house a new generation of residents.

- The proposed towers are on an entirely different scale to those envisaged by the development framework, BSANA calculates them to be up to 73% larger than permitted under the extant consented application, which were scaled down to adhere to the development framework.

Project Team Response: The proposed towers are 29.7%, 13.3% and 0.7% higher than the extant consent. In terms of floorspace, the earlier approved residential and hotel schemes provide for 34,713m² against 55,262m² now proposed. However, the figures do not include the car parking and retail areas to be demolished, the GEA of which is 13,500m². In this regard, against the aggregated figure of previously consented development at 48,213m², the proposals represent a 14.6% increase.

- The applicant justifies the proposed increase in height in paragraph 3.101 of Broad Street Mall Environmental Statement: Volume 1 - Chapter 3 Alternatives and Design Evolution “The maximum height of the buildings has increased during the design process of the Proposed Development from the Extant Consent. The maximum height presented in Pre-Application Meeting 1 was 135.250m AOD, however, following feedback from RBC which welcomed further increases in height, the height of the Proposed Development was increased to 142.855m AOD (Figure 3.8). The proposed AOD of the tallest tower is 142.855m, which is approximately 20m below the 163m of the tallest building of Plot C of the Station Hill Cluster”.

The applicant's justification for the height and scale increases over the development parameters is at odds with the very foundations of the UK's planning system. The determination of the development parameters and of planning policy were the result of following democratic due process and can't be overridden during private pre-application meetings.

Project Team Response: As noted, the MQAODF and Local Plan were produced and adopted/published in 2018, prior to changes to the NPPF which introduced updated, higher housing need requirements. The changes, which have subsequently been reinforced by the Labour Government and the 2024 NPPF Consultation Paper, are sought to more adequately meet housing need, deliver economic growth and promote sustainable development.

The site is centrally located within one of the UK's largest economic areas, is identified for tall buildings and has been subject to very significant technical due diligence to determine acceptability in terms of *inter alia* daylight and sunlight, wind and microclimate, heritage and townscape and wider amenity.

The proposals reflect an up to date and appropriate policy position, ensuring that optimal use of the best sites is made and that housing pressure is not unnecessarily transferred elsewhere.

- The applicant's development site sits between two conservation areas and next to the historic heart of Reading. This sensitive setting was given very careful consideration during the creation of the development framework and many interested parties were involved in helping to determine the development parameters by assessing the impact of building heights and scale.

Project Team Response: This is understood and the conclusions of the Heritage and Townscape Visual Impact Assessment recognise that there is less than substantial harm to local heritage assets against which the benefits of the development need to be weighed.

Recent advice in terms of the weight to be afforded to the determination of planning applications clearly identifies the primacy of housing delivery and use of brownfield land.

Notwithstanding this, changes have been made to the scheme to improve design and appearance, public realm and urban greening (including the rooftop car park) to provide wider attraction and benefit.

In addition, improvement to the affordable offer, agreement to review feasibility options for the decking/part-decking of the IDR and a commitment to meaningful, usable and substantial community public art (concept to be developed further to additional and wider local engagement) have been brought forward in response to comments provided.

- Reading's planning policy and the development framework need to be respected by all parties and due process needs to be followed. Applicants should adhere to planning policy or guidelines and planning officers should judge applications by it. The pre-application process should be used to help applicants adhere to planning policy regardless of external factors.

Project Team Response: The Council will need to consider existing and emerging planning policy when determining the application. This needs to be undertaken in an open, fair and objective manner.

- This proposal if consented would have a significant detrimental visual impact on the setting of the historic heart of Reading and on BSANA's conservation area, it would overshadow large parts of two conservation areas and dominate the skyline for miles around, it could also set a new precedent regarding the permitted height and scale of buildings in the entire Minster Quarter development area.

Project Team Response: The scheme has been subject to significant review by the public, Council and third parties, following lengthy technical due diligence to determine development parameters.

Emerging planning policy recognises the need for greater change to bring forward housing and economic growth, and it is not unsurprising to note that the application currently has more unsolicited letters of support than objection; it is clear, as it was at the public exhibitions, that local residents want to see change. The planning system is there to consider matters on a wider, strategic basis, i.e. what is beneficial to the Borough as a whole, taking into consideration current planning policy and relevant material considerations.

Open Space / Play Areas

- This application provides inadequate provision of open space and play areas for the proposed 644 dwellings and it fails to meet policy requirements.
- The development site sits in an area significantly deprived of public open space and play areas.

Project Team Response: there are no policy requirements governing open space and play areas within the Central Reading Area. Notwithstanding this, provision within the site has been made to ensure that all units are provided with 5.52m² of open or play space, separate to the external public realm for which informal play space is proposed, as set out in the DAS Addendum.

The amount of open and play space provided is consistent per unit with the extant consent, but has increased in size from 2,331m² to 3,555m² to factor in the increase in proposed dwellings. In addition, it is proposed to provide a significant contribution towards leisure and community/public art provision, both on site and in the locality.

Environment

- This application requires the demolition of the southern section of the BSM which carries with it a significant environmental cost. The development framework envisaged and the extant consented application was to build on top of the BSM without this demolition.

Project Team Response: For the reasons set out in the initial planning application, it is not possible to build the extant consent. This is in terms of the scheme not meeting the requirements of the Building Safety Act, but also the impact of the proposals on an

operational shopping centre, which would have needed to close given the location of cores through the existing car park ramp, southern entrance and Oxford Road (east) entrance.

The proposed scheme is more pragmatic, technically robust and ultimately deliverable. It also removes the unsightly and separate affordable block from the Oxford Road frontage, which was a significant failing of the earlier proposals.

Affordable Housing

- The proposal provides just 7.5% affordable housing which is a quarter of the 30% policy requirement. Reading has an acute lack of truly affordable housing, this application provides 145 fewer dwellings for key workers and for those on the social housing register. Meeting policy requirement helps create a proper mixed community.

Project Team Response: It is now proposed to provide 65 dwellings, which represents 10.1% affordable housing provision. These units will be provided at Local Housing Allowance rates, which is the Council's preference and the mix offered also more effectively meets identified need by providing almost 50% as larger 2 bed or 3 bed units, helping to meet family requirements.

Whilst the proposals are lower than that identified in policy, they are consistent with the extant consent and will deliver additional quantum given the higher levels of housing now proposed.

In addition, the affordable offer has been subject to viability review that recognises that the initial offer of 7.5% was the maximum offer capable of being accommodated by the development. A decision has been made to provide more affordable housing to Reading (10%) to reflect the outcome of post-submission discussions with stakeholders.

Finally, it is important to recognise the significant technical challenges and associated costs associated with the build process; the extant consent was not deliverable and the proposals need to enable residential development to come forward, whilst maintaining an operational shopping centre. The development driver in the first instance is the long-term health of Broad Street Mall. In this regard, the project is non-standard which needs to be recognised in the determination of the application.

Mitigation

- This proposal is for a large, gated community that sits within the centre of Reading, targeted at well paid professionals. The applicant seeks to impose significantly on Reading's skyline, but offers nothing in return for neighbouring communities and

to Reading as a whole. BSANA expects an open development that helps foster greater community cohesion and that offers substantial long-term benefit to the wider community of Reading.

Project Team Response: The scheme offers very significant benefits to existing residents, including the substantial rejuvenation of an area beset by urban decay and anti-social behaviour. The proposals will enable the long-term health of a significant shopping area used by locals, which will be enhanced by improved public realm, new programmable spaces and play space alongside a meaningful and diverse food and beverage offer. To respond more specifically to comments received, changes have been made to the rooftop car park to provide more urban greening and a community and public art strategy is being developed to determine how to engage a range of local groups, engender use of the new area (both during development and beyond) and to attract interest to the locality.

Potential Conflicts of Interest

- RBC has a long term lease on much of the applicant's development site and has selected the applicant as their development partner for their Minster Quarter development site. BSANA is concerned that the application may be viewed more favourably than if this relationship didn't exist, especially given the strategic importance of the Minster Quarter to RBC's own plans. Even with stringent safeguards in place it will be very difficult for planning officers to be entirely isolated from any unintentional undue influence whether external or internal. Only by adhering to planning policy and development parameters can this risk said to be truly mitigated, otherwise consideration should be given to independent scrutiny from a planning inspector/ombudsman.

Project Team Response: The Applicants for BSM and Minster Quarter differ. McLaren is providing a Development Management service to AEW, the owner of Broad Street Mall, whereas it will be the sole applicant at Minster Quarter, should this development progress. This position means that there are different site requirements and influences on decision-making, in much the same way as it would be should the Thames Valley Police HQ come forward, where discussions will be required between adjacent landowners.

Significant, open, pre-application engagement will be undertaken, including local stakeholder groups to determine the acceptability of those separate proposals and the Council will be arbiter of that process, taking into account current and emerging policy and relevant material considerations.

3. Changes to the NPPF and Standard Methodology

3.1. The latest changes to the National Planning Policy Framework (NPPF) reflect significant reforms aimed at addressing housing shortages and promoting economic growth and sustainable development.

3.2. The main changes of relevance to this application are to Chapter 5, Delivering a sufficient supply of Housing, Chapter 6 Building a Strong and Competitive Economy and Chapter 11 Making Effective Use of Land. Key changes are set out below.

- Paragraph 11d(ii) has been amended to identify that adverse impacts should have particular regard to promotion of sustainable transport and achieving well-designed places. Other impacts appear to hold less weight in the planning balance, which would echo recent appeal decisions and the general thrust of the NPPF as set out in Chapter 2, paragraph 4 of the consultation document (details provided earlier in this document)
- Paragraph 61 provides a stronger emphasis on meeting identified housing needs with no cap placed upon this.
- Paragraph 62 identifies a consultation on the standard methodology. The Council is currently reviewing the Local Plan in light of increased housing need placed on the Borough, which may increase should the Government's updated figures become more enforced:
 - The current Local Plan identifies delivery of 689 homes per annum, plus 10 homes to be found outside of the Borough boundaries
 - The Local Plan Update 2023 identified a housing need of 877 homes per annum, but is looking to provide between 735 – 800 homes per annum.
 - The 2024 updated methodology is seeking to impose a figure of 1,023 homes per annum.
 - It is noted that the Government wishes to make housing targets mandatory, in which case Local Authorities will need to demonstrate that they have taken all possible measures including *inter alia* optimising density and considering cross-boundary requirements before a lower housing requirement can be considered.

- The consultation paper places more emphasis on meeting the mix of affordable housing required to meet local needs across both affordable rent and home ownership tenures.
- There is more emphasis on building in economic resilience.
- Reference is also proposed to be added to enabling the promotion of sustainable travel modes.
- Importantly, changes to paragraph 122 (c) identify substantial weight to be given to the value of using suitable brownfield land within settlements for homes and other identified needs.
- On design, more emphasis is given to the balance of design quality and technical requirements, including landscape, highways and BNG.
- Transitional arrangements have been put in place to help guide Local Plan making, which will likely see further amendments to the ongoing Local Plan Update in Reading.

4. Planning Balance

- 4.1. The planning assessment is made in detail in the earlier Planning Statement and is not repeated here. However, the planning balance is considered to have significantly changed in light of the improvements made to the scheme, as set out in this document and the DAS Addendum, recent appeal decisions in the Borough and proposed changes to the NPPF and standard methodology dictating housing supply, economic growth and sustainable development that have come forward subsequent to the submission made in January 2024.
- 4.2. To reiterate the planning position in terms of built form and location, it is considered that whilst the proposals will create new height and visible buildings within a locality close to listed buildings and conservation areas, the positioning of built form is sufficiently separate to enable this to come forward in an acceptable manner. Further, the location is identified for tall buildings and the heights proposed are compatible with Policy CR10.
- 4.3. The future development scenario means that viewing of BSM will be taken in context of a changing town centre with more tall buildings, including some that occupy the foreground, as in the case of the proposed Minster Quarter buildings, when viewed from Gun Street, Castle Street and the Baker Street Area.
- 4.4. Post-Local Plan adoption iterations of the NPPF recognise that urban areas need to provide for more housing and that strong weighting should be given to housing delivery and use of brownfield land. Increases in the housing need required in the Borough will require more innovative and higher density approaches to be undertaken, whilst taking into account wider amenity and heritage matters. It is considered that the design approach has fully considered this and makes optimal use of an under-utilised, town centre site beset with anti-social behaviour issues and evidence of urban decay.
- 4.5. Further, recent appeal decisions, most notably by the Secretary of State in relation to the Aviva scheme, have identified the primacy of brownfield site use and housing delivery in terms of decision making.
- 4.6. The proposed development has many benefits and will act as a catalyst to the wider regeneration of the area and the adjacent town centre, delivering much-needed housing and positive change to the locality, whilst contributing to the sustainable, long-term viability of Broad Street Mall.
- 4.7. In this manner, the proposed development will provide a series of recognisable benefits that need to be given due weight in the Council's assessment:
 - Delivery of 644 much-needed homes;
 - Within this, a high proportion of larger 2 bedroom and 3 bedroom homes, in particular within the affordable offer (48%)

- Provision of a tenure-blind scheme, allowing all residents the same quality housing and access throughout the development.
- All homes to Nationally Described Space Standards.
- All homes with access to internal and external amenity spaces for relaxation, socialising and play.
- Ability to keep Broad Street Mall operational during construction, with the redevelopment making the shopping experience more attractive and sustainable.
- A visually-enhanced, landmark development that is constructed of higher quality, traditional materials and which marks a step change in the calibre of built form in Reading.
- Rejuvenation of Queens Walk and Dusseldorf Way, through significant planting, hardscaping, provision of street furniture and public art, making the area more accessible, community-inclusive, safe and welcoming.
- Significant planting and design improvement of the roof-top car park to assist outlook from the towers, Biodiversity Net Gain and Urban Greening.
- Provision of new town centre uses on the site frontage helping with surveillance, reducing anti-social behaviour and benefitting the adjacent Hexagon in terms of juxtaposition with complementary uses.
- Enablement of greater levels of town centre living, supporting local businesses and services and creating employment opportunity.
- Significant new tree and shrub planting and urban greening and associated biodiversity new gain.
- CIL and S106 contributions arising from the scheme towards a range of services, initiatives and on-site improvements, the detail of which is set out in the following section.

4.8. It is notable that the proposed development parameters, quantum, mix, units sizes, location of various tenures, affordable housing offer, open and play spaces and public realm all either match or exceed that previously consented under ref: 182037. In this regard, taking into consideration relevant precedent, current planning policy and the direction of travel of emerging policy, it is strongly contended that the weight to be given to matters in favour of the development substantially weigh those against and that the Council should approve the planning application.

5. CIL and Planning Obligations

- 5.1. The approach to CIL and S106 Obligations is set out in the earlier Planning Statement and is therefore not repeated here.
- 5.2. Discussions during the post-submission period have, however, helped to identify further local improvements considered either necessary or beneficial to ensure that both existing and incoming residents benefit from the development.
- 5.3. Taking this into consideration, it is now proposed for the Section 106 Agreement to secure obligations for the following in line:
- On-site affordable housing provision, currently proposed at 10% (65 dwellings) subject to ongoing viability review;
 - Employment and Training relating to the construction and operational phases of the Proposed Development;
 - Travel Plan;
 - Public Realm Improvements;
 - Provision of Community / Public Art;
 - Contribution towards Leisure facilities in the Borough;
 - Carbon Offset Levy;
 - Contribution towards NHS Services;
 - Commitment to provide a Feasibility Study into the provision of a pedestrian crossing over the IDR;
 - Other site specific mitigation measures required by the Environmental Statement; and
 - Monitoring and implementation.
- 5.4. The negotiation of the above detailed obligations will have regard to all relevant site specific constraints and considerations, any CIL liability and the overall viability of the Proposed Development.
- 5.5. These Draft Heads of Terms are provided without prejudice.

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