

DELEGATED APPLICATION REPORT

Ward: Caversham Ward

App Ref: PL/25/1020 Full planning permission

Address: LAND BETWEEN 75 AND 99 STAR ROAD CAVERSHAM, STAR ROAD, CAVERSHAM, READING

Proposal: Construction of a terrace of four 3-bedroom 2.5 storey dwellings, parking, and hard and soft landscaping.

Applicant: Virya Capital

Received date: 17/07/2025

Target Decision date: 27/10/2025

Case Officer: Ethne Humphreys

1. SITE DESCRIPTION

The site relates to an overgrown grassed area of land to the north of No.75 Star Road. The site is bound largely by 1.8m high fencing. The site previously formed part of the rear garden's of No's 75-79 Briant's avenue.

Star Road is narrow and relatively flat, although it rises slightly to the south towards Gosbrook Road.

The site is located in a predominantly residential area with the site surrounded by modest two storey terraced, semi-detached and detached dwellings. To the north of the site is a small supermarket shop.

The site is located within Flood Zone 3A and an Air Quality Management Area.

2. PROPOSAL AND SUPPORTING INFORMATION

This application seeks planning permission for the erection of a terrace of four 3-bedroom dwellings, parking, and hard and soft landscaping.

Materials would comprise:

Birch, tiles and upvc windows and doors

4 car parking spaces are proposed.

Plans and Documents considered:

Location Plan Drawing No.25001-PL400-A Rev A

Existing Site Plan Drawing No. 25001-PL140-A Rev A

Topographical Survey Drawing No. MIC/MBS0107 Rev.001

Proposed Site Plan Drawing No. 25001-PL240-A Rev A

Proposed Ground Floor Plans Drawing No. 25001-PL200-A Rev A

Proposed First Floor Plans Drawing No. 25001-PL201-A Rev A

Proposed Second Floor Plans Drawing No. 25001-PL202-A Rev A

Proposed Roof Plans Drawing No. 25001-PL203-A Rev A

Proposed Elevations Drawing No. 25001-PL220-A Rev A

Proposed Elevations and Section Drawing No. 25001-PL221-A Rev A

Air Quality Assessment prepared by accon uk environmental Consultants Ref.A5468/AQ/01

Biodiversity Metric Calculation Tool

Biodiversity Net Gain Plan prepared by STM Environmental Consultants Ltd Ref.ECO-2025-000007

Energy Statement prepared by focus 360

Flood Risk Assessment prepared by STM Environmental Consultants Ltd Ref.FRA-2025-000023

Preliminary Ecological Appraisal prepared by STM Environmental Consultants Ltd Ref.ECO-2025-000005

Sequential and Exceptions Test prepared by STM Environmental Consultants Ltd Ref.SEQ-2025-000002

Transport Assessment prepared by CTS Traffic + Transportation Ref.60071

Received 17 July 2025

Planning Statement prepared by Bell Cornwell Ref.4607

Received 1st September 2025

3. CONSULTATIONS

Internal Consultation Responses

- Ecology: OBJECT. Discussed below.
- Environment Agency: OBJECT. Discussed below.
- Environmental Protection. No objection subject to conditions. Discussed below.
- Natural Environment: OBJECT. Discussed below.
- Transport: No objection subject to conditions.
- Waste Operations: Comment on waste bins to be provided. Discussed below.

Neighbours

Three site notices were displayed around the site 19th September. One had appeared to have been removed that same day and another was displayed 26th September.

8 letters of representation have been received as follows:

- Loss of parking
- Lack of parking
- Increased flood risk
- Loss of existing natural soakaway
- Loss of daylight/sunlight
- Loss of privacy
- Lack of affordable housing
- Impact on amenity value of neighbouring homes
- Land ownership / rights of way
- Lack of consultation
- Construction work disruption
- Previous planning history (refusal)

Correspondence with applicant

The applicant was advised of concerns relating to the proposals and given the opportunity to withdraw the application. These concerns included:

cramped overdeveloped nature of the proposals

the bulky incongruous design

insufficient amenity space for future occupiers

insufficient soft landscaping / lack of information relating to existing trees

impact on biodiversity / BNG

unacceptable flood risk assessment

lack of affordable housing contribution

The applicant was advised that due to the wide-ranging nature and number of significant concerns with the proposals, revised plans would not be invited on this occasion. This is essentially because the concerns

are so wide-ranging that any revised scheme (that may be considered acceptable) would be significantly different to that already addressed and therefore require a complete re-assessment of the proposals.

Notwithstanding the above, the applicant submitted revised plans 20th October. These amendments were not invited and therefore no consultation has been undertaken. The following assessment is based on the original submission as set out in section 2 above.

Equality Act 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

3 RELEVANT PLANNING HISTORY

070313 – Outline planning application for the erection of 4 dwellings (2 x 2 bed semi-detached) – Refused and dismissed on appeal. This was refused due to lack of acceptable flood risk assessment, lack of sequential and exception test, poor design and lack of appropriate financial contributions. The Planning Inspectorate agreed with flooding issues.

060958 - Erection of 5 new dwellings (4 X 2-bed, 1 X 1-bed). Withdrawn.

4 LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development', which means 'approving development proposals that accord with an up-to-date development plan without delay' (NPPF paragraph 11).

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework (2024)

The following NPPF chapters are the most relevant (others apply to a lesser extent):

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

National Planning Policy Guidance (2014 onwards)

Reading Borough Local Plan 2019

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change

CC5: Waste Minimisation and Storage

CC6: Accessibility and the Intensity of Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity
CC9: Securing Infrastructure
EN12: Biodiversity and the Green Network
EN14: Trees, Hedges and Woodland
EN15: Air Quality
EN16: Pollution and Water Resources
EN18: Flooding and Drainage
H1: Provision of Housing
H2: Density and Mix
H3: Affordable Housing
H5: Standards for New Housing
H10: Private and Communal Outdoor Space
TR1: Achieving the Transport Strategy
TR3: Access, Traffic and Highway-Related Matters
TR5: Car and Cycle Parking and Electric Vehicle Charging

RBC Supplementary Planning Documents

Affordable Housing SPD (2021)
Revised Parking Standards and Design SPD (2011)
Revised SPD on Planning Obligations under Section 106 (2019)
Sustainable Design and Construction SPD (2019)
Reading Tree Strategy (2021)
Biodiversity Action Plan (2021)

Other relevant documentation / guidance / legislation

National Design Guide: Planning practice for beautiful, enduring and successful places (2019)

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice is that the Local Plan policies listed above remain in accordance with national policy – and that the objectives of those policies remain very similar in the draft updated Local Plan – other than Policy H1 which is now out of date. In this respect, regard will be had to national policy.

5 APPRAISAL

Land Use and Flood Risk

Policy EN18 (Flooding and Drainage) sets out the planning permission will not be granted for development that would increase risks arising from flooding.

The site is within Flood Zone 3a, which in accordance with the NPPG is considered as having a ‘high probability’ of fluvial flooding and residential use is classified as a ‘more vulnerable’ use.

As noted in the recently updated NPPG, the sequential test should be applied to 'non-major' development proposed in areas at risk of flooding (such as this), as set out in paragraphs 173 to 174 of the NPPF 2024. The NPPG notes that in applying paragraph 175 a proportionate approach should be taken. It states the following:

Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied

Further to the above, a Flood Risk Assessment has been submitted. The Environment Agency has raised an objection to the proposals, confirming that the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. As such, the FRA does not adequately assess the flood risks posed by the development. In particular, the FRA fails to ensure that the development will not increase flood risk elsewhere because it does not provide suitable floodplain compensation. This is contrary to paragraph 181 of the NPPF.

The FRA states that 'underfloor voids will be implemented to minimise flood plain displacement.' The Environment Agency has confirmed that voids are not an appropriate form of mitigation in accordance with paragraph 049 of the Planning Practice Guidance, which states stilts and voids 'should not normally be relied upon for compensating for any loss of floodplain storage'. This is because voids do not allow water to freely flow through them and can get silted up and/or blocked.

Little is said about access and egress other than flood zone 1 is available by a 5 minute walk.

Given the above, the proposals do not demonstrate “clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere” and the sequential test is applied.

The Sequential Test seeks to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required. Within each flood zone, surface water and other sources of flooding also need to be taken into account in applying the sequential approach to the location of development.

The submitted Sequential Test carried out by the applicant has been limited to the Caversham Area. However, the test should reasonably include areas south of the Thames given the proximity and accessibility. Notwithstanding this, there are reasonably available sites at a lowest risk of flooding within the Caversham area that could accommodate the proposed development. For example, Hemdean House School CA007 on the Council's Strategic Flood Risk Assessment which has recently been sold and now appears reasonably available and St Martins Precinct CA001 which the HELAA identifies as deliverable.

It is noted in the applicant's own Sequential Test that 3 sites were discounted as 'it was considered that the exception test would be unlikely to be fulfilled based on the distance to safe areas outside Flood Zone

3'. However, as also noted in their FRA, access to Flood Zone 1 is a 5 minute walk away from the proposed development which is also a considerable distance which would require 5 minute walking time through an area of flood risk.

It has not been demonstrated that there are no other reasonably available sites at lower risk of flooding within the Borough that could accommodate 4 dwellings and the Sequential Test is not passed.

Even if the sequential test was considered to have been passed (it has not), the Exception Test would need to be satisfied. The Exception Test requires both that the development would provide wider sustainability benefits to the community that outweigh flood risk and also the preparation of a site specific flood risk assessment which demonstrates that the development would be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere. As discussed above, the flood risk assessment is not considered to be acceptable. Given this and other issues raised, the proposals are not considered to provide wider sustainability benefits that would outweigh identified harm in respect of flood risk.

However, it is worth noting that in terms of flood risk, the HELAA calculates that making greater use of sites in Flood Zone 3a where the indications are that the Exception Test would not be passed, generally because of the inability to secure safe access to areas outside Flood Zone 3a, would deliver an additional 105 homes over the plan period, a small contribution that could have significant flood risk implications. Therefore, use of these sites would likely be contrary to paragraph 170 b) of the NPPF, which states that:

“the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

The proposal is, therefore, considered to be contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 173 and 174 of the NPPF 2024 and the NPPG. Notwithstanding this fundamental principle objection, the following sections assess the proposal against other policy considerations.

Affordable Housing

In accordance with Policy H3 (Affordable Housing) the proposed development, being for 4 additional dwellings, would be liable for an off-site affordable housing contribution equivalent of 10% of the GDV of the development. This is in order to meet identified housing needs and to contribute towards sustainable, inclusive and mixed communities. There is a significant shortfall in provision of Affordable Housing compared with identified need.

The Planning Statement originally noted that “the applicant can confirm that they are amenable to this approach and providing details of development GDV”. However, when further details were requested in this respect the applicant confirmed they would be submitting a viability assessment and the planning statement updated removing the previously advised statement. Whilst this was subsequently submitted, it has not been formally reviewed by the Council’s Valuer. This is due to initial advice from the Valuer confirming that in light of the current use as scrubland with nil EUV, coupled with the development being presented as unviable regardless of whether Policy H3 is applied at policy compliant levels or with zero affordable housing, there is still a deficit present.

The applicant was advised that the weight to be given to the weight of the viability assessment at application stage is a matter for the decision maker. The applicant was advised of officer concerns that the viability assessment presented suggests an economically irrational approach in proceeding with a development without the prospect of any return on investment.

The applicant confirmed that notwithstanding that the FVA demonstrates the development cannot provide the required affordable housing contribution, that they would be open to discussing a negotiated position to a financial contribution towards affordable housing. Should the application have otherwise been

considered acceptable, such discussions could have taken place. However, as the proposal is not considered acceptable in other planning terms, the Council has not pursued the S106 legal agreement to secure the financial affordable housing provision.

The need for general housing (i.e. not Affordable Housing) is a consideration, however, it is not considered sufficient to outweigh the harm that would result in terms of failure to meet the critical need for Affordable Housing within Reading Borough and the associated need to provide for sustainable and inclusive mixed and balanced communities.

The proposal would, therefore, be contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and paragraph 64 of the NPPF 2024.

Design Considerations

Policy CC7 (Design and the Public Realm) aims to preserve or enhance the character of the area in which a development is in terms of layout, landscape, density, scale, height, massing, architectural detail and materials. Policy H10 (Private and Communal Outdoor Space) states that the design of outdoor areas will respect the size and character of other similar spaces in the vicinity.

Paragraph 96 of the NPPF 2024 states that decision should aim to achieve healthy, inclusive and safe places and beautiful buildings.

Paragraph 129 of the NPPF 2024 states that decisions should support development that takes into account the importance of securing well-designed, attractive and healthy places.

Paragraph 131 of the NPPF 2024 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 135 of the NPPF 2024 details that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character including the surrounding built environment.

Paragraph 136 of the NPPF 2024 details that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Paragraph 139 of the NPPF 2024 details that development that is not well designed should be refused.

The National Design Guide identifies 10 key components for good design and of particular note is the characteristic of 'Context' and it states that "well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It should enhance positive qualities and improve negative ones." Additionally, there is specific reference to 'views inwards and outwards'.

Due to the current context and the corner location, there is a distinct openness to the site. In contrast to this existing character, the proposals would dominate the site visually and appear cramped particularly to the north and east boundaries as can clearly be seen on the proposed site plan. The proposals would result in much narrower and smaller plots than others in the vicinity and a tighter pattern of development when compared to the prevailing character of the area resulting in an unduly intense form of development. There would be insufficient space at the front of the site for landscaping to soften the frontage and combined with the hardstanding, bin storage and bike storage, this would have a stark appearance.

In design terms, the proposals would be substantial in terms of the width, depth and height. The proposed houses would appear bulky, due to the scale exacerbated by the deep flank elevations and large bulky top heavy flat roof rear dormer windows - across the entire rear of the site – and proximity to the main road.

The proposals would introduce a dominant and incongruous form of development – particularly in views from the north and west – within a prominent location which would neither be in keeping with the character of the area nor would it enhance the street scene. Consequently, the proposal would be of a considerable bulk and mass that would not sit comfortably near the surrounding buildings which in general are not so substantial.

In overall terms, the proposals do not represent a suitable layout and would be an overdevelopment of the site. Combined with its bulky and dominant appearance the proposals would fail to positively contribute towards the area. The scheme would not have an appropriate relationship with the existing built form in the surrounding area and indeed would appear imposing given the change in site levels and height proposed. As a result of the cramped layout there would be inappropriate spacing and setting around buildings, insufficient amenity space and limited space for meaningful landscaping due to the cramped and overdeveloped nature of the proposals.

It would appear that there is only stepped access to the dwellings. This is not a good design solution in terms of equality of access.

The proposals would be contrary to Policies CC7 and H10 of the Reading Borough Local Plan 2019 and paragraphs 96, 129, 131, 135 and 136 of the NPPF 2024.

Mix

Policy H2 (Density and Mix) states that residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6, in particular for family homes of three or more bedrooms.

The proposal is for 4 x 3 bed units which is acceptable.

Natural Environment – Trees/Landscaping

Policy EN14 (Trees, Hedges and Woodland) seeks to extend the Borough's vegetation cover and that development should make provision for tree planting whilst Policy CC7 (Design and the Public Realm) seeks proposals should include appropriate landscaping. Given that the site is also located within an Air Quality Management Area, tree retention and planting is a high priority and proposals should demonstrate an appropriate level of greening and/or net gain in the tree number.

There are trees adjacent to the site which are not acknowledged in the submission despite being illustrated on the Topographical survey clearly showing these. No information has been submitted to demonstrate no harm to these trees. The proposed site plan illustrates tree planting along the rear boundaries of the gardens. Whilst this is positive, no details have been provided. The Council's Natural Environment Officer has confirmed that a more comprehensive landscape plan is required to then be able to secure clear landscape principles by way of condition should the application have otherwise been considered acceptable. A tree survey is also required.

The applicant considers that as there are no trees on site, there is no requirement to provide a tree report, survey or protection plan. The Council's validation checklist makes clear that any trees (on or off-site) within 15m of any part of the proposals should be plotted (trunk, canopy spread and RPA). As indicated, there are tree adjacent to the site. It is a reasonable requirement to ensure adjacent trees are properly considered.

The agent also considers that details of proposed planting could be secured by condition. When development leads to a loss in soft landscaping, this loss should be appropriately mitigated. It is also important for tree numbers and landscape principles to be secured at application sates, even if details are secured via condition. It is currently unclear what is being proposed, and the proposals fail to demonstrate acceptable provision of soft landscaping with consequent harm to visual amenity, biodiversity, the character and appearance of the area, biodiversity and environmental quality of the area.

The proposal is contrary to Policies CC7, EN12, EN14 of the Reading Borough Local Plan 2019 and the Council's Tree Strategy 2021 and paragraphs and paragraphs 135 and 136 of the NPPF 2024.

Ecology

Policy EN12 (Biodiversity and The Green Network) requires that new development should provide a net gain for biodiversity where possible and should incorporate biodiversity features into proposals where practical.

An ecology report has been submitted to support the application. The Council's Ecologist has confirmed that this report has not been undertaken to an appropriate standard and is not sufficient to demonstrate acceptability in this respect.

The report does not include locally relevant Priority species (for example hedgehog), contains outdated policy and legislative references, lacks a Phase 1 habitat map which is contrary to best practice guidelines and includes unsupported or exaggerated species assessments (for example it states "*medium risk*" for bats within bramble scrub). There are also multiple quality-control issues (inaccurate footnotes, and references to other sites) which raise concerns about the findings of the report.

Biodiversity Net Gain

The proposals are subject to mandatory Biodiversity Net Gain (BNG) requirements as well as local policy (Reading Borough Local Plan Policy EN12), which states: "*On all sites, development should not result in a net loss of biodiversity.*"

A BNG calculation has been submitted indicating that the proposed development would result in a net loss of -0.45 habitat units, equivalent to --91.28%, which represents a substantial loss for a site of this size. The proposals require the removal of all the scrub, a habitat of medium distinctiveness, which would be replaced by buildings, paving, and gardens. According to the BNG hierarchy, habitats of medium or higher distinctiveness (as in this case) must be retained unless there is a compelling justification for their loss. Furthermore, the BNG calculation does not satisfy the required trading rules, in that the proposals fail to meet the specific requirements for compensating for loss of biodiversity.

Policy EN12 of the Reading Local Plan (2019) requires that development does not result in a net loss of biodiversity and that wherever possible, it provides a net gain. Existing habitats should be protected, enhanced and integrated into the proposals wherever practicable and opportunities for ecological enhancements (such as tree planting, ponds, bird and bat boxes wildlife friendly landscaping) etc should be pursued. Assuming the loss of the entire scrub area is unavoidable, the developer has gone straight to an off-site compensation for the loss of biodiversity as there does not appear to be any evidence that retention of existing habitats or any on site biodiversity enhancement measures have been considered. These measures would help mitigate the large loss of biodiversity.

The applicant has stated that the BNG assessment concludes that with the exception of an area of 0.06ha mixed scrub all the remaining site is of low to very low distinctiveness, further stating that the BNG regulations do not seek to retain moderate mixed scrub on site and accepts that where there is a loss then this can be appropriately compensated through the purchase of off-site credits which can be secured by condition.

Their own BNG assessment classifies the bramble/mixed scrub as 'medium, distinctiveness'. Their comment above now states that the site is of low distinctiveness with off-site compensation being acceptable. This is in contradiction with the BNG metric they have already submitted. Whilst it is a brownfield site, brownfield habitats can often provide considerable biodiversity value supporting birds, invertebrates and mammals and provide important habitat connectivity across the landscape – and particularly this one which been undisturbed for numerous years.

According to the BNG Hierarchy, medium distinctiveness habitats must be replaced like-for-like on-site wherever feasible, with off-site measures only considered as a last minute resort. The applicant appears to be downplaying the habitat's distinctiveness and by doing so are misrepresenting and underestimating the ecological value already established in their own metric.

This is contrary to Policy EN12 of the Reading Borough Local Plan 2019 and paragraphs 192 and 193 of the NPPF 2024.

Amenity of Future Occupiers

Policy H5 (Standards for New Housing) seeks that all new building housing is built to high standards and Policy H10 (Private and Communal Outdoor Space) seeks that residential developments are provided with adequate private or communal outdoor amenity space.

The dwellings would comply with the National Space Standards and Policy H5 in terms of size. The bedrooms would largely all be regular in shape, with sufficient outlook and light levels.

As above, the garden sizes would result in uncharacteristically small rear gardens and when compared to the prevailing gardens in the locality. Furthermore, given the small size of the gardens, there would also be increased pressure to prune proposed trees indicated, and this further compromises functional useable space. This further highlights the cramped and overdeveloped nature of the proposals.

The agent has stated that the Council does not have a policy which sets out size standards for private gardens. The agent has further stated that the proposed trees would be appropriate for the size of the garden.

Policy H10 is clear that the design of outdoor areas will respect the size and character of other similar spaces in the vicinity. The subtext at para 4.4.87 also states that houses should provide private outdoor space no less than the gross floor area of the dwelling to which it relates. This is not the case with the proposals. As no landscape principles have been submitted, it is not possible to confirm there would be no tension between the management of proposed trees and the living conditions of future occupiers.

The site may be impacted by some noise from the Co-Op to the north (plant noise, car parking, deliveries). However, the proposed dwellings would be no closer than existing properties and would not be oriented to face the store. The Council's Environmental Protection Officer has confirmed that a noise assessment is not required.

Should the application have otherwise been acceptable and in order to help ensure future residents maintain sufficient amenity space a condition would have been attached removing PD rights in relation to Class A (enlargement improvement or alteration), B (roof additions) and Class E (outbuildings).

The proposal is contrary to Policies CC7 and H10 of the Reading Borough Local Plan 2019 and paragraphs 124 and 129 of the NPPF 2024.

Environmental Health Matters

Policy EN16 (Water Resources) requires that developments on land affected by contamination be satisfactorily managed or remediated against so that it is suitable for the proposed use.

The site is derelict of unknown condition, and the proposals may introduce new pollutant linkages between contaminated land and sensitive receptors at the site. The Council's Environmental Protection Officer has confirmed that a contaminated land assessment is required. However, it is considered that this could have been dealt with by way of condition, should the application have otherwise been considered acceptable.

Impact on Neighbouring Amenity

Policy CC8 (Safeguarding Amenity) which requires developments to not cause a detrimental impact on the living environment of existing properties in terms of: Privacy and overlooking; Access to sunlight and daylight; Visual dominance and overbearing; Harm to outlook; Noise and disturbance; Artificial lighting; Vibration; Dust and fumes; Smell; and Crime and safety.

There would be a distance of 20m from the proposed dwellings (at upper floor level) to the properties of Briants Avenue to the rear (west) of the site. This is acceptable and complies with the recommended back-to-back distance stated in Policy CC8. Given this distance, no material overbearing effects or loss of privacy is considered to arise.

Similarly, given the distance to No.75 Star Road to the south, and the proposed siting to the north, no material overbearing impacts are considered to arise. Concern has been raised by occupiers of No.75 Star Road that the houses would overlook No.75 Star Road, reducing privacy. No first-floor windows are proposed facing No.75 and this could have been conditioned had the application otherwise been supportable. The first-floor rear windows would face down the application site and any views of No.75 Star Road would be at an obscure angle. This is a normal arrangement comparable to other surrounding residential development. No material loss of privacy is considered to arise.

Concern has been raised by occupiers on the east side of Star Road (opposite the site) that due to the height of the terrace, it would result in a loss of daylight and sunlight and direct overlooking to front facing rooms. Whilst the proposed terrace is considered imposing in design terms, the front-to-front distance would not be an uncommon relationship and would not be too dissimilar to other front-to-front relationships within the street. The dwellings would incorporate a set back from the main road and whilst clearly visible, they are not considered to result in any significant material loss of light or overbearing effect to warrant a refusal on this basis.

The construction phase of the proposed development would also have potential to impact on the amenity of surrounding occupiers. Should the application have otherwise been acceptable, conditions would have been recommended to secure a submission and approval of a construction method statement and to control construction hours to mitigate potential noise and dust impacts on the surrounding area.

Transport Issues

Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking relates matters relating to development.

The site is located within Zone 2, Primary Core Area of the Council's adopted Parking SPD. This zone directly surrounds the Central Core Area and extends to walking distances of 2 kilometres from the centre of Reading. Typically, this zone is well served by public transport, with buses continuing either into or out of the Central Core Area via this zone.

In accordance with the Council's current Parking Standards and Design SPD each 3 bedroom dwelling would require 2 off street parking spaces. The proposal includes 1 car parking space per dwelling which falls below the Council's adopted standards.

The applicant has provided supporting information in the form of census data supporting a lower provision. Car ownership is 1.13 average per dwelling, and the Council's Transport Officer has confirmed that the provision of 1 car parking space per dwelling is considered acceptable for this development given its sustainable location with the nearest bus stops to the site on Briants Avenue (southbound) and Donkin Hill (northbound).

Concern has been raised in representation that the proposals would result in the loss of parking on the road immediately adjacent the site. Transport Officers have confirmed that any parking along this side of the road is currently taking place on the footway - creating an obstruction to pedestrians. As such, this cannot be accepted as a loss of car parking.

Water run-off from a private property onto the public highway is not permitted, and appropriate method of drainage would need to be provided within the property curtilage including the use of suitable permeable surfacing materials. Should the application have otherwise been considered acceptable, further details would have been secured by way of condition.

The plans do not illustrate vehicle access, street signage and location of telegraph pole located on the site's boundary. The proposed dwellings have steps, walls and storage areas adjacent to the parking areas that would appear to obstruct visibility for vehicles; however, visibility splays for each access location have not been shown. This could result in a hazard to road users. The proposal is, therefore, contrary to Policies TR3 and TR5 of the Reading Borough Local Plan 20219 and paragraphs and paragraphs 109, 115 and 117 of the NPPF 2024.

The plans should illustrate electric vehicle charging points for each dwelling. This could have been dealt with by way of condition had the proposals otherwise been considered acceptable.

In accordance with the Council's current standards a minimum of 2 cycle spaces per dwelling would be required. The plans illustrate 2 of the proposed dwellings with internal cycle storage and 2 with storage located at the front of the property. Whilst a location at the rear of the properties might be secure, the proposed provision itself is considered acceptable.

A bin storage area has been illustrated at the front of each property allowing for kerb side collection which is acceptable (notwithstanding concerns raised above in this respect).

The construction phase of the proposed development would be likely to impact the surrounding highway network given the prominent location. Should the application have otherwise been considered acceptable, a condition would have been attached to secure submission, approval and implementation of a detailed Construction Method Statement.

Sustainability

Policy CC3 (Adaptation to Climate Change) requires that development proposals incorporate sustainable design practices to take account of climate change. Policy H5 (Standards for New Housing) requires that all new housing is be built to the higher level of water efficiency standards under Building Regulations and achieves at a minimum a 19% improvement in the dwelling emission rates above the Building Regulations standards.

An Energy Statement has been submitted. This details the use of low carbon technologies, low energy lighting provision and control systems for water heating and a water efficiency strategy. The statement also indicates the use of solar panels and air source heat pumps. SAP documents have been submitted which indicate a 19% improvement over building regulations energy requirements. This is appropriate and acceptable. Should the application have otherwise been acceptable, conditions would have been recommended to ensure the development meets the following requirements:

- Higher water efficiency standards of 110 litres per person per day; and
- A 19% improvement over building regulations energy requirements

Although secured by planning condition, these new requirements would have been administered through the Building Regulations, with confirmation of compliance submitted to the LPA to discharge the condition.

CIL

The proposal would be a Community Infrastructure Levy (CIL) liable development. The applicant has provided the CIL Additional Information Form. Based on the information provided by the applicant and the 2025 CIL rate, this is estimated to amount to £82,303,70 (447.4m² of the proposals x £120 per m² x 2025 indexation (£183.96)). If the scheme had been acceptable an informative would have been attached to the decision notice to advise the applicant of their responsibilities in this respect.

Other matters raised in representation

All material considerations have been addressed in the above appraisal.

- 3 Site Notices were displayed around the site.
- Property value is not a material planning consideration.
- Whilst the concerns of local residents in terms of the disruption including noise and dust that may be caused by the construction works are noted, it is not the planning system's role to obstruct development on this basis. Inevitably, any construction works may lead to some temporary disruption. Ordinary, the requirements of Environmental Health legislation would seek to limit any harm so far as reasonably practicable. A standard informative would have been added to any permission to draw this matter to the attention of the applicant. Furthermore, a condition would have been included requiring method of construction statement to be approved prior to commencement of works to minimise any such disruption.
- Boundary disputes, other property rights and rights of way are not a material planning consideration.

6 OVERALL PLANNING BALANCE AND CONCLUSION

The application has been carefully considered in the context of the Reading Borough Local Plan 2019, the NPPF 2024 and the NPPG.

With regard to the status of the Local Plan:

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. The submission draft of the Local Plan Partial Update was submitted on 9th May 2025. Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become "out of date" when they are five years old. It is considered in respect of the Local Plan policies pertinent to this application that they remain in accordance with national policy (other than Policy H1) and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be 'out of date'

in terms of the status of the Local Plan, para 11 of the NPPF sets out a framework for decision making where policies are considered out of date:

For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Footnote 7 confirms that *“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”*

Of particular importance, in respect of the current proposal, is flood risk.

The Council's view that the relevant policies of the Local Plan are not out of date, nevertheless, for completeness, the 'tilted balance' engaged by paragraph 11 of the NPPF is addressed above.

It is acknowledged that there would be some planning benefits associated with the proposed development, such as the provision of 4 dwellings to assist with the Borough housing targets. However, this is a general benefit and not specific to the site and other housing land is available. There would also be some economic benefit during construction.

In contrast, it is clear from the assessment above that the proposals would represent a cramped overdevelopment of the site, harmful to the character of the area.

It has not been demonstrated that the proposals pass the Sequential Test and nor has it been demonstrated that future occupiers would be safe during a flood event.

The impact on biodiversity and insufficient soft landscaping are further shortcomings.

The proposals would offer inadequate standards of residential amenity for future occupiers in terms of outdoor space and acceptable visibility for car users has not been proven.

In addition, the proposals do not make adequate provision for affordable housing with consequent harm to meeting housing need and the aims of achieving sustainable mixed and balanced communities.

It is considered that the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the Reading Borough Local Plan 2019 and NPPF 2024 taken as a whole.

On this basis, even if relevant policies were considered out of date (they are not) the provisions of NPPF paragraph 11 still do not support the grant of permission in this particular instance. The benefits of the scheme are largely general in nature and would be capable of being provided within a better-designed scheme. It is, therefore, not essential that this proposal is approved in order to realise these benefits. Even when taking the benefits at face value, it is apparent that the substantial degree of harm identified across a range of matters would significantly and demonstrably outweigh the benefits when considered against the Reading Borough Council Local Plan 2019 and the NPPF 2024 - having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

7 RECOMMENDATION

The proposals are recommended for refusal on this basis for the following reasons:

1. It has not been demonstrated that there are no alternative sites at lower risk of flooding that should be developed in sequential preference to the application site. The proposal is, therefore, contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 173 and 174 of the NPPF 2024 and the NPPG.

2. The proposed development has failed to demonstrate through an adequate flood risk assessment how occupiers of the site and also those of the surrounding areas would be kept safe from flood hazards associated with the development, leading to an unacceptable risk to the health and safety of future occupants in a flood event. The proposal is therefore contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 173 and 174 of the NPPF 2024 and the NPPG.
3. The proposed development, due to its excessive scale and plot coverage would represent a cramped overdevelopment of the site which fails to accommodate built form and landscaping in a manner that enhances the character and appearance of the area. This harmful arrangement together with the visual prominence of the site would result in harm to the street scene and character of the area. The proposal is, therefore, contrary to Policy CC7 of the Reading Borough Local Plan 2019 and paragraphs 96, 129, 131, 135 and 136 of the NPPF 2024.
4. The proposed development, due to the excessive scale and bulky form of buildings would represent an unattractive, imposing and visually stark appearance that would detract from and fail to enhance the character and appearance of the area. The proposal is, therefore, contrary to Policy CC7 of the Reading Borough Local Plan 2019 and paragraphs 96, 129, 131, 135 and 136 of the NPPF 2024.
5. The proposed development, due to the cramped size of the gardens combined with overshadowing from trees, would not provide adequate and functional outdoor private amenity space for future occupiers with consequent harm to their amenity. This would be contrary to Policies CC7 and Policy H10 of the Reading Borough Council Local Plan 2019 and paragraphs 124 and 129 of the NPPF 2024.
6. The proposed development fails to demonstrate lack of harm to existing adjacent trees and fails to demonstrate acceptable provision of tree planting and other soft landscaping with consequent harm to the visual amenity, biodiversity and environmental quality of the area. The proposal is, therefore, contrary to Policies CC7, EN12, EN14 of the Reading Borough Local Plan 2019 and the Council's Tree Strategy 2021 and paragraphs and paragraphs 135 and 136 of the NPPF 2024.
7. The proposed development has failed to demonstrate a biodiversity net gain (BNG) within the site or off site. Furthermore, in the absence of evidence to the contrary, as the proposals are likely to result in a net loss of biodiversity within the site, and there are no exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, off site compensation for the loss of biodiversity would not comply with the Biodiversity Net Gain Hierarchy. The proposal would, therefore, fail to comply with Policy EN12 of the Reading Borough Local Plan 2019 and Paragraphs 192 and 193 of the NPPF 2024.
8. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable mixed and balanced communities. The proposal is, therefore, contrary to Policies H3 and CC9 (Securing Infrastructure) of the Reading Borough Local Plan 2019 and the Council's Affordable Housing Supplementary Planning Document 2021 and paragraph 64 of the NPPF 2024.