

Response to Officers' Recommended Reasons for Refusal

Napier Court – Application Ref: PL/24/0846

No.	Reason for refusal	Comment/Response by Applicant	Amended Document/Plan reference
1.	The proposed development, by reason of its failure to provide Affordable Housing either on or off-site via a completed legal agreement fails to address the housing needs of Reading Borough, contrary to Policies H3, H4 and CC9 of the Reading Borough Local Plan (2019), the Council's Adopted Supplementary Planning Documents on Affordable Housing (2021) and Planning Obligations under Section 106 (2015) and paragraphs 9, 11, 12, 39, 48, 56, 58, 59, 61, 63 and 64 of the National Planning Policy Framework (December 2024 as amended).	The Applicant has previously provided a robust Planning Position and benefits statement with supporting appendices including an Economic and Housing Benefits statement and robust Housing Need and supply assessment, a relevant appeal decision and a Policy compliance submission. This notes that the Council have a significant and critical housing supply shortfall. The latest published housing land supply assessment of the LPA is contained in the AMR of January 2026 which identifies a 3.55-year land supply over the period 1st April 2025 to 31st March 2030 (2025–30). Pegasus Group's Housing Need and Supply assessment demonstrates that once the housing requirement is calculated in accordance with national guidance, the LPA would identify a 3.51 year land supply with a shortfall of 1,586 homes. However, once the supply is assessed in accordance with national policy and guidance, there is actually a 2.62 year land supply with a shortfall of 2,524 homes. The statement confirms that the application scheme will deliver a significant quantum of housing – 570 units, on a previously developed land site, that is allocated for housing in the current Local Plan and the emerging Partial Update plan, with units relied upon by the Council for their housing land supply assessment. The Officer's Committee report does not place the degree of weight to the schemes ability to assist in meeting that significant shortfall, even without affordable housing, which is supported by a robust viability assessment. It	N/A

		also does not acknowledge the supporting text to Policy H4 which states that: It is the applicant's position that this reason for refusal is fundamentally flawed and does not reflect National Planning Policy, guidance and Local Plan policy requirements.	
2.	The proposed development fails to demonstrate that it would adequately safeguard land for future Mass Rapid Transit/Bus Rapid Transit, harmful to the strategic major transport projects aims of the Borough and contrary to Policies TR1, TR2, CR11 and CR11i of the Reading Borough Local Plan (2019), and paragraphs 109, 115 and 117 of the National Planning Policy Framework (December 2024, as amended).	Following receipt of the late Reading Borough Councils Transport officers' comments on the 31 March 2026 the applicant has amended the scheme to demonstrate that the scheme will safeguard the future Mass Rapid Transit/Bus Road Transit. These amendments address the Transport officers' comments and as such this refusal reason is not substantiated.	Updated TA/ Transport Technical note, updated DAS and drawing pack – see updated drawing and document schedule issued alongside this note.
3.	The proposed development fails to demonstrate that Active Travel implications have been adequately considered and therefore the Local Planning Authority are unable to determine whether the additional pedestrian and cycle movements generated by the proposal would adversely affect the safety and flow of users of the existing Highway network within Reading. This is contrary to Policies TR1, TR3 and TR4 of the Reading Borough Local Plan (2019), paragraphs 109, 115 and 117 National Planning Policy Framework (December 2024, as amended).	It should be noted that throughout the determination of the scheme the requirement for an Active Travel England (ATE) toolkit assessment has not been raised until the receipt of the last RBC Transport officers comments received on the 31 March 2026. In response an ATE assessment has been undertaken and illustrates the highly sustainable nature of the site and its exemplary connectivity. It should also be noted that ATE have not objected to the scheme. Furthermore, amendments to the scheme have further enhanced pedestrian/Cycling connectivity within and out with the site, which accord with LTN 1/20 and Local and National Planning policy.	Updated Transport Assessment with ATE toolkit assessment appended



4.	The proposed development does not comply with the adopted standards of the Local Planning Authority in respect of the design of the proposed footway/cycle to the front of the site along Napier Road. The proposal fails to demonstrate that satisfactory high quality design and form of the pedestrian and cycle route can be provided which would be detrimental to pedestrian and cyclist safety and fail to facilitate greater pedestrian and cycle permeability within the Station/River Major Opportunity Area. This is contrary to Policies TR1, TR3, TR4, TR5 and CR11 of the Reading Borough Local Plan (2019), paragraphs 109, 115 and 117 of the National Planning Policy Framework (December 2024, as amended).	The scheme has been amended to address the last comments, 30 March 2026 from RBC's Transport officer. The amendments ensure that the pedestrian and cycle routes do comply with adopted standards and the Policies reference in the proposed refusal reason.	Highway Technical Note and updated TA/ Plan amends and updated DAS
5.	The proposed development fails to demonstrate that adequate provision for cycle parking has been made to meet the Council's adopted standards for a development of this size and type thereby failing to provide adequate sustainable transport options for future occupiers. This is contrary to Policies TR5 and CC7 of the Reading Borough Local Plan (2019), paragraphs 109, 115 and 117 of the National Planning Policy Framework (December 2024, as amended).	Section 7.5 of the DAS sets out the cycle parking provision in detail including design detail to demonstrate how it is achieved on site. As such this refusal reason is not substantiated and the Policy requirements are met.	DAS – Section 7.5, updated drawings pack

6.	The proposed development does not comply with the Local Planning Authority's standards in respect of servicing, refuse collection and building maintenance, as a result this would likely result in on street servicing and/or service vehicles reversing to or from Napier Road to the detriment of Highway safety on and off site and in conflict Policies TR2, TR3, TR4 of the Reading Borough Local Plan (2019), and paragraphs 109, 115 and 117 of the National Planning Policy Framework (December 2024, as amended).	The scheme has been amended, and updated swept paths undertaken to demonstrate that the scheme does meet all necessary requirements. Servicing is no longer proposed by way of a layby on Napier Road. It should be noted that the RBC's Waste services raise no objection subject to a formal agreement to secure weekly refuse collection by private refuse contractor which the applicant is agreeable too. Councils Refuse team are satisfied with the proposed arrangements and raise no objection. Maintenance and servicing arrangements are set out within the DAS supported by swept path assessment	Transport technical note/ updated TA/ Updated DAS
7.	The proposed development fails to demonstrate that by reason of its siting and scale, it would not result in harm to or future pressure to fell or prune five protected Norway Maple trees (TPO ref. 13/10). The trees are of high visual amenity value and harm to their health would be of detriment to their longevity, whilst felling of the trees would result in harm to surrounding visual amenity. This is contrary to Policy EN14 of the Reading Borough Local Plan (2019), Reading Borough Council adopted Tree Strategy (2021), paragraphs 136 and 187 of the National Planning Policy Framework (December 2024, as amended).	The applicants arboricultural consultants have robustly responded to this position and disagree that the development will result in harm, to the 5 protected Norway Maple trees (TPO ref: 13/10). Appropriate safeguards and mitigation in relation to construction techniques can be secured by way of condition and are set out with the updated Arboricultural Assessment and Method Statement. The update to reflect the submitted amendments to the scheme. It is also important to highlight that the route of the MRT/BRT will impact on the ability to retain the TPO trees in situ and is a material consideration in the determination of the scheme.	Updated Arboriculture Assessment and Method Statement dated 27 April 2026.

8.	The proposed development does not make appropriate provision for open space or to improve access to open space to meet the recreational needs of future occupiers; neither is there a legal agreement to secure an appropriate financial contribution towards off-site improvements at Kings Meadow and to secure provision of highway works to improve access to this area of public open space. Therefore, the proposals fail to meet the open space needs of the development. This is contrary to Policies EN9, EN10, CR3 and CC9 of the Reading Borough Local Plan (2019), Planning Obligations under S106 SPD (2015) and paragraphs 98 and 103 of the National Planning Policy Framework (December 2024, as amended).	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the original S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The applicant confirms acceptance of Public Realm / Open Space / Leisure : -Contribution of £500, 000 for renovation of the existing play area at Kings Meadow to improve accessibility and create a play area for toddler & junior age range (£500k) -payable on commencement of development. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	
9.	The proposed development does not make appropriate provision for landscaping either on or off-site (where both are considered to be required). This would fail to mitigate the visual impact of the development. Furthermore, in the absence of a legal agreement to secure an appropriate financial contribution towards off-site tree planting within Kings Meadow the development fails to provide an appropriate landscaped setting for development or to adequately improve tree coverage within the Borough. This is contrary to Policies EN14, CC7 and	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The applicant confirms acceptance of Public Realm / Open Space / Leisure - Contribution of £20, 000 for tree planting to bulk up existing tree band in Kings Meadow Payable in full on commencement of development - payable on commencement of development It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106	

	CC9 of the Reading Borough Local Plan, Planning Obligations under S106 SPD (2015) and paragraphs 136 and 187 of the National Planning Policy Framework (December 2024, as amended).In the absence.	agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	
10.	In the absence of a completed legal agreement to secure an appropriate financial contribution towards carbon off-setting in Reading Borough, the proposal would not acceptably adapt to climate change, achieve zero carbon homes standards and not provide appropriately towards energy infrastructure, contrary to Policies CC3 (Adaptation to Climate Change), CC9 (Securing Infrastructure) and H5 (Standards for New Housing) of the Reading Borough Local Plan (2019) and the Sustainable Design and Construction SPD (2019), Planning Obligations under S106 SPD (2015) and paragraphs 166 and 167 of the National Planning Policy Framework (December 2024, as amended).	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The applicant confirms acceptance an appropriate contribution towards carbon offsetting. Noting Paragraph 7.193 of the Committee report which acknowledges that the Applicant Sustainability and Energy statement Rev H submitted with the scheme models that the proposals would achieve over 70% improvement in the 2021 Building regulations emission rate which is an even higher standard when compared to the 2013 Building regulations standard as required by Policy H5. That increased level would need to be considered in any contribution off-set. As set out in the Executive Summary (page 5) the projected CO₂ emissions are 142.21 tonnes CO₂/annum which would result in an annual excess CO₂ emissions contribution of £255,981.02 for the development. It is expected that these figures will change as further design certainty is achieved and therefore some flexibility in final S106 wording to reflect final design is proposed. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term are accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	

11.	In the absence of a completed legal agreement to secure an acceptable Employment and Skills Plan (construction phase only; employment and skills plan, or financial contribution), the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm, contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Employment Skills and Training SPD (2013) and Planning Obligations under Section 106 (2015).	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The applicant confirms it will prepare and submit an Employment and Skills Plan, which will be secured through the S106 agreement. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	
12.	In the absence of a completed legal agreement, to secure an appropriate contribution towards primary medical care facilities the proposals fail to accommodate for the increase in population as a result of the development and impact this would have upon primary medical infrastructure within the Borough. The proposal is therefore contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019), Planning Obligations under Section 106 (2015) and paragraph 96 of the National Planning Policy Framework (December 2024, as amended).	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The applicant confirms acceptance of Contribution sought by the NHS Integrated Care Board of £492,480. Payable on commencement of development. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	

13.	In the absence of a completed legal agreement, to secure an appropriate contribution towards alterations to the loading restrictions along Napier Road the proposals fail to demonstrate that the development would not result in ad hoc loading, unloading and servicing of the development taking place from the Public Highway which would be detrimental to highway safety. This could be contrary to Policies TR3 and CC9 of the Reading Borough Local Plan (2019), Planning Obligations under Section 106 (2015), alongside paragraph 101 of the National Planning Policy Framework (December 2024, as amended) and alongside paragraph 116 of the National Planning Policy Framework (December 2024, as amended).	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. In parallel with amending the scheme to remove the loading bay on Napier Road the applicants confirm acceptance of: - Contribution of £5, 000 for loading bay restrictions on Napier Road (payable on commencement of development) - Within 6 months of commencement of the development to have entered into a S278 Highways or any other agreement that maybe agreed with the Highway Authority to facilitate the delivery of the following (all to be provided prior to first occupation): - Pedestrian crossing over Napier Road including submission and approval of detailed design (as per Transport Statement No part of the development to be occupied until the Highway works have been completed It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	
14.	In the absence of a completed legal agreement to secure that the development would operate in accordance with the Council's standard terms for Build to Rent accommodation as described within Policy H4 of the Reading Borough Local Plan (2019) the	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully.	

	proposals fail to demonstrate that they would provide an acceptable standard of residential accommodation or meet the identified housing needs of the Borough. This would be contrary to Policy H4 of the Reading Borough Local Plan (2019), Planning Obligations under Section 106 SPD (2015), alongside paragraphs , 11, 12, 39, 48, 56, 58, 59, 61, 63 and 64 of the National Planning Policy Framework (December 2024 as amended).	The applicants largely accepted the BTR requirement clauses for a S106 agreement. Final agreement would/will be determined as the S106 is completed. To note that Policy H4: Build to rent schemes, criterion 1: relating to securing single ownership for a minimum 20 year term is out of date and does not reflect market conditions, and funding markets. In addition criterion 2 relating to providing tenancies for private renters for a minimum 3 years with 6 month break clause is not reflective of latest legislation. Notwithstanding this more detailed point, the wider provision are agreeable to the applicants and had there been an opportunity to progressed dialogue relating to the S106 these matters would have been discussed. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the Council would need to draft and would not be doing so in light of outstanding matters.	
15.	In the absence of a completed legal agreement to secure submission and approval of a completed legal agreement to investigate the feasibility of the proposed development connecting to a Reading Centralised Heat Network the proposals fail to make adequate provisions in respect of incorporating decentralised energy infrastructure and fails to support sustainable energy consumption, reduce dependence on a centralised network and to adequately tackle climate change contrary to Policy CC4 of the Reading Borough Local Plan (2019), the	Pegasus Group, as planning agents for the applicant only received on 20 April 2026, the day prior to publication of the officer report, the final S106 contribution ask of the applicant. This was required to be able to assess the S106 asks fully. The feasibility of the scheme to connect to the Reading Centralised Heat Network was assessed within the Energy and Sustainability report by CPW – paragraph 4.1 and concluded that: “Opportunities to connect the planned development to existing or future decentralised heat distribution networks, including those featuring Combined Heat and Power (CHP) plant, have been investigated.	

	Sustainable Design and Construction SPD (2019), the Planning Obligations under Section 106 SPD (2015) and paragraph 166 of the National Planning Policy Framework (December 2024, as amended).	Investigations have been carried out into the viability of connection into a local district heating network. It was found that although the University of Reading's District Heating Network is in the general vicinity of the development, with the current provisions of the existing district heating network, connection of the development was not financially feasible. District heating networks are predominantly served by central Combined Heat & Power (CHP) plant located in a nearby heating sub-station. The CHP plant provides heating to local buildings captured from waste heat generated in the production of electricity, fed through a piped network. CHP technology can be applied in smaller scales to provide heating/hot water for single buildings. Communal heating systems via centralized plant installations are preferred within typical planning policy compared with individual heating and hot water systems within dwellings. However, such technologies were found not suited to this development, as a favourable alternative is proposed comprising decentralised air source heat pump (ASHPs) installations for generation of hot water within each apartment. The utilization of ASHPs for hot water generation removes reliance on hydrocarbon fuels that can be associated with CHP operation. To maximise efficiency, reduce energy losses associated with domestic hot water circulation and mitigate the inherent risk of corridor overheating that can be associated with heat networks in residential developments, the proposed design avoids use of communal circulating heating and hot water pipework distribution. This strategy will also enable straightforward metering and reporting of each dwelling's energy consumption. It is therefore considered that the requirement of the policy CC4 of the RBC Local Plan has already been addressed and addresses this refusal reason. Paragraph 7.199 of the officers report does not reflect the submission already made on this aspect, or acknowledge the work already undertaken. It is wholly unreasonable of the Council to still advise that the scheme will be refused even if the Heads of term is accepted as no completed S106 agreement. The applicant did submit a draft S106 to be advised that the	
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		Council would need to draft and would not be doing so in light of outstanding matters.	
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