

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: PL/25/1797 Full planning permission

Address: Eaton Court, 104-112 Oxford Road, Reading, RG1 7FU

Proposal: Two-storey upward extension to provide 12 flats (2 x 3-bed, 4 x 2-bed, 6 x 1-bed), cycle and refuse storage, and associated works

Applicant: c/o Agent

Received date: 15 December 2025 (Valid date: 5 March 2026)

Target Decision date: 4 June 2026

Case Officer: Anthony Scholes

1. SITE DESCRIPTION

1.1 Eaton Court comprises a part two, part three storey L-shaped commercial building (Class E – office (a)), on the corner of Oxford Road and Eaton Place but excluding the neighbouring Grade II Listed Building (104 Oxford Road – Royal Meteorological Society), with an area of multi-deck car park to the rear. The site is currently under construction for the provision of 52 flats within the L-shaped building, and includes a two-storey upward extension (permitted through Class AA of the GPDO), which would extend the three-storey portion of the building. The rear of the site is enclosed with fencing and hoarding, and is currently storing building materials and includes machinery associated with the conversion of the building. The application site fronts onto Oxford Road, with the majority of the works facing the road. The existing frontage contains hardstanding for the majority, which is used for carparking, there are also bollards restricting access to some of this parking, as a result of the lack of productive use of the site. Overall, the frontage presents poorly toward the public realm of Oxford Road, and the Conservation area, which contains a 2-and 3-storey streetscape is a mix of impressive Georgian terraces and stand-alone houses interspersed with Victorian shops and houses. The relationship with the adjacent Grade II listed building is a key material consideration in the assessment of design and heritage impact.

1.2 This section of Oxford Road is characterised largely by terraced buildings on either side, extending over 2 to 4 storeys. The surrounding area comprises a range of uses, it is predominantly residential and commercial in character. Directly north of the site comprises a small commercial property (10 Eaton Place) and a new residential development which is currently under construction. To the east of the site lies a row of 3 storey terraced properties and residential accommodation blocks which are between 7 and 19 storeys in height, part of Chatham Place. Adjacent to the site to the south lies The Royal Meteorological Society, a Detached Georgian House which is a Grade II listed building, beyond this is the A329 Oxford Road which borders the site to the south. To the west of the site is a modern 4 storey residential block, Bond House, completed in 2022.

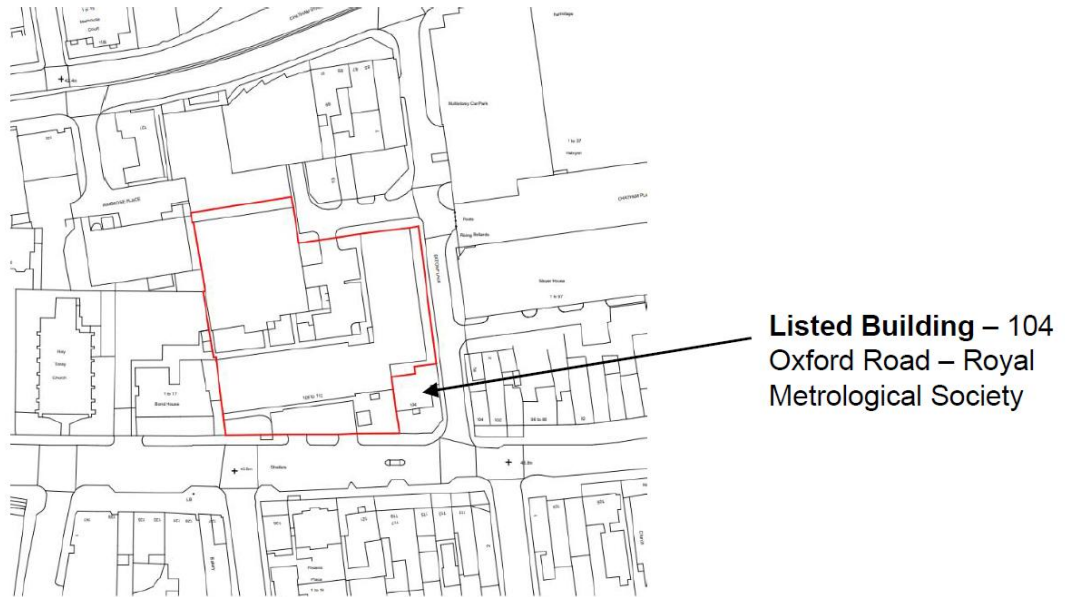


Figure 1 - Site location plan

1.3 The application site does not fall within a Conservation Area or an area which is subject to an Article 4 Direction, but the site is immediately adjacent to the Castle Hill/Russell Square/Oxford Road Conservation Area. The site and proximity to the Conservation Area boundary are shown in Figure 2 below.



Figure 2 - Castle Hill/Russell Street/ Oxford Road Conservation Area

2. PROPOSAL AND SUPPORTING INFORMATION

2.1 The proposed development seeks a two-storey upward extension above the existing two-storey portion of 104-112 Oxford Road, facing onto Oxford Road. The proposal would step upward from west-east for the two-storey upward extension, with the portion nearest 114 Oxford road being single-storey. The proposal would include a green roof on top of the entire development. The proposal does not indicate any access from the flats to the areas of flat roof. The second floor plan does indicate a 22.2m² 'Amenity' area, however it is not clear what this would include, or what its function would be. The development would provide 12 flats (2 x 3-bed, 4 x 2-bed, 6 x 1-bed).

2.2 To the Oxford Road elevation, the proposal would extend upward effectively from the front elevation, with a nominal setback of 0.27m. From the western side, the proposal would be 2.19m from the edge of the building to the first upward extension storey. The second storey of upward extension would be set off the western side by 10.5m and setback from the front by 1.7m. The upward extension is proposed to be constructed in a grey coloured metal cladding, with aluminium windows to match the recently approved details of the Class AA upward extension over the three-storey portion of the building.



Figure 3 - Proposed front elevation (left); Figure 4 - Proposed Section Plan (right)

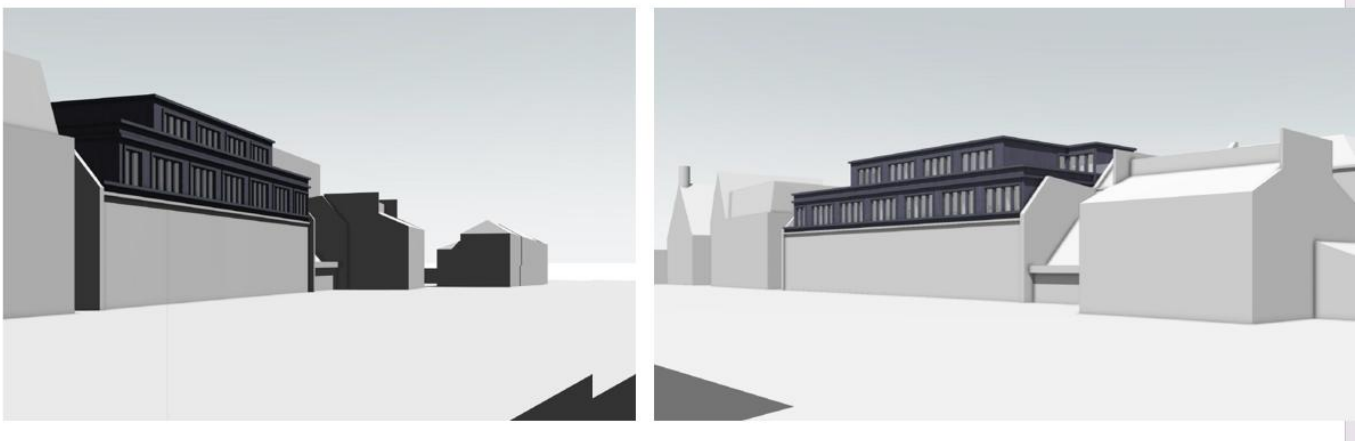


Figure 5 - 3D visuals of the proposed development

2.3 To the front of the site, the proposal includes some landscaping around an existing parking area along Oxford Road. It would appear that this parking is shared on the frontage with the neighbouring Meteorological society building. To the rear, the proposals seeks to retain the existing multi-level carpark, and provide additional structures for the provision of cycle storage, and bin storage at the site.

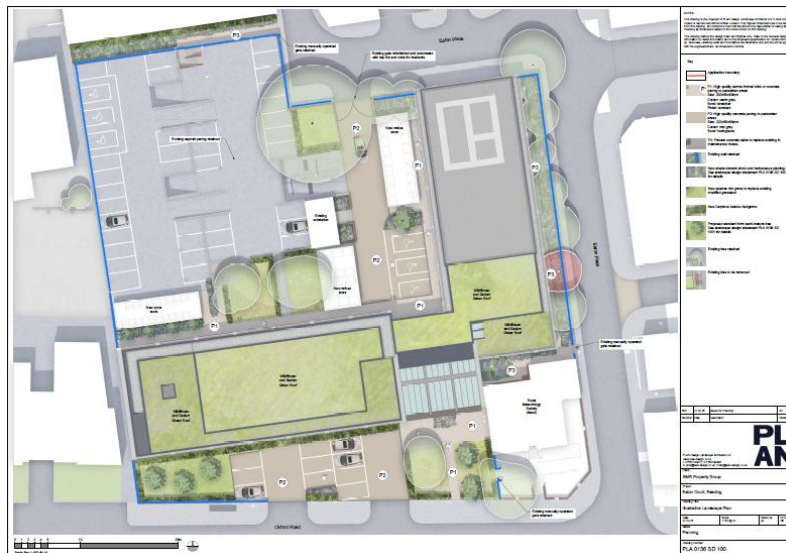


Figure 6 - Proposed Site Plan

2.4 Plans and Documents submitted with the application

Application Forms

CIL Form

The 'Savills', Town Planning Statement – including Affordable Housing Statement, Heads of Terms and Open Space Assessment, dated December 2025
The 'RGP', Transport Statement, ref: 2025/8647/TS02, dated November 2025
The 'Arbtech', Arboricultural Method Statement, dated 30 July 2025
The 'Arbtech', Bat emergence and re-entry surveys (BERS), dated 13 November 2025
The 'Orion', Heritage Statement, dated December 2025
The 'Arbtech' Arboricultural Survey, dated 30 July 2025
The 'Arbtech', Preliminary Ecological Appraisal and Roost Assessment, dated 17 July 2025
The 'Arbtech' Biodiversity Net Gain Assessment, dated 26 November 2025
The 'T16' Design', Energy Statement (ref: 6510), dated July 2025
The 'Bailey Venning Associates' Viability Statement (including appendices) dated November 2025
The 'RGP', Design & Access Statement for BMR property group (ref 103-225) Dated 27 November 2025
The 'T16' Design', Daylight and sunlight assessment, dated November 2025
The 'EAS', SuDS Report, dated November 2025
The 'Savills', Covering Letter, dated 12 December 2025
The 'Arbtech', Statutory biodiversity metric calculation, dated 26 November 2025

Drawing No: 103-255_(SK)101C, Tree Protection Plan
Drawing No: 103-255_(SK)109D, Sketch Section – Planning
Drawing No: 103-225_(SK)103F Proposed Second Floor Plan
Drawing No: 103-225_(SK)102F Proposed First Floor Plan
Drawing No: 103-225_(SK)001B Existing Ground Floor Plan
Drawing No: 103-255_(SK)101C, Arbtech AIA 01
Drawing No: 103-225_(SK)200 Site Location Plan
Drawing No: 103-225_(SK)101F Proposed Ground Floor Plan
Drawing No: 103-225_(SK)012 Sketch Section - PD Class MA
Drawing No: 103-225_(SK)110C Proposed Site Plan
Drawing No: 103-225_(SK)009B Existing Elevations
Drawing No: 103-225_(SK)111C Proposed Elevations
Drawing No: 103-225_(SK)104F Proposed Third Floor Plan

Drawing No: 103-225_(SK)002B Existing First Floor Plan
Drawing No: 103-225_(SK)112A Proposed Street Scenes
Drawing No: 103-225_(SK)003B Existing Second Floor Plan
As received by the Local Planning Authority 15 December 2025

The 'Air quality solutions', air quality baseline assessment, dated 18 December 2025
As received by the Local Planning Authority 18 December 2025

The 'T16 Design' Sustainability Statement, dated February 2026
The 'T16 Design', Energy Statement, dated February 2026

Drawing No: 103-225_(SK)112B Proposed Street Scenes
Drawing No: 103-225_(SK)111D Proposed Elevations
Drawing No: 103-225_(SK)109E Sketch Section - Planning
Drawing No: 103-225_(SK)103G Proposed Second Floor Plan
Drawing No: 103-225 Eaton Court, Reading Drawing Issue Sheet - 35 - 20260126
Drawing No: 103-225_(SK)104G Proposed Third Floor Plan
Drawing No: 103-225_(SK)110D Proposed Site Plan
Drawing No: 103-225_(SK)115 Proposed Materials
Drawing No: 103-225_(SK)114 Proposed Sketch Visuals
Drawing No: 103-225_(SK)113 Existing Street Scenes
Drawing No: 103-225_(SK)102G Proposed First Floor Plan
As received by the Local Planning Authority 16 February 2026

The 'MZA Acoustics', West Extension – Full application noise impact assessment, dated 25 February 2026
The 'Paddock Geo Engineering', Preliminary Contamination Risk Assessment Ref:P26-005pra, dated February 2026

Drawing No: PLA 0136 SD 200 R00 Hard Landscape and Levels Plan
Drawing No: PLA 0136 SD 100 R00 Illustrative Landscape Plan
Drawing No: PLA 0136 SD 1001 R00 Landscape Design Statement
As received by the Local Planning Authority 3 March 2026

Officer Note: A number of errors, or inconsistencies exist on the plans, or supporting information. There are inconsistencies, or omissions of rooftop plant considered in the viability appraisal, and/or the noise assessment. The elevation plans do not show a lift overrun, the block plan appears to show a ~0.37m setback to the first floor of the upward extension, whereas the section plans show no setback. This inconsistency of plans could lead to issues implementing permission should approval have been recommended. Similarly, the scheme includes elements which appear unable to be implemented, such as the installation of a new lift to serve the first storey of the upward extension.

3. RELEVANT PLANNING HISTORY

PL/18/2098 - Change of use of office building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 59 dwelling units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Withdrawn, January 2019.

PL/19/0291 - Certificate of Lawfulness for Continuous Use of the Site as B1(a) Office Accommodation for 10 Years or More. Certificate granted, 16 April 2019

PL/19/0419 - Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 58 Units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. No objection, prior approval not required, 14 May 2019.

PL/21/0639 - Demolition and residential redevelopment to provide three buildings comprising 120 residential units (Use Class C3), along with car parking, cycle parking, servicing bay and associated landscaping, amenity space, plant and refuse areas, and access arrangements. Refused, 26 June 2024.

PL/25/0769 - Application for prior approval of a proposed: 20 New dwellinghouses on detached buildings in commercial or mixed use - Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 20, Class AA. Prior Approval Refused 16 July 2025

PL/25/0770 - Change of use of building from Class E (offices) to C3 (dwelling houses) to comprise 52 dwelling units. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Prior Approval Refused 16 July 2025.

PL/25/1025 - Change of use of the ground, first and second floors of the building from Class E (offices) to C3 (dwelling houses) to comprise 40 x1 bedroom and 12 x2 bedroom dwelling units. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Prior Approval Given 23 September 2025

PL/25/1214 Prior approval Part 1 Class AA: Enlargement of a dwellinghouse by construction of additional storeys – Prior approval given 2 December 2025. Commencement notice given to LPA, limited visible works have begun on site.

PL/26/0171 - Change of use from Class E (offices) to C3 (dwelling houses) to comprise 52 Flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Refused 2 April 2026

PL/26/0224 - Application for Approval of Details Reserved by Conditions 4 (Contamination report), 5 (Demolition remediation report) and 6 (Validation report for the remediation report) of application PL/25/1214. Details approved.

PL/26/0037 - Application for Approval of Details Reserved by Conditions 3 (Construction Management statement) and 11 (Noise assessment) for application PL/25/1214. Details approved.

10 Eaton Place

PL/20/01104 - The development proposed is demolition of the existing building and redevelopment of the site to provide a residential building of 5-storeys (Use Class C3) and associated public realm improvements. Refused, appeal dismissed, 11 October 2024 (Appeal reference: APP/E0345/W/24/3343524)

Officer Note: It should be mentioned that the site has been segmented by the developer/owner in order to ensure that planning benefits of the site are not realised.

4. CONSULTATIONS

4.1 The following were consulted:

4.2 Conservation Area Advisory Committee

4.2.1 No response received.

4.3 Transport Development Control

4.3.1 No objection.

4.4 RBC Conservation Officer Comments

4.4.1 The impact on the setting of Castle Hill/Russell Street/Oxford Road Conservation Area would be a low level of less than substantial harm.

4.4.2 The impact on the setting of the Royal Meteorological Society would be a low level of less than substantial harm.

4.4.3 The impact on the setting of the listed Butler's Wine Vault would be at the lowest end, almost negligible.

4.5 RBC Waste Operations

4.5.1 Requesting further information with regard to bin storage plan.

4.6 RBC Ecologist

4.6.1 Currently the report does not provide enough detailed information for the LPA to be confident that the proposed mitigation approach is feasible and that works can proceed without a bat licence. The measures described in the document appear to be outline only and rely heavily on a bat mitigation plan to be provided in the future.

4.6.2 Given the presence of confirmed bat roosts, further information is required to demonstrate that the proposed works could be undertaken without blocking or disturbing roost access points. This information should include full details of the scaffolding exclusion zones shown alongside the exact roost and potential roost locations. Details of how the roost access areas will remain unobstructed are also needed along with confirmation that the roost locations will not be affected.

4.6.3 Until the above information has been provided and the points above addressed, the LPA cannot be satisfied that sufficient ecological information has been submitted to properly assess potential impacts on bats.

4.7 RBC Environmental Protection Officer

Noise

4.7.1 The noise assessment is largely acceptable, however we need further clarification on the proposed glazing and ventilation scheme for the sections of the facade that the assessment has identified as needing less protection, otherwise we cannot apply a planning condition setting out that the assessment should be complied with, it is not clear enough.

Plant noise

4.7.2 A condition is recommended to ensure no mechanical plant is installed without a BS4142 assessment.

Air quality

4.7.3 The assessment is acceptable and nothing further is required.

Contaminated land

4.7.4 The assessment concludes that the risks are low and no further investigation is required, however, if any soft landscaping is to be added, then the applicant should inform the specialist as they may need to reassess this.

Rats/bin stores

4.7.5 What is the proposed waste storage arrangements? This site is at high risk of rat infestation and any bin store should be designed to be vermin proof.

4.8 RBC Natural Environment Officer

4.8.1 The proposals are largely supported subject to conditions L2 (landscaping etc), L4 (Landscape Management Plan) and L7 (pre-commencement Arb Method Statement). However, clarity on a few issues is required prior to a decision; that being a Roof Plan (showing green roof), confirmation of services along the Oxford Road frontage (within the site) and consideration of green roofs on the cycle and bin stores.

4.9 RBC Education

4.9.1 No response received. RBC Education are consulted on applications for housing development where there may be pressure on school places in the vicinity.

4.10 Valuations Consultations

4.10.1 The Viability Review undertaken by the Applicant, identifies viability challenges associated with the proposed development. The viability report identifies a negative value, no reason as to why a developer would undertake such a development with a negative land value has been provided. In addition, it would appear that the costs plans includes costs which are shared between the sites other development proposals. A comprehensive review of the costs associated with the remainder of the development would be required to enable consideration of the accuracy of the costs plan.

4.11 NHS - BOBICB Consultations

4.11.1 Object – the proposed development would put additional pressure on existing health services. Mitigation would be required to offset this harm.

4.12 Thames Water Consultations

4.12.1 No response received.

4.13 Reading Civic Society Consultations

4.13.1 No response received.

4.14 Public Consultation

4.14.1 Three site notices were placed around the application site. No public comments have been received at the time of writing.



Figure 7 - Site notice photos

5. EQUALITY ACT

5.1 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.

6. LEGAL AND PLANNING POLICY CONTEXT

6.1 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'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

6.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving a listed building or its setting or any features of special interest which it possesses.

6.3 In this regard, the NPPF states that due weight should be given to the adopted policies of the Local Plan 2019 according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.4 Accordingly, the latest NPPF and the following development plan policies and supplementary planning guidance are relevant:

National Planning Policy Framework (December 2024, as amended)

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

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance (2014 onwards)

Reading Borough Local Plan 2019 - Policies:

CC1: Presumption in favour of sustainable development
CC2: Sustainable design and construction
CC3: Adaptation to climate change
CC4: Decentralised energy
CC5: Waste minimisation and storage
CC6: Accessibility and the intensity of development
CC7: Design and the public realm
CC8: Safeguarding amenity
CC9: Securing infrastructure
EN1: Protection and enhancement of the historic environment
EN3: Enhancement of conservation areas
EN6: New development in a historic context
EN9: Provision of open space
EN10: Access to open space
EN12: Biodiversity and the green network
EN14: Trees, hedges and woodland
EN15: Air quality
EN16: Pollution and water resources
EN17: Noise generating equipment
EN18: Flooding and drainage
EM3: Loss of Employment Land
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
TR4: Cycle routes and facilities
TR5: Car and cycle parking and electric vehicle charging

Supplementary Planning Documents:

Affordable Housing SPD (2021)
Employment, Skills and Training SPD (2013)
Planning Obligations Under s106 SPD (2015)
Revised Parking Standards and Design (2011)
Sustainable Design and Construction (2019)

Other relevant guidance/documentation:

Russell Street, Castle Hill, Oxford Road Conservation Area Appraisal (2020)

Reading Tree Strategy (2021)
Reading Biodiversity Action Plan (2021)
Reading Open Space Strategy (2007)
Historic England Good Practice Guide Note Number 2: managing significance in decision-taking.
Reading Housing Needs Assessment 2024
Draft Town Centre Public Realm Strategy (2024)

Local Plan Partial Update

Local Plan (2019), the emerging Local Plan (Submission Draft 2025)

6.4 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 and examined earlier this year. At the time of writing, the examination-in-public of the partial update to the local plan is in the process of taking place. Stage 1 hearings were held virtually on 11th and 12th November 2025. Stage 2 hearings took place in February 2026.

6.5 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.

6.6 Officer advice in respect of the Local Plan policies pertinent to these applications listed above is that, other than Policy H1 (Provision of Housing) they remain in accordance with national policy and that the objectives of those policies remain 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’. Policy H1 is out of date because the Council is not currently meeting its annual housing targets for general housing as calculated using the standard method in National Planning Practice Guidance (NPPG) (as required now Policy H1 is out of date) or for the provision of Affordable Housing.

7. APPRAISAL

7.1 Principle of Development

Loss of Employment Land

7.1.1 Policy EM3 of the Reading Borough Local Plan 2019 states that where development would result in the loss of employment land outside of core employment areas (including the application site where loss of employment land is occurring), the following will be considered when assessing such proposals:

(i) Is access by a choice of means of transport, including access to the strategic road network, poor, and likely to remain poor?

The location of the building, which remains lawfully class E use, is highly accessible with a good range of transport options, including high frequency bus routes, and good access to the strategic road network (very close to the Inner Distribution Road (IDR)).

(ii) Is the continued use of the site for employment, including the potential for redevelopment for employment uses, viable?

No evidence has been provided to suggest that the use of the site for employment use is not viable. The Applicant has reported that the works inside the building are for the refurbishment of the office use. If accurate, this would suggest that continued use for offices would be viable. However, officer's consider that the works inside the building are part of the conversion to residential as part of the class MA prior approval.

(iii) Is there a surplus of a similar size and type of accommodation in Reading?

A number of large office developments within Reading exist, or have been approved within recent years. A large quantity of office spaces are available within Reading which are of higher quality, including land significantly closer to the station. It would appear that there would be a surplus of similar sized and types of accommodation in Reading based on the non-residential commitments and monitoring report (2026).

(iv) Would continued employment use of the site detrimentally affect the amenity and character of a residential area?

It is not considered that the continued employment use would affect the amenity and character of a residential area. The area is mixed in uses, including The Butler and Face Bar (live music venues).

(v) Is the need for alternative uses stronger than the need for the retention of employment land?

The Reading Borough Local Plan 2019 is more than 5-years old. Though the majority of policies are not considered to be out of date, policy H1 is considered to be out of date. The LPA is also not currently able to demonstrate a 5-year housing supply (discussed further below), though is expected to upon adoption of the Local Plan Partial Update (expected to demonstrate 5.06 years). The need for housing is considered stronger than the need for the retention of employment land in this instance.

(vi) Would the proposal result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme?

The proposal is the only full planning application over the subject site, whereas there have been various piecemeal application through permitted development on the site. A more comprehensive scheme for the site would have been beneficial, however the opportunity for that scheme no longer exists. The rear of the site containing a multi-level carpark would not be necessary for the residential use of the site, nor would parking to the front of the site, in isolation or as a whole, and therefore a more comprehensive view of the site ought to have been taken.

7.1.3 The proposal, in isolation provides additional dwellings via an extension to a building lawfully used for office use (Class E). The development through its various components would compromise the use of the site for employment purposes. However, the loss of the land as above, is considered to provide a use with a stronger need (housing) than the employment use, and the land where there is a surplus of similar size and type of accommodation in Reading and is acceptable with regard to Policy EM3.

Provision of additional dwellings

7.1.4 Local Plan Policy H1 sets out the pressing need for housing in Reading and the surrounding area. It goes on to identify that the appropriate use of previously developed land is an important way of meeting the housing needs in Reading. The NPPF (Paragraph 125(e)) states that:

“Planning decisions should ... Support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification.”

7.1.5 It is noted that Paragraph 125(e) cannot be read in isolation, and proposals would also be considered within the context of all other Local Plan policies applicable, and NPPF paragraphs, such as those that seek to preserve and enhance heritage assets (including Conservation Areas, and Listed Buildings).

7.1.6 The site also forms part of an allocated site for residential development in the Reading Borough Local Plan 2019. Policy CR12c. The allocation, includes land to the north and west of the site, and as a whole has an indicative potential of between 180 and 260 dwellings. The allocation suggests potential for community uses, small scale retail and leisure uses, and suggests that there is an opportunity to enhance the Oxford Road frontage. It identifies that inappropriate building scale at the fringes of the site would be unacceptable due to the surrounding heritage assets and low-rise residential uses.

7.1.7 The site is well located within the Central Area, and is highly accessible. It is currently in the process of being redeveloped for the provision of 52 flats within the original building envelope, and 15 flats above the three-storey portion of the building, with the proposal this would provide a total of 79 dwellings on this portion of the allocated site. As identified above, the Reading Borough Local Plan is currently over 5 years old, and the Council is unable to demonstrate a 5-year housing land supply, with 3.55 years identified in the latest residential monitoring report. It is expected, upon adoption of the Local Plan Partial Update, that the Council would be able to demonstrate 5.06 years of Housing Land Supply. The provision of additional dwellings would provide a benefit in terms of meeting an unmet 5-year housing land supply. The allocation in the Local Plan identifies it as an appropriate location for residential development, and therefore the proposal is considered acceptable in principle, and the use of airspace above the existing building could be acceptable subject to design considerations outlined below.

7.2 Design and Heritage

Design and Appearance

7.2.1 Policy CC7 states that “all development must be of high design quality that maintains and enhances the character and appearance of the area, including architectural detailing and materials, and be visually attractive as a result of good high quality built forms and spaces”. The NPPF states that planning policies and decisions should ensure that developments “are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”.

7.2.2 Policy CR2 requires development to demonstrate the following attributes:

“a. Development will build on and respect the existing grid layout structure of the central area, providing continuity and enclosure through appropriate relationships between buildings and

spaces, and frontages that engage with the street at lower levels, and contributing towards enhanced ease of movement through and around the central area;

b. Development will provide appropriate, well designed public spaces and other public realm, including squares, open spaces, streetscape, utilising high quality and wellmaintained hard and soft landscaped areas, and public art, that provide suitable functions and interest, sense of place and safe and convenient linkages to adjoining areas;

c. Development should consider and, where possible, include ways of providing green infrastructure designed into the development, for instance through roof gardens, green walls and green roofs, to enhance the otherwise very urban environment;

d. The architectural details and materials used in the central area should be high quality and respect the form and quality of the detailing and materials in areas local to the development site;

e. Development and any associated public realm should contribute to the diversity of the central area, be capable of easy adaptation over time to meet changing circumstances, and be designed to enhance community safety; and

f. Development should be designed with consideration of adjacent development sites, and should not prevent or cause unreasonable burdens on the future development of those sites.

7.2.3 The application site related to the two-storey component of the L-shaped building fronting on to Oxford Road. This portion of the building, is two-storeys in height. The building is broken into sections of 4 windows in width, three windows in height. These are segmented by the provision of strong channelled corbels or buttresses which run past the eaves, and encase the guttering. To the roof, a pitched roof is provided with slate tiles. The building itself is brick and slate and it has parapeted gable ends (reminiscent of party parapet walls you find on buildings circa 100-120 years old). To the front, the site contains a 1980s front wall at the back of the footway, with the proposal appearing to lower the height of this wall instead of providing a more characterful and locally distinctive replacement. The main entrance to the building, adjacent to thee listed building is three storeys, though is provided with a mixed frosted glass roof, with a portion of pitched slate roof which is setback significantly from the road at its highest point.

7.2.4 The Conservation Area Appraisal (CAA) addresses the significance, and quality of Oxford Road within the locality of the application site. Whilst not within the application site, the conservation area encloses the site on three sides. The CAA describes the portion of Oxford Road, from the IDR to the Tilehurst Railway bridge of significance for the following reasons. The area is vibrant, with an active pedestrian and traffic route, with an array of independent shops reflective of the areas diverse communities. The CAA describes the area as a streetscape of 2-and 3-storey building with a mix of impressive Georgian terraces and stand-alone houses interspersed with Victorian shops and houses along the route, forty of which are listed (either singly, or as a group). Exceptional and noteworthy features of buildings along the route include arts and crafts references, polychromatic brickwork, and terracotta facades and embellishments.

7.2.5 The CAA notes a regrettable combination of ad-hoc alterations, poorly maintained public realm as a distracting discordance in the area. It also notes that modern buildings have failed to respect the CA's character, and a clash of modern materials with historic materials detracts from the historic character of the area. The application site is one that the CAA specifically identifies as a site or building with an opportunity for improvement. Page 68 of the CAA notes that Eaton court has been specifically excluded from the conservation area, given that the CA boundary goes around the CR12 site on three sides it is considered to have a negative impact in terms of views of the CA. The existing site is considered to have a key impact on the conservation area, in accordance with the CAA (p.68 and 70), and continued poor quality development would worsen this impact. It is evident that, though the height of the building is currently not out of keeping with the prevailing heights, though its materiality, and appearance, including public realm fail to respect the conservation area. The CAA identifies that some trees have been planted along Oxford Road, and that this should be extended along the route. The most common material type along this area is red brick, polychrome brick, and terracotta embellishments,

stucco is common and notable on many buildings. Roofs are almost entirely slate, with the exception of the red tiled roof of the Oxford Road Community School. Figure 6.2.6 notes the listed building at 104 Oxford Road is surrounded by an unsympathetic modern building (the application site), and the building is a site just outside the CA with key impact, and opportunity for enhancement. This is further outlined within 6.2.6 'negative features' of the conservation area include: "The modern intrusions along the north side of the Oxford Road, included or not within the proposed Conservation Area boundary."

7.2.6 Reading Borough Council has produced a draft Town Centre Public Realm Strategy (TCPRS) (2024), which is expected to be adopted mid 2026. It aims to "*set forth a comprehensive vision aimed at transforming the town's public spaces into pleasant, accessible, and sustainable environments that can support the town's growing population and economic development*". The TCPRS includes Oxford Road up to at least Bedford Road (includes the application site frontage). Within the TCPRS, a specific section of the vision for Oxford Road, up to and including the application site is presented in 7.2 (p.109). the TCPRS states that: "*It currently feels disconnected from the town centre and doesn't feel like a high street. It is traffic dominated, cluttered, lacks green infrastructure and doesn't offer a pleasant or comfortable setting for people to walk or cycle.*" The strategy identifies a number of improvements to public realm in this area, which would include:

- A reduced width of carriageway to increase footpath widths on both sides of the road;
- Rationalised on-street parking or delivery bays;
- Tightening of junctions to reduce crossing distances and enhance pedestrian comfort;
- Retained forecourt areas for local businesses and community uses;
- Formalised crossing facilities approximately every 100-150m;
- Introduction of planting beds within the carriageway and pedestrian footpaths;
- New tree planting

7.2.7 The proposal, must therefore provide a sensitive development which responds to the character of the area, through an appropriately good design, in terms of overall design and materials. The proposal would need to respond to, and improve the appearance of the site within the context of the conservation area. The proposal plans, as above are conflicting or inaccurate, and the extension appears to either be set back a nominal amount from the front elevation or extended directly upward from the front elevation, and a lack of clarity could result in issues implementing any permission. Though there is no setback to the first upward extension storey, there is a setback to the proposed third floor (second storey upward extension) from the front wall/elevation. However, the proposal would increase in height toward the Listed Building (Royal Meteorological Society building). Given the proposal extends directly upward from the front wall of the building to which it relates would create an awkward transition of building elements, the proposed metal clad extension would juxtapose poorly with the glazed panels below and due to the arrangement of the windows below, would result in a contrived front elevation, and would be out of keeping with the scale and height of building within the Oxford Road, and within the Conservation Area. Both additional storeys would be constructed above the height of the neighbouring listed building.

7.2.8 The resultant form of the proposal as viewed within the conservation area and setting of the Royal Meteorological Society building would result in a dominant form an unsympathetically designed upward extension which does not take any design cues from the conservation area, nearby listed building, or the building to which it would be attached. The materiality would perpetuate and exacerbate the poor quality modern addition to the conservation area that is the host building and not form a cohesive addition. The design, and visibility in the context of the listed building would result in less than substantial harm to the listed building, as well as the conservation area. The proposal steps upwards from the west to the east, which is contrary to the rhythm of heights of buildings which step downward west to east from the Church Spire. This height transition, and overall height is at odds with the prevailing building heights within the area, and is not considered representative of the prevailing form, or rhythm of building heights. The design approach and overall architectural detailing, and lack of

comprehensive design approach to the elevational treatment would fail to address a key impact in the Russell Street/Castle Hill Conservation Area, fail to maintain and enhance this part of Oxford Road and views within the Conservation Area and harm the setting of the adjacent Listed Building.

Heritage

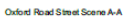
7.2.9 Policy EN1 of the Local Plan seeks to protect heritage assets and their settings and where possible, enhance them. Proposals which affect heritage assets and their settings should seek to avoid harm in the first instance. Any harm identified requires clear and convincing justification, usually in the form of public benefits. Policies EN3 and EN6 of the Local Plan seek to ensure that the special interest, character and architecture of Conservation Areas is conserved and enhanced. Development proposals in conservation areas should make a positive contribution to the historic townscape and be sensitive to the historic context.

7.2.10 The NPPF (2024, as amended), includes provisions relating to heritage considerations in applications. Paragraph 210 states *“In determining applications, local planning authorities should take account of: ... c) the desirability of new development making a positive contribution to local character and distinctiveness”*. Paragraph 212 goes on to state: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be) ...”*. Paragraph 215 also states: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”* It is noted that the NPPF gives great weight to the conservation of heritage assets, as well as weight to the provision of housing, the matters of balance are considered below in the conclusion.

7.2.11 The site is adjacent to numerous heritage assets. Number 104 Oxford Road (the Royal Meteorological Society) is on the corner of Oxford Road and Eaton Place, and the site wraps tightly around the northern and western boundaries of the Grade II Listed Building. The Historic England Listing identifies the property as an Early 19th Century Georgian detached house (now occupied by the Royal Meteorological Society as an office), with particular focus on the symmetrical front elevation, noting the materials, cornices, windows, portico and door details. The building is a fine example of the Georgian Revival style, with a pitched roof with matching chimney stacks, a regular window pattern with a prominent portico. The listed building has parapeted gabled ends which undoubtedly give inspiration to the design of the application site. The Castle Hill/Russell Street/Oxford Road Conservation Area lies to the south, east and west of the site. The Grade II Listed Butler Public House lies to the north of the site, on the other side of Eaton Place, beyond a vacant site which was the subject of a dismissed appeal (PL/20/1104) for redevelopment into a five-storey residential building. To the west along Oxford Road is the Holy Trinity Church, which is Grade II Listed. The designated heritage assets can be seen on the below map (stars indicate Listed Buildings, the purple shaded area indicates the Conservation Area:



7.2.13 It is noted that a previous upward extension prior approval (under class AA) was given prior approval, which included a setback on both additional storeys proposed. Under the limited scope of Class AA, the external appearance of the building was the only aspect that proposal was considered on, and the wider impacts of the development were outside of the scope of that assessment. This development has commenced, and is under construction, it notably also includes a large setback at both floors from the listed building (104 Oxford Road), and the Conservation Area.



7.1.14 With regard to other designated heritage assets, as per the Conservation Officer's comments the proposal would have the following harm to the conservation area and listed building:

- *Less than substantial harm to the setting of Castle Hill/Russell Street/Oxford Road Conservation Area*
- *Less than substantial harm on the setting of the Royal Meteorological Society would be a low level of*

7.1.15 As described in paragraph 212 and 215 of the NPPF (2024)

(212) “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

(215) “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

7.1.15 As outlined above, the application site is currently having a negative impact on the streetscape, the neighbouring listed building, and the conservation area. The site has been carved out of the conservation area due to its poor performance. Its modern detailing, coupled with the poor presentation to the conservation area through hardstanding used for carparking and poor boundary treatments, the building and site requires a high quality scheme to bring it up to an appropriate standard for its setting. As per RBC’s Conservation Officers comments, harm has been identified to the listed building, and the conservation area (less than substantial harm as per the NPPF 2024). It is noted that less than substantial harm is differentiated from substantial harm in the current NPPF, and less than substantial harm is still harm.

7.1.16 The proposal, would not respect the host building in design terms, it would obscure or make no differentiation between the lower portion and the proposed upward extension. The extension would not take any design cues from the conservation area, streetscape or neighbouring listed building. Whilst suboptimal, the existing building has taken some cues from the neighbouring listed building (parapeted gable ends). The existing building also sits at an appropriate height for the wider streetscape as it transitions downward toward the east. The additional height would increase the dominance of the poor quality modern building at the site which would detract from the streetscape views of the listed building adjacent to it, and its prominence, resulting in an overbearing form in the setting of the listed building. The design would also fail to respect the rhythm and form of buildings, including height and design within the streetscape, resulting in harm to the conservation area and the wider appearance of the area. The failure to take any positive steps to rectify the existing poor appearance of the forecourt to the front, and perpetuation of a poor quality site appearance within the setting would fail to address a key impact of the conservation area, and fail to enhance the character and appearance of the area, provide appropriate public realm improvements and improve the appearance within the setting of the conservation area.

7.1.17 The harm to the heritage assets, and planning balance associated with the level of harm will be discussed further in the overall planning balance section.

Rear of the site and space around buildings

7.1.18 To the rear of the site, the proposal includes 4 no. new structures for bin storage, cycle storage, and a substation, it is noted that these structures would be shared with the remainder of the development, and cannot be undertaken under the prior approval decision issued (as the GPDO does not make provision for additional structures), no separate consent has been sought for these structures. The works also indicates various trees between the building and the multi-level carpark, though the plans conflict between site plan and ground floor plan with regard to the number of trees shown/proposed. The works to the rear would appear to cramp the remaining space available on the site. The arrangement of the additional functional structures on the site would cramp the site, and limit the space available on the site, the various structures would be located adjacent to existing residential windows, and would appear to result in harm to the outlook of a number of ground floor units within the prior approval conversion schemes.

7.2 Affordable Housing

7.2.1 Policy H3 (Affordable Housing) seeks to ensure that development proposals of 10+ dwellings should provide 30% of the housing as affordable housing on-site. 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.

7.2.2 The supporting text to the policy, at paragraph 4.4.19 provides some background to the policy and summarises the large amount of evidence that the Council has in respect of the critical need for Affordable Housing that exists within the Borough:

“The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the critical need for affordable housing within Reading as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable homes per year in Reading, which represents the majority of the overall housing required. The consequences of not providing much-needed affordable homes would be severe, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and it is therefore critical that new residential development of all sizes makes whatever contribution it can.”

7.2.3 The supporting text continues at paragraph 4.4.23 to state:

“The target set in the policy has been determined as the result of an assessment of the viability of development of sites of various sizes in the Borough in accordance with the requirements of the NPPF. This will be the expected level of affordable housing provision.”

7.2.4 An up-to-date assessment of the need for Affordable Housing that exists in the Borough is within the supporting text to Policy H3 (para 4.4.21) of the Reading Borough Local Plan Partial Update Submission Draft, dated May 2025, which states the following:

“The Reading Housing Needs Assessment (HNA, 2024) has once again emphasised the critical need for affordable housing within Reading as well as the remainder of Berkshire. The HNA identified a need for 406 additional affordable homes per year in Reading, which represents the majority of the overall housing required. The consequences of not providing much-needed affordable homes would be severe, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to

economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and it is therefore critical that new residential development of all sizes makes whatever contribution it can”.

7.2.5 Current Policy H3 includes provision for viability considerations, with the supporting text at paragraph 4.4.24 stating that:

“...the Council will be sensitive to exceptional costs of bringing a site to market such as for reasons of expensive reclamation, or infrastructure costs, or high existing use values. Where applicants can demonstrate, to the satisfaction of the Council, exceptional difficulties in bringing a site to market, the Council will be prepared to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement...”

7.2.6 It is also relevant to note both the NPPF and the Council’s policies allow for viability considerations to reduce the provision but only in specific circumstances. Paragraph 59 of the NPPF 2024 states that

“The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.”

7.2.7 Policy H3 places the onus on the developer/landowner to justify any lower affordable housing contribution. The supporting text to Policy H3 refines this, explaining that costs need to be “exceptional costs of bringing a site to market”. It is considered that the types of costs referred to in the Local Plan relate to problems with a site itself; expensive reclamation, infrastructure costs, or high existing use values etc. The cost of a particular design, or design choices, is not considered to fall within this type of exceptional cost; unless the design options are so limited as to prejudice the site coming forward for development in general. It is also not necessarily the role of the LPA to insulate a developer against financial risk associated with downturns in the market or rising development costs. No such exceptional costs are identified in the viability appraisal.

7.2.8 With this context in mind, the applicant’s position, in summary, is that the scheme cannot viably provide any contribution towards affordable housing, despite local policy requiring it. The scheme would also represent a negative land value following development, which would suggest that no reasonable developer would take up the permission in isolation. As such, it is clear that the wider development under the various prior approvals is facilitating this financial loss. This is evident through the viability appraisal which is clearly covering the costs of the wider site, rather than just the proposed development in question. The costs which appear to be duplicated, or unreasonably required for the development are outlined below:

- 2.1.1 Superstructure and frame – £215,510
Officer Note: this cost includes steelwork to support the new 2nd, 3rd and 4th floors, and roof structure. However, the proposal only includes floors 2 and 3. As such, it does not appear that this cost is reflective of the proposal.
- 2.1.3 New Lift Shaft – £10,000
Officer Note: The proposal includes a lift shaft within the development, which is state to extend to ground floor, and to only one of the proposed floors. However, this would conflict with the Class MA prior approval below it. As such, the lift proposed is not implementable, and therefore cannot be considered a reasonable cost associated with this application.

- 2.3.1 and 2.3.2 – Cost of 687m² of Green roof - £198,645
Officer Note: The area of green roof on the proposal is less than the amount contained within the cost plan. The proposed green roof area is ~546m² and would equate to £150,320
- 5.6.1 New lift to 3 no. of floors - £40,000
Officer Note: As above, it is not considered this could be implemented, and therefore cannot be considered a reasonable cost associated with the proposal. Even if required, the cost would be shared with the development below, and not solely for the proposed development, as it does not extend to both floors of the proposed development.
- 8.4.1 Allowance for retaining and enhancing existing landscaping - £10,000
Officer Note: There are limited existing trees on site, and it is unclear what this allowance would go toward.
- 8.61-2 Provision of cycle and bin stores £18,000
Officer Note: The costs of this work are shared with the requirements of the prior approval developments, and not solely related to this development.
- 8.8.1-3 Upgrading utilities £30,000
Officer Note: These costs are likely to be shared with the prior approval development, and not solely attributed to this proposal.
- 9.2.8 1,580m² of scaffolding £99,000
Officer Note: The area of scaffolding does not appear to relate to the scale of the proposed development.
- 10.0-10.2 Main contractor overheads and profit 289,029
Officer Note: This figure is a percentage of the overall. The cost plan includes various errors or matters not included within the proposed development. Such as item 2.4.2 which is related to a prior approval application, albeit not costed, it is clear that the contractor is undertaking work across the whole site, and the cost plan does not relate solely to the proposal.

7.2.9 Based on the above, there are concerns that the costs associated with the proposal scheme as outlined within the viability appraisal submitted are either not required for the development, not related to the development in question, or relate to the wider redevelopment of the site, and cannot be fully attributed to this proposal. The questionable figures are well in excess of the identified deficit associated with the proposal (-£174,243), and therefore it is not considered that the Applicant has adequately demonstrated the circumstances justifying a variation from the policy requirements.

7.2.10 It is noted that the Council is not currently meeting its annual housing targets for general housing as calculated using the standard method in Planning Practice Guidance (as required now policy H1 is out of date) or for the provision of Affordable Housing. If there is a need to increase housing supply, it does not follow that there should be a reduction in affordable housing supply which is an intrinsic part of meeting the identified need. As such, the failure to provide affordable housing for the proposal, notwithstanding the viability position shown by the applicant, would result in significant harm to mixed and balanced communities, and would skew the delivery of housing within the borough away from affordable housing, and overprovide market housing.

7.2.11 With specific regard to Affordable Housing, recent appeal decisions have found Policy H3 not to be out of date – based on the evidence available. In addition, it is considered that the existing Local Plan (2019), the emerging Local Plan (Submission Draft 2025) and the NPPF are all aligned in their overall objective of creating mixed and balanced communities including the delivery of an appropriate mix of housing types for the local community - which includes affordable housing (NPPF paragraph 63). When considering the relative weight to be given to the various benefits and harms identified, it should be in the context of this need for housing which meets identified needs. It would be acting against these objectives to seek to justify a reduced amount of affordable housing due to a policy deemed “out of date” because of increased housing requirements. If there is a need to increase housing supply, it does not follow that

there should be a reduction in affordable housing supply which is an intrinsic part of meeting the identified need.

7.2.12 There is therefore a demonstrated critical need for Affordable Housing in Reading. It is considered that the Council is justified in seeking to secure the provision of Affordable Housing for this development, subject to all relevant material considerations. Furthermore, a significant proportion of housing is provided via relatively small sites within Reading due to its largely previously developed, urban, nature. There is therefore a need for all sites to deliver affordable housing, either on-site or in the form of financial contributions to be used elsewhere in the Borough to avoid an overall shortfall against housing targets.

7.2.13 Failure to provide adequate affordable housing would fail to make the most appropriate use of the land resource. This situation both in isolation, and if replicated within other developments, would reduce the accessibility to appropriate housing within Reading. It is not considered reasonable to expect other developments to compensate for the shortfall in provision.

7.2.14 Significant harm has been identified, as explained elsewhere in this appraisal, in terms of the failure to meet policy requirements for this site in terms of a critical need for Affordable Housing and the associated aims of achieving mixed and balanced communities is contrary to Policy H3. This harm will need to be weighed against other material considerations, including the wider benefits of the scheme if the proposals are to be considered acceptable. This is addressed within the overall planning balance at the end of this report.

7.2.15 Matters relating to the 'tilted balance' of the application as a whole are referenced at the end of this appraisal.

7.2.16 In terms of the viability submissions assessed as part of this application, as per the consultations section above, it is evident that there is a significant difference in opinion between the applicant and the Council. The applicant's position is that a nil contribution has been justified, while officers (with input from Carter Jonas on behalf of officers) disagree and conclude that there is insufficient information to determine that the viability evidence is sufficiently robust and that the costs associated with the development are accurate. As such, the LPA is not satisfied of the specific circumstances justifying a reduced (or nil) contribution.

7.2.17 Even where the viability position could be agreed, sensitivity testing of the viability position evidences that small changes in any of the many inputs (which form part of any viability assessment) over time could lead to the scheme being able to further contribute towards affordable housing in time. To ensure that any increased future profits can be secured for affordable housing, noting the 3 year period which is possible for implementation (in which time market conditions may change significantly). In such a scenario, it would be a necessary and reasonable requirement for a deferred affordable housing contribution mechanism to be secured via s106 legal agreement. The Affordable Housing SPD explains deferred contributions mechanisms in more detail (paragraphs 6.12 – 6.14), with paragraph 6.12 explaining:

"The viability of a development can change significantly over time, as market conditions change. The viability situation when a development is implemented can be very different to when the assessment at planning application stage was carried out, and this can particularly arise where a development is large or will be delivered in phases. The Council's policy is that an appropriate contribution to affordable housing will be made. It is therefore considered that, where a reduced contribution to affordable housing was agreed at application stage, a mechanism should be included within the Section 106 agreement that ensures that a proportion of increased profits are

secured for affordable housing. This is referred to as a planning deferred contributions mechanism.”

7.2.18 In addition should an agreement be reached with regard to the viability of the proposal, a further affordable housing related clause would be considered to be necessary to be secured via S106 Legal Agreement in this case. This involves the scenario that should the application site subsequently be extended/alterd to create further residential units (e.g. through the conversion of a 2-bed unit into 2 x 1-bed units, or the remainder of the rear of the site is developed in a way that there would be the provision of less than 10 dwellings to the rear, then contributions towards affordable housing would apply on a cumulative basis, rather than a standalone basis. This stems from Policy H3 requiring different levels of affordable housing depending on the number of units, with the current proposal incorporating 12 residential units, which attracts a 30% affordable housing contribution, whereas a >10 unit scheme would have a lesser 20% contribution and a 1-4 unit scheme would attract a lower 10% contribution. The proposed approach therefore prevents this proposal being the first of a possible succession of applications, with the later applications having lesser requirements, or put another way, if all applications had been submitted collectively it would have generated a larger requirement. It is considered reasonable and necessary for this to have been secured in this case so the site would make an appropriate contribution towards affordable housing to meet the needs of Reading Borough. This clause has been incorporated within a number of other permissions in the Borough in recent years, including being accepted at planning appeals.

7.2.19 The absence of a completed legal agreement to secure the provision of Affordable Housing, together with associated obligations regarding a deferred contribution mechanism (as may have been agreed appropriate if the full provision was agreed as not being viable to achieve) and for Affordable Housing to be applied on a cumulative basis should the building or site subsequently be extended / altered (to create further units) or units sub-divided, is a significant shortfall in the proposal. This weighs against the proposals in the planning balance, contrary to Policies H3 and CC9, together with the adopted Affordable Housing and Planning Obligations under Section 106 SPDs.

7.2.20 For completeness, it is confirmed that affordable housing based obligations would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that they would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

7.3 Unit mix and quality of residential amenity

7.3.1 Local Plan Policy H2 states that wherever possible, residential development should contribute towards meeting the needs for the mix of housing set out in figure 4.6 of the Local Plan, in particular for family homes. The Overall need for housing within the borough equates to 18.5% 1-bed; 30.5% 2-bed; 36.5% 3-bed and 14.4% 4-bed.

7.3.2 Local Plan Policy CR6 states that proposals for residential development within the central area should provide a mix of different unit sizes. As a guide (for schemes of more than 15 dwellings), it suggests that a maximum of 40% of units should be one bedroom or studios with a minimum of 5% of units as at least three bedroom units.

7.3.3 Local Plan Policy H5 states that new build housing will need to comply with the nationally prescribed space standards. Policy H10 requires dwellings to be provide with functional private or communal open space where possible. Homes should also have adequate natural light, outlook and privacy.

Mix

7.3.4 The proposed development seeks to provide 2 no. 3-bed units; 6 no. 1-bed units; and 4 no. 2-bed units. It is noted that the proposal includes 16% 3-bed, however would provide 50% of the units as 1-bed. Though the mix would exceed the 40% 1-bed sought by policy CR6 for schemes of 15 units or more, the provision of 2 no. 3-bed units would provide a good level of family sized units within the town centre. Though, it is unclear whether a family would desire a property which does not provide any meaningful outdoor space.

Residential Quality and Amenity

7.3.5 The proposed development includes all dwellings which would meet or exceed the nationally described space standards as outlined within Policy H5.

7.3.6 All units would be provided as dual aspect flats, with significant window proportions on both the north and south elevations. All units would be provided with suitable daylight/sunlight by way of the arrangement of the development, and the number of windows. The depth of the flats would not result in significant portions of the northern side of the units being provided with inadequate daylight (northern side provides the living/dining/kitchen areas) as demonstrated by the supporting daylight/sunlight assessment.

7.3.7 The proposed extension would be above existing dwellings, with bedrooms located on the southern side, and living areas provided to the northern side. The existing prior approval below, would provide dwellings on the north and south, with a mix of living/bedrooms below the proposed development. This would result in unacceptable stacking in accordance with Policy CC8. The stacking between the second and third floor is acceptable. The proposal is also located across at an oblique view from the Class MA conversion and class AA upward extension approved on the three-storey portion of the building (the section fronting onto Eaton Place). At the nearest point, the previously approved flats (currently under construction for conversion) would be 13.45m from the proposed rear elevation, policy guidance seeks 20m back-to-back distances. Notwithstanding, due to the oblique views, it is not considered that the proposal would result in significant amounts of overlooking between the proposed units and the consented dwellings within the remainder of the building.

7.3.8 The arrangement of the upward extension is not considered to result in any harm to outlook of existing approved dwellings, or result in harmful overbearing effects on those approved dwellings. The proposal would also provide a suitable outlook to all dwellings, and not be subject to overbearing from other additions to the scheme. Appropriate noise mitigation between the units would be required under the Building Regulations. At ground floor, the proposal includes various ancillary structures (bin stores and bike storage). These structures, across the scheme would be located within close proximity of ground floor residences. This would result in an overbearing impact and unacceptable restriction on outlook of those occupants. These impacts are a direct result of the applicants carving up of the site and avoidance of planning obligations. A holistic approach to the site has not been taken, and is resulting in these unacceptable impacts.

7.3.9 The neighbouring site to the west, provides 2 no. east facing dormer windows to bedrooms. These are secondary windows to each of the rooms to which they relate. There may be some impact on these windows in terms of obstruction of outlook, and overbearing, though the stepped separation would aid with the latter. As such, the proposal would not impact the neighbouring dwellings outlook or result in overbearing to a significant degree to form a reason for refusal.

7.3.10 With regard to noise impacts on the development, the applicant has provided a noise impact assessment for the development. This demonstrates to the satisfaction of the Councils Environmental Protection Officer that noise from nearby noise generating uses (Face Bar; and The Butler) can be

appropriately managed with mitigation measures. In addition, noise from the busy Oxford Road can be managed. The proposal requires the following mitigation measures:

- Sufficient elevational treatment to ensure noise levels, including sufficient internal room linings dependent on room type; sufficient cavity insulation density; and cement particle board to slab edge
- Appropriate noise performance for the roof (does not consider the proposed green roofs)
- Appropriate glazing to all windows (dependent on room type and location)
- Appropriate/density to all external doors (dependent on room type and location)

7.3.11 Though the standards could be met through mitigation, the noise assessment does not demonstrate that the proposed green roof would provide sufficient noise attenuation for the proposed development. As such the applicant has failed to demonstrate that the proposal would provide suitable levels of amenity for future residents. It is possible that the green roof would be acceptable, however no amended information has been sought at this time, given the recommendation to refuse the application.

7.3.12 The applicant has provided an air quality assessment. RBC's Environmental Protection Officer has reviewed the assessment and concludes that new residents would not be subject to unacceptably poor air quality subject to the mitigation measures proposed.

Provision of Outdoor Amenity Space

7.3.13 Policy H10 of the Reading Borough Local Plan 2019, requires all dwellings to be provided with functional outdoor space. It makes provision for flats to be provided with balconies, where a mix of balconies and communal open space may be provided. The proposal does not include any balcony space, or ground floor communal open space. Though, as outlined in the transport section, the extensive parking area is not required for the development, or remainder of the approved dwellings for the site, and could be re-imagined as a communal outdoor space for residents and the wider site. The ground floor includes some indication of landscaped areas, though level of tree planting would limit useability for residents. The ground floor therefore does not provide any space for the development. Reading Town Centre is identified as having a significant shortfall of open spaces, with the nearest open space being to the north, some ~600m away from the site by foot (Victoria Recreation Ground). The proposal does include a 22m² shared communal room, though this does not appear large enough to accommodate any activities of residents, nor would contribute toward outdoor space requirements. As such, the proposal does not include sufficient outdoor amenity space for residents, or provide a mechanism, such as a contribution towards improvement of Victoria Recreation Ground to offset this insufficient provision, contrary to Policy H10 of the Reading Borough Local Plan 2019. There would be further concerns, should there be a further development proposal over the rear of the site (multi-level carpark) given a number of impacts as identified throughout this report based on a lack of holistic development of the site.

7.4 Transport Matters

7.4.1 Policy TR1 of the Local Plan requires developments to promote and improve sustainable transport. Policy TR3 states that consideration will be given to the effect of a new development on safety, congestion and the environment. Proposals should provide acceptable access to the site and ensure that there would not be a detrimental impact on the functioning and safety of the transport network. Policy TR5 states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.

7.4.2 The site is located within Zone 2 of the Parking SPD's parking zones, the primary core area, but on the periphery of the central core area. This area is well served by rail and bus links and also contains

the largest proportion of public car parking spaces. The site is fronts onto the A329 Oxford Road which is the main transport corridor between central Reading and the west. The A329 Oxford Road has parking restrictions preventing on-street parking and forms part of the Red Route 'no stopping' corridor.

7.4.3 The application site contains a large multi-level carpark to the rear containing 110 parking spaces, and an additional 10 spaces to the front of the site. The proposal would provide a new structure to contain 42 cycle spaces, this is combined storage for the site (79 dwellings, including the proposal). The Council's Revised Parking Standards SPD sets a maximum parking requirement for dwellings as 0.5 spaces per 1-2 bed flat; 1 space per 3-bed flat. The cycle parking requirements as 0.5 per 1 and 2-bed dwellings; 1 per 3+ bed dwellings.

7.4.4 The application red line, encompasses the entire application site. The application site provides more than 1 parking space per dwelling. It is acknowledged that the plans indicate that the site only includes "10 spaces for planning". The parking requirements for the development of 12 units would be 7 parking spaces. Only under exceptional circumstances would the LPA give consideration to a higher level of parking than set out above. The supporting SPD states that: *"The above standards for C3 are the required standards. Should a developer require fewer spaces than are set out here then there would need to be demonstration, to the Highway Authority's satisfaction, that there would be no detriment to highway safety as a result. Under exceptional circumstances the Local Authority will give consideration to a higher level of car parking provision than that which is set out above."* As such, there would be an oversupply of carparking for the proposed development, which would provide an inappropriate level of car parking relative to the accessibility of the site, and would discourage sustainable transport modes (bus, walking, cycling etc.) contrary to policy TR5 and the Reading Transport Strategy.

7.4.5 It is also not clear what the remainder of the site carparking would be utilised for. The site is no longer being used as Class E use, and the conversion to residential is underway. The remaining parking spaces appear redundant, and not required for the use. Should the multi-level carpark be retained it would result in the site being provided with more than 1 parking space for the entire site (79 dwellings). As such, the site would be providing a significant oversupply of parking further contrary to the above.

7.5 Trees, landscaping, ecology and biodiversity

Trees and landscaping

7.5.1 The proposed landscaping plan, should contribute to the character and appearance of the area, and improve the appearance of the site, through an appropriate scheme of landscaping in accordance with Policy CC7. Policy EN14 requires the protection of important trees, and additional tree planting. The Reading Tree Strategy also seeks to improve canopy cover with in all Wards.

7.5.2 It is noted that RBC's Natural Environment Officer has confirmed that the Arboricultural method statement indicates that there would be the loss of one tree in poor condition, and that all other trees would not be impacted as a result of the development. Though, confirmation of the existing and proposed services was requested. No additional information was sought as the proposal is recommended for refusal.

7.5.3 The proposed landscaping plan includes some additional landscaping in place of hardstanding to the south-western portion of the frontage, provision of green roofs on top of the proposal, and provision of a landscaping scheme to limited areas to the rear of the site. The proposal, in addition to the concerns regarding excessive carparking, would fail to enhance the character and appearance of the area through additional soft landscaping to the front of the building. It is not clear who this car parking for, and carparking to the front of sites in the area, retaining it is harmful, and the proposal does not take the opportunity to provide sufficient tree planting within a treed corridor as per the Council's tree strategy

way contrary to policy CC7. This section is to be read in combination with the issues raised above with regard to the conservation area and design matters.

Ecology

7.5.4 Policy EN12 of the Reading Borough Local Plan requires all development not result in a biodiversity net loss on site. NPPF paragraph 187 (d) states: (decisions should contribute toward the natural environment by) ... *“minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs”*

7.5.5 In addition, existing features of biodiversity interest must be protected, and the Applicant has identified various bat roosts on site. All bat species are European protected species (EPS) protected under the Conservation of Habitats and Species Regulations 2017, and the Natural England standing advice for bats is a material planning consideration. The Applicant has provided a bat emergence survey to support the application. However, as per the consultations section above, RBC's ecologist has objected on the basis of insufficient information for the protection of bats, and is not confident that the proposed development, and mitigation measures are feasible to enable the development works to proceed. RBC's Ecologists response was provided to the Applicant on 9 March 2026, and no substantive reply was received.

7.5.6 NPPF refers to amongst other things, protecting and enhancing sites of biodiversity, and minimising impacts on and providing net gains for biodiversity. Paragraph 193 indicates that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort, compensated for, planning permission should be refused. Planning Practice Guidance¹ (PPG) states that an ecological survey will be necessary in advance of the planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Circular 06/20052 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by development, is established before planning permission is granted, it is not appropriate to condition undertaking of further survey work. As such, the Applicant has failed to demonstrate that the proposed development would not harm the existing roosts of bats (a protected species), contrary to Policy EN12, and paragraph 187 of the NPPF.

Mandatory Biodiversity Net Gain

7.5.7 The application is subject to mandatory biodiversity net gain (BNG) requirements as per Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The Applicant has not provided any information to suggest the development would meet an exemption. The proposed development seeks to provide a 13.57% net gain on-site through various improvements to the existing site, and additional areas of landscaping. These include areas to the rear of the site beyond the multi-level carpark, and areas to the frontage of the site, as well as the landscaped areas to the rear. To meet the requirements for a biodiversity net gain, the gain would need to be maintained for 30 years as proposed. RBC's ecologist has also confirmed that the biodiversity net gain (BNG) plan is inconsistent in detail, with a mismatch between the number of trees proposed on site, and non-inclusion of the green roof elements within the BNG calculations. With an accurate number of trees included in the BNG assessment, a gain of ~7% would be provided on-site, though the inclusion of the green roof may increase this to the minimum 10% required. The baseline assessment of the site remains accurate, and therefore the required net gain is certain, and details of how the net gain would be achieved would be agreed through the automatically applied BNG condition. In addition to this, conditions could be applied ensure ongoing maintenance and management of the net gain.

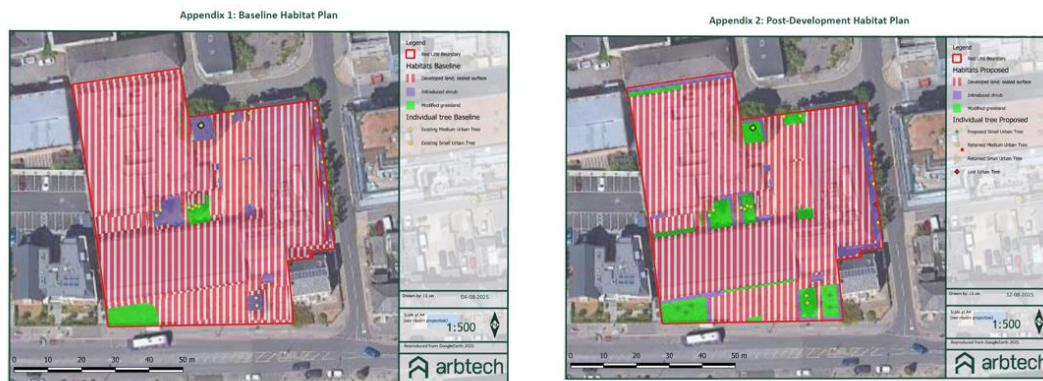


Figure 10 - Biodiversity net gain proposal on-site (Left existing, right proposed)

7.6 Legal Agreement

7.6.1 In accordance with Policy CC9 of the Reading Borough Local Plan, all development would be required to contribute toward infrastructure to mitigate the impacts of the development. The following would be required should a recommendation to approved be made:

- £10,874 toward health infrastructure;

7.6.2 The development would, through the provision of additional residential units, put additional pressure on existing medical facilities within the area. Policy CC9 of the Reading Borough Local Plan (Securing Infrastructure) seeks that development should not be permitted unless infrastructure impacted or made necessary by developments (including health infrastructure). The NHS Integrated Care Board for Berkshire, Oxfordshire, and Buckinghamshire (NHS ICB BOB) noted that the development would put unacceptable strain on existing medical facilities, and requested a contribution toward local improvements. The applicant agreed to enter into a legal agreement for this contribution.

- Provision of an employment skills and training plan (ESP) (or provision of a contribution toward off-site ESP)

7.6.3 The development would, through the provision of additional residential units, put additional pressure on employment and skills within Reading. Policy CC9 of the Reading Borough Local Plan (Securing Infrastructure) seeks that development should not be permitted unless infrastructure impacted, or made necessary by developments is provided as part of the development (including employment skills and training development). In accordance with the Employment, skills and training SPD (ESP), an applicant may choose to provide an ESP on site as part of the development, or make a contribution towards and off-site scheme to be delivered by RBC or a partner provider.

- Affordable housing provision, or a contribution in lieu, and cumulative affordable housing contributions for any further development of the site

7.6.4 The development would, through the provision of additional residential units, and has not proposed to provide any affordable housing, or enter into a legal agreement for a late stage review (deferred payment mechanism) (DPM). Policy H3 of the Reading Borough Local Plan (Affordable Housing) seeks that developments provide an appropriate level of affordable housing. The applicant has sought to justify the provision of no on-site affordable housing, and has proposed not to include any DPM to enable provision of an affordable housing contribution should viability improve. However, as outlined above, the lack of affordable housing would fail to meet a significant local need and fail to provide mixed

and sustainable communities. This is notwithstanding the viability position of the applicant not being agreed. As such, the LPA would contend that affordable housing remains a requirement to make the development acceptable in planning terms.

- A Zero carbon offset financial contribution

7.6.5 Policy H5 of the Reading Borough Local Plan (Standards for New Housing) seeks that development should be built to (for major schemes) zero carbon homes standard. The SPD furthers the purpose of the policy, and seeks that a minimum of 35% improvement upon building regulations be provided on-site, with any non-provision offset through a contribution toward wider sustainability initiatives. The applicant has submitted information as below that ~60% improvement can be achieved on site, though there is a lack of clarity on provision of ASHP's which assist in meeting the proposed standard. In any event, any balance would be required to be offset through an appropriate contribution.

- Without on-site communal or private outdoor space, a contribution toward off site enhancement of local open space would be required

7.6.6 Policy CC9, and H10 relate to this contribution. As above, the lack of outdoor communal space, or private amenity space for the development is not acceptable. There is space on site that could be provided as private or communal open space for the proposed development. In a notwithstanding and without prejudice basis to that reason for refusal, where a scheme does not provide open space for residents, the development would place additional demand on nearby public open space. A contribution toward off-site improvements would be required in that scenario.

7.6.7 All contributions listed above are considered by the LPA to meet the tests within the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) is Regulation 122, and are considered (a) Necessary to make the development acceptable in planning terms, (b) Directly related to the development, (c) Fairly and reasonably related in scale and kind to the development.

7.7 Sustainability

7.7.1 In accordance with Policy CC2, and H5 all new development is required to meet the higher sustainability requirements of the 2013 Building Regulations. All new development would be considered to comply with the requirement by meeting current Building Regulations' requirements. New development also must meet the higher water efficiency standard under Regulation 36(3) of the Building Regulation. Should approval have been recommended, improved water efficiency could have formed a condition of approval and is not considered a reason to refuse the application.

7.7.2 In addition, the development would be required to be constructed as zero-carbon homes, with a minimum 35% improvement above building regulations requirements on-site and the remainder offset through a financial contribution. The applicant's energy statements confirms that the proposal would meet the minimum 35% levels for all flats, and would offset the remainder through a contribution. However, the proposal includes provision of individual air source heat pumps for each flat. It is noted that the costs plan associated with the proposed development indicates the provision of 12 no. air source heat pumps (ASHP) (i.e. one per dwelling). The energy statement states that ASHPs will be provided. However, no such plan indicates any provision of ASHPs, including the floor plans, roof plans, or site plan. The noise assessment submitted further states: *"While a full, detailed assessment of proposed equipment cannot be undertaken (as selections and locations are not known) an initial assessment has been undertaken below to establish the likelihood of requiring acoustic mitigation to equipment ... On the assumption that equipment would be located on the third-floor roof (as is typically recommended to prevent issues with noise affecting windows that overlook), it is likely that there would be two primary noise-sensitive receptors considered"*.

7.7.3 It is not considered that any ASHPs are proposed, and any rooftop plant and enclosure are not considered as part of this application. The full details would be included within the terms of a legal agreement should permission have been recommended, though failure to enter into a legal agreement for the offset contribution forms a reason for refusal.

7.7.4 Policy CC4 (Decentralised energy) states that all development of more than 20 dwellings shall consider provision of decentralised energy on site. For development of 10 dwellings or more within the vicinity of an application site, they would be expected to connect to an existing decentralised energy network, unless it was demonstrated that it was not feasible to do so. There is not currently a known heat network in the vicinity of the site, though there is a proposed heat network within the vicinity of the site, within Reading Town Centre. The feasibility of connecting to this network has not been explored by the applicant.

7.8 Other Matters

Health

7.8.1 The development would, through the provision of additional residential units, put additional pressure on existing medical facilities within the area. Policy CC9 of the Reading Borough Local Plan (Securing Infrastructure) seeks that development should not be permitted unless infrastructure impacted or made necessary by developments (including health infrastructure). The NHS Integrated Care Board for Berkshire, Oxfordshire, and Buckinghamshire (NHS ICB BOB) noted that the development would put unacceptable strain on existing medical facilities, and requested a contribution toward local improvements. The applicant agreed to enter into a legal agreement for this contribution.

Waste Storage

7.8.1 It is acknowledged that RBC's Waste Operations Officer has requested additional details for waste. The additional bin provision required for the development would be:

- 2 x 1100L general waste bin
- 3 x 1100L recycling bin
- 1 x 240L food waste bin
- 1 x 240L glass bin

7.8.2 It is likely that this could be accommodated on the site, though may result in an increased amount of bin storage structures on the site, further harmful to the space around the site as proposed, and harm to the proposed ground floor dwellings (under construction/mostly complete).

Accessibility

7.8.3 In accordance with Policy H5 all new build housing will be accessible and adaptable in line with M4(2) of the Building Regulations, unless it is built in line with M4(3) (see below). No details on whether the proposal could meet these requirements has been provided. As such, the applicant has failed to demonstrate compliance with Policy H5 in this respect, and would result in harm to the provision of accessible dwellings within developments and the provision of mixed and sustainable communities.

CIL Matters

7.8.4 The proposed development is chargeable under the LPA's CIL charging schedule, and would therefore be liable for Community Infrastructure Levy (CIL).

Employment, skills and training plan

7.8.5 The development would, through the provision of additional residential units, put additional pressure on employment and skills within Reading. Policy CC9 of the Reading Borough Local Plan (Securing Infrastructure) seeks that development should not be permitted unless infrastructure impacted, or made necessary by developments is provided as part of the development (including employment skills and training development). In accordance with the Employment, skills and training SPD (ESP), an applicant may choose to provide an ESP on site as part of the development, or make a contribution towards an off-site scheme to be delivered by RBC or a partner provider.

8. CONCLUSION

8.1 The planning application is required to be determined in accordance with the development plan unless material considerations indicate otherwise, as per Section 38(6) of the Planning and Compulsory Purchase Act 2004. The application has therefore been carefully considered in the context of the Reading Borough Local Plan 2019, the NPPF 2024, including the associated material considerations outlined above.

8.2 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 needed 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 and that the objectives of those policies remains very similar in the draft updated Local Plan, aside from Policy H1 which is accepted to be out of date. Therefore, they can continue to be afforded weight in the determination of this planning application and, aside from Policy H1, are not considered to be ‘out of date’.

8.3 It is important to consider that the emerging Local Plan, and the NPPF, both require an increased provision of housing, rather than any reduction. Noting that the existing Local Plan, the emerging Local Plan and the NPPF are all aligned in their overall objective of creating mixed and balanced communities, and the delivery of an appropriate mix of housing types for the local community which includes affordable housing (NPPF Para 63). When considering the relative weight to be given to the various benefits and harms identified, it should be in the context of this need for housing which meets identified needs.

8.4 Notwithstanding the above and for completeness, in terms of the status of the Local Plan, paragraph 11 of the NPPF sets out a framework for decision making where policies are considered out of date, set within the context of the presumption in favour of sustainable development:

8.5 To clarify, Footnote 7 specifies:

⁷ 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.

8.6 Assets of particular importance in respect of the current proposal is the listed building (designated heritage asset) of the neighbouring site, together with the setting of nearby conservation area as identified at paragraph 4.4 of this report. In this regard, it is considered that the harm to the neighbouring

listed building, and harm to the conservation area would form a strong reason for refusing the development.

8.7 In addition, Footnote 9 specifies:

⁹ The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

8.8 Considering each of these matters in turn, the following is confirmed:

8.9 Paragraph 66 – Affordable housing – As per the separate appraisal above, the lack of an appropriate contribution towards affordable housing is a significant shortfall of the proposal.

8.10 Paragraph 84 – Rural housing – not applicable to this proposal.

8.11 Paragraphs 110 & 115 – Sustainable transport - the proposal is acknowledged to be within a sustainable location near to services and facilities, and providing cycle parking. However, it is considered that realistically this would be true of any housing in this location and does not in itself justify the particular form of development proposed and is therefore largely neutral in terms of weight. In addition, the overprovision of carparking on the site is considered to undermine the provision of a genuine choice of means of transport modes.

8.12 Paragraph 129 – Achieving appropriate densities – The density of the overall site is high, however it is considered appropriate given the sustainable location and in the interests of making efficient use of the land. However, the viability information submitted by the applicant, suggesting that despite the high density of development, local market / site conditions equate to a negative viability position (in the viewpoint of the applicant), with this representing a barrier to the delivery of development. It is also apparent that the proposal would not provide for the identified need for different types of housing due to the lack of any affordable housing contribution being proposed.

8.13 Paragraphs 135-139 – Achieving well-designed places – As outlined in the sections above, the proposals are not well designed, and the scale of development is not considered to add to the overall quality of the area; nor would it be visually attractive as a result of good architecture, or provide appropriate and effective landscaping. The scale of the proposal, is significantly taller than the prevailing height of development along Oxford Road. As per paragraph 139, development which is not well designed should be refused.

8.14 In overall terms, whilst the provision of residential units in a sustainable location and the use of the airspace above an existing building (a brownfield site). However, these are general benefits which would also be capable of being achieved within a scheme which provides an appropriate contribution towards affordable housing too. It is therefore not essential that this proposal is approved in order to realise these benefits.

8.15 There are significant adverse impacts too. The failure to meet identified housing need in the Borough in the form of a justified appropriate contribution towards affordable housing amounts to substantial harm. The absence of a justified affordable housing contribution will have practical, tangible and absolute impacts on the ability of the Borough to house its residents and would be in direct conflict with the aims and objectives of existing and emerging development plan policy and the NPPF in respect of achieving sustainable, mixed and balanced communities. The conflict and harm associated with the design and scale of development as outlined above, in addition to the overprovision of carparking which undermines the meaningful chance to provide genuine choice of mode of travel. Taking account of the Framework as a whole, it is considered that the benefits of the proposal are significantly and demonstrably outweighed by the harm as identified above, and throughout this report.

8.16 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. Even if relevant policies were considered out of date (which, for completeness, they are not) the provisions of NPPF paragraph 11 still do not support the granting of planning permission in this specific instance.

9. RECOMMENDATION

Refuse Planning Permission.