



Town and Country Planning Act 1990 Section 78

Appeal by Marden Homes Ltd against non-determination
of planning application

APP/A1530/W/21/3278575

**Land adjoining The Gables, Kelvedon Road,
Tiptree, Essex**

**Rebuttal evidence of Cristina Howick
On behalf of Colchester Borough Council**

Appendices

March 2022

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Reading: appellant's evidence

55 Vastern Road, Reading

APP/E0345/W/21/3276463

Town Planning Proof of Evidence of Kim Cohen BSc (Hons) MCD MRTPI
on behalf of Berkeley Homes (Oxford & Chiltern) Ltd

September 2021

55 Vastern Road, Reading

Proof of Evidence of Kim Cohen BSc (Hons) MCD MRTPI

on behalf of Berkeley Homes (Oxford & Chiltern) Ltd

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1.0 INTRODUCTION

Personal Details

- 1.1 My name is Kim Cohen. I am a Planning Partner at Barton Willmore LLP. I have a Bachelor of Science Degree with Honours in Geography from the University of Reading and a Master of Civic Design Post Graduate Degree from the University of Liverpool. I have 24 years' experience as a town planner. I am a Chartered Member of the Royal Town Planning Institute.
- 1.2 Barton Willmore is one the UK's leading planning and design consultancies. Founded as an architectural practice in the 1930s, it developed into a comprehensive planning, architectural, landscape and urban design practice in the 1970s to 1990s and has strong track record in the design and implementation of major housing and mixed-use development. I have been a Partner at the Reading Office of Barton Willmore LLP since April 2013, having joined the company as Senior Planner in May 2001. I have given advice on a wide range of planning projects, including site promotion; preparation of planning appraisals and applications; S78 Appeals heard by way of written representation, informal hearing, and public inquiry throughout the country for both public and private sector clients.
- 1.3 I have acted on behalf of the Appellants, Berkeley Homes (Oxford and Chiltern) on the former SSE Site, Vastern Road, Reading since September 2019. I led the preparation and submission of the full planning application by Barton Willmore, now subject to this appeal.
- 1.4 I am familiar with the appeal site and the surrounding area and have made myself aware of the planning policy background and relevant issues to these appeals.

Statement of Truth

- 1.5 The evidence which I have prepared and provide for this appeal is true and has been prepared in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and complete professional opinions. I confirm that my evidence complies with the requirements of the RTPI Code of Professional Conduct.

The Appeal

- 1.6 This Public Inquiry is being held to consider the following planning appeal against the refusal of full planning permission relating to 55 Vastern Road, Reading which has been made on behalf of Berkeley Homes (Oxford & Chiltern) Ltd. The description of development to which this appeal relates is as follows:

"Demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road."

- 1.7 The appeal was submitted following the refusal of planning permission by Reading Borough Council (RBC) by notice dated 9th April 2021.

Scope of Evidence

- 1.8 The full case for the Appellant was set out in the Statement of Case (SoC) and Associated appendices which formed the Appeal submission. My Proof of Evidence (PoE) does not repeat the SoC, and instead my planning evidence on behalf of the Appellant addresses the specific following matters:

- National policy, including the changes made in the revised National Planning Policy Framework (NPPF) published in 2021.
- Housing land supply, demonstrating that there is a need to plan for the delivery of housing to help meet the present and future needs of the Borough.
- Response to matters raised by the LPA, Rule 6 Party and other interested parties in their submissions in response to the appeal.
- A summary and conclusion, setting out a summary of my evidence and concluding that, subject to the imposition of appropriate conditions and completion of a Section 106 obligation, planning permission should be granted for the appeal proposal.

- 1.9 My PoE should be read in tandem with that of:

- Mr Taylor who provides evidence on design matters;
- Mr Clark who provides evidence on townscape and visual matters;
- Mr Witchalls who provides evidence on transport matters;

- Mr Weeks who provides evidence on heritage matters;
- Mr Corbyn who provides evidence on ecology matters; and
- Mr Peckham who provides evidence on noise matters.

2.0 CHANGES IN THE NPPF 2021

- 2.1 The Government's planning policies for England are set out within the NPPF, a revised version of which was published on 20th July 2021. The previous NPPF was considered in the submitted SoC, which demonstrated that the appeal proposal was consistent with national policy at that time. I consider that the revised NPPF strengthens the position that the appeal should be allowed, as I discuss in detail below.
- 2.2 The revised NPPF maintains emphasis on sustainable development, with the presumption in favour of sustainable development remaining 'at the heart of the Framework' (paragraph 10). Paragraph 8 identifies three objectives for the planning system in order for it to contribute to achieving sustainable development: economic, social and environmental. The objectives remain broadly as per the previous NPPF with minor changes made consistent with additional references to beauty elsewhere within the revised NPPF, as I discuss below.
- 2.3 Paragraph 11 maintains that for decision-taking the presumption in favour of sustainable development means 'approving development proposals that accord with an up-to-date development plan without delay'.
- 2.4 The revised NPPF also maintains emphasis on the Government's objective of significantly boosting the supply of homes. Alongside this, the revised NPPF includes additional references to 'beauty', 'attractiveness' and 'sustainability', informed by recent national design guidance including the national design guide and national model design code as well as the work of the Building Beautiful, Building Better Commission. These are included alongside retained references to promoting the efficient use of land, including support for the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained. The appeal proposal would contribute to the achievement of the objective of significantly boosting the supply of homes and be in accordance with all other aspects of the revised NPPF. It is therefore consistent with the NPPF. I have set out my detailed comments on changes to individual paragraphs below, with reference to the PoEs submitted by Mr Taylor, Mr Clark and Mr Witchalls.
- 2.5 The revised NPPF includes references to 'attractive' and 'well-designed' pedestrian and cycle routes (paragraphs 92 and 106). The submitted SoC addresses how the appeal proposal will create attractive and well-designed routes for both pedestrians and cyclists. The design philosophy for the site has been heavily influenced by the provision of

attractive and well-designed routes for all users, including a well-lit pedestrian and cycle north-south route which is overlooked on both sides and has good visibility. The submitted SoC and PoEs of Mr Taylor and Mr Witchalls demonstrate that alternative routes through the site would result in a development which is less accessible, less attractive and less well-designed. The references to attractive and well-designed routes support the case that the proposed north-south route through the site (and the proposals for pedestrians and cyclists more generally) should be supported and that the appeal should be allowed.

- 2.6 The appeal proposal will deliver new public open space, including a landscaped, green corridor linking the River Thames to Vastern Road. In that regard, the appeal proposal will help to deliver benefits for health and well-being and nature and support efforts to address climate change, as emphasised in paragraph 98 of the revised NPPF.
- 2.7 As Mr Witchalls demonstrates in his PoE, the appeal proposal is consistent with national guidance and so is consistent with paragraph 110 of the revised NPPF.
- 2.8 Paragraph 126 refers to 'beautiful and sustainable buildings'. The visual attractiveness of the appeal proposal is discussed in detail in the submitted SoC (see paragraph 5.21 onwards in Appendix 14 in particular), with the SoC demonstrating that the proposal is consistent with, and supported by, the revised NPPF. Mr Taylor in his PoE reiterates this conclusion.
- 2.9 Mr Clark notes within his PoE (paragraph 2.3) that 'beautiful' means not only the visual interest and appeal of the built forms and landscape design but also consideration of and contribution to locally distinctive character. Mr Clark demonstrates that the appeal scheme has achieved this within his PoE.
- 2.10 With regard to sustainability, the appeal proposals have been designed using a fabric first approach and include a centralised energy strategy, as set out in the submitted Energy Statement (CD1.122). To this end, the appeal proposals are consistent with, and supported by, the revised NPPF.
- 2.11 The appeal proposal includes a key north-south route within the site which will be tree-lined. Trees are also incorporated elsewhere in the appeal proposal, including the retention of existing trees along Vastern Road and new tree planting along the edge of the River Thames, providing substantial gain in terms of the quantity and character of vegetation within the site. Long-term maintenance of this planting can readily be secured by an appropriately worded condition. The appeal proposal balances provision of significant canopy-level vegetation with the need to avoid future conflict between trees and buildings. In this regard, the appeal proposal is in line with the revised NPPF.

- 2.12 In accordance with paragraph 134 of the revised NPPF the proposal reflects local design policies and guidance as well as national guidance, and is a design which is outstanding and innovative, promoting high levels of sustainability and helping to raise the standard of design in the area.
- 2.13 In line with paragraph 180, the appeal proposal integrates opportunities to improve biodiversity on the site as part of the design, enabling net biodiversity gains to be secured. Mr Corbyn within his PoE concludes that an increase of biodiversity value on-site of 118% will result from the appeal scheme.
- 2.14 In summary, for the reasons set out in the submitted SoC and its appendices and above, I consider that the appeal proposal responds positively to the NPPF, including the recent (July 2021) revisions. Indeed, as I have set out above, there are aspects of the revised NPPF which provide further support to the case that the appeal proposal should be approved.

3.0 HOUSING LAND SUPPLY

- 3.1 To support the Government's objective of significantly boosting the supply of housing, it is important that a sufficient amount of land can come forward where it is needed. Paragraph 8 of the NPPF outlines overarching objectives for the planning system including:

To help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.

...

To support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

- 3.2 In this context, it is important to consider whether the future supply of housing in the Borough will meet identified needs for housing in full as part of this Appeal. I provide comments on both the housing requirement and supply below.

The Requirement

- 3.3 Paragraph 74 of the NPPF states:

Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁸, or against their local housing need where the strategic policies are more than five years old³⁹.

- 3.4 Footnote 38 states 'for the avoidance of doubt, a five year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with policy in that document'. Footnote 39 states 'unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance'.
- 3.5 Policy H1 of the adopted Local Plan identifies that provision will be made for at least 15,847 homes (averaging 689 homes per annum) in Reading Borough over the plan period 2013 to 2036. This requirement was informed by the Berkshire Strategic Housing Market

Assessment (2016) which identified a housing need for Reading Borough of 16,077. Policy H1 explains that the Council are unable to identify sufficient sites to fulfil the housing requirement over the plan period, with a shortfall of 230. Policy H1 states that the Council will continue to work with neighbouring authorities within the Western Berkshire Housing Market Area to ensure the shortfall of 230 dwellings will be met over the plan period.

3.6 The revised method for calculating local housing need published by the Government in December 2020 identifies an increased requirement for Reading Borough which, at December 2020, equated to 876 dwellings per annum.

3.7 Mr Markwell states at paragraph 6.7 of his SoC that this 'is not of relevance to this appeal'. I disagree. I consider that it is of significant relevance to this appeal for the reasons I set out below.

3.6 The Local Plan was adopted in November 2019. As such, from November 2024, a minimum of five years of housing against the local housing need figure for Reading Borough will be required, unless strategic policies have been reviewed and found not to require updating. I consider that in this context footnote 39 will not be engaged and the future review of the Local Plan will identify a need to update the housing requirement. Therefore, the increased housing requirement is of significant relevance to this appeal, given it will come into effect in just over three years' time, i.e. within the five-year period. In the interim, up to November 2024, the housing requirement of 689 homes per annum will be applied in accordance with paragraph 74 of the NPPF.

3.7 Therefore, the housing requirement for Reading Borough over the remainder of the plan period is anticipated to be as set out in Table 1 below:

Monitoring Year	Housing Requirement	+5% buffer (rounded)¹
2021/22	689	723
2022/23	689	723
2023/24	689	723
2024/25	767 (based on the adopted requirement being in force for 7 months of the monitoring year and local housing need for the remainder of the year)	805
2025/26	876	920

¹ 5% buffer applied in line with paragraph 74 of the NPPF based on current Housing Delivery Test results. I note that the buffer would increase to 20% if RBC are unable to satisfy the Delivery Test in future.

2026/27	876	920
2027/28	876	920
2028/29	876	920
2029/30	876	920
2030/31	876	920
2031/32	876	920
2032/33	876	920
2033/34	876	920
2034/35	876	920
2035/36	876	920

- 3.8 In the current five-year period, 2021/22-2025/26, the baseline requirement equates to 3,710. With the inclusion of a 5% buffer, in line with paragraph 74 of the NPPF, the requirement equates to 3,896.
- 3.9 I consider that the increasing housing requirement compared to that at the time of the adoption of the Local Plan supports the case for the appeal proposal to be approved, particularly when anticipated supply shortfalls are taken into account as I discuss below.

The Supply

- 3.10 As stated in paragraph 3.5 above, the adopted Local Plan makes provision for 15,847 homes over the plan period.
- 3.11 The latest Annual Monitoring Report published by RBC (dated December 2020) covers the period 1st April 2019 to 31st March 2020. The report identifies that there are currently 6.65 years supply of housing (Indicator 11) based on an annual requirement over the remainder of the plan period of 717 dwellings plus a 5% buffer.
- 3.12 However, I consider that RBC's anticipated supply over the five-year period is overly optimistic, particularly in respect of the elements I discuss below.
- 3.13 A windfall allowance of 127 dwellings per annum is included within the anticipated supply. Whilst I acknowledge that windfall sites contribute to the delivery of new housing in the Borough, delivery on windfall sites has been below 127 dwellings in all years of the plan period except 2014/15 and 2017/18. A total of 817 dwellings have been delivered on windfall sites over 7 years, equating to just under 117 per annum. No evidence has been prepared by RBC to demonstrate that windfall delivery is likely to increase. On this basis,

I consider that RBC have assumed an unrealistic supply from windfall sites and a reduced contribution to supply from such sites should be expected.

- 3.14 I note that RBC rely on 296 units coming forward between 2023/24 and 2025/26 at land at Madejski Stadium, Shooters Way (ref 160199). It is acknowledged that 196 of the units form part of the detailed element of a hybrid planning permission, with the additional 100 forming part of the outline scheme. It is noted that pre commencement conditions are not yet applied for. Further the consent is structured such that other elements of the detailed consent are required to come forward first, including a multistorey car park, convention centre and transport exchange. In addition, 100 of the units form part of the outline permission for which no reserved matters applications have been submitted, and which, as currently structured, will come forward following delivery of the detailed element of the scheme. Therefore, it is reasonable to assume that some slippage in the delivery of these units beyond the current five-year period can be anticipated.
- 3.15 It is also noted that 56 units are assumed to be delivered in 2022/23 at Alexander House, Kings Road, Reading (ref 162057). This application was granted on 17th May 2017, was not implemented and has therefore lapsed. Prior approval was given for change use of the existing office building into 22 dwellings in June 2021 (ref 210536). Prior approval for 13 additional units within the roof space of the building and on ground and first floor was refused in July 2021 (ref 210906). An application for an upwards extension to create 8 additional units, submitted alongside 210906 and envisaged to be delivered as one development (according to the submitted planning statement), is currently pending determination (ref 210902). It is therefore doubtful that 56 units will be delivered on this site, with only 22 units approved.
- 3.16 I note that 282 dwellings are anticipated to be provided at the Broad Street Mall on Broad Street, in 2023/24 and 2024/25. This anticipated delivery is in spite of there being no signed Section 106 Agreement for the site following resolution to grant in March 2020. Further, the site was for sale in June 2021 and it is unknown whether future owners would seek to secure and implement consent for residential development. In this context, I do not consider the site to currently be deliverable in line with Annex 2 of the NPPF.
- 3.17 Having regard to the above, I consider that it is highly likely that the supply anticipated by RBC will not be delivered in full within the five-year period. On this basis, while I acknowledge that supply is likely to remain above five years, unrealistic assumed delivery rates in this period lead me to question whether the totality of supply across the wider plan period will be realised.

- 3.18 Across the remainder of the plan period, Mr Markwell of RBC states at paragraph 6.4 of his SoC that 'based on 2019-20 figures the Council is expecting to exceed plan targets by 556 dwellings, which gives substantial headroom to accommodate the 230 dwelling shortfall identified in the Local Plan'.
- 3.19 Importantly, however, I note this is based on the Local Plan housing requirement rather than the local housing need figure which will be used to assess supply from November 2024. From this period, the annual requirement is anticipated to increase significantly resulting in the need to deliver a significantly greater quantum of housing in the remainder of the plan period.
- 3.20 Moreover, the anticipated supply relies on 204 units being delivered on the appeal site (as stated at paragraph 6.5 of Mr Markwell's SoC). This figure is based on a lapse rate of 20% being applied to the quantum of development stated in the site's allocation policy (255 dwellings). In this regard, RBC are relying on 204 units being delivered in order to realise current anticipated supply.
- 3.21 In this context, I find that the delivery of units on the appeal site is important. Mr Markwell states at paragraph 6.4 of his SoC that 'the Council is expecting to exceed plan targets by 556 dwellings'. This is based on a Local Plan target of 16,224 dwelling across the plan period, which includes the requirement of 15,847 stated in Policy H1 as well as requirements for residential care and student accommodation (in line with policies H6 and H12 respectively). Importantly, the 16,224 target does not include the 230 dwelling shortfall allowed for in Policy H1. When this is accounted for, the likely exceedance of the Local Plan target (according to RBC) is 326. In the context of my comments on windfall sites, I consider the buffer is likely to be further reduced. The appeal site contributes 204 units towards RBC's anticipated supply, any reduction in the quantum of dwellings on the site would further reduce the buffer to supply. This reduction could potentially be considerable as I discuss further within this PoE. Moreover, this is before any increase in the requirement due to the incoming local housing need figure is taken into account, which I anticipate will result in supply falling short of the requirement.
- 3.22 As I discuss further below, the appeal scheme represents the efficient use of a sustainably located brownfield site. It would deliver a significant quantum of housing, assisting in the meeting the need for housing in the Borough.
- 3.23 RBC have raised a number of concerns relating to various aspects of the appeal scheme and in response suggested that elements of the appeal scheme should be reduced in size or scale.

- 3.24 As Mr Taylor demonstrates at paragraphs 3.132-3 of his PoE, the reductions required to address the concerns raised by RBC could be as high as 91 dwellings. This loss would result in the number of dwellings being delivered on the site being significantly less than envisaged in the Local Plan and Housing Trajectory, even if viability considerations did not prevent the delivery of any development at all
- 3.25 Given the context I discuss above, such a situation cannot be afforded if sufficient housing is to be delivered in the Borough, and if the most sustainable locations are to be developed.

4.0 RESPONSE TO THE LPA'S STATEMENT OF CASE

- 4.1 In this section of my evidence, I respond to RBC's SoC which was received on 13th August 2021. I do not repeat the case set out in my SoC here and instead respond only to the points raised in RBC's SoC.

Reason for Refusal 1

- 4.2 Reason for Refusal 1 relates to the north-south route through the site. RBC's case is that a high-quality route has not been provided due to concerns about public realm, safety and directness. I have responded to these points in detail from paragraph 3.36 of my SoC. The SoCs prepared by Mr Taylor and Mr Witchalls also provide detailed responses to Reason for Refusal 1 and are supplemented by their PoEs. I therefore focus below on responding to the comments made by Mr Markwell, Mr Doyle and Mr Cook in their SoCs.
- 4.3 Mr Markwell suggests that the north-south route provided as part of the appeal scheme is 'not strategic' and 'a weak link in the strategic route from the town centre to the river' which will 'throttle the proper functioning of the route' (paragraph 6.10 of his SoC). I wholeheartedly disagree with Mr Markwell's contention as the appeal scheme will deliver a high-quality, safe and attractive route which will provide a key part of the north-south route which RBC aspire to create, as I discuss in my SoC.
- 4.4 Moreover, I note that at no point in either the Local Plan or the RSAF is the north-south route specified as a "strategic" link. CR11ii requires that development will 'help facilitate greater pedestrian and cycle permeability, particularly on key movement corridors' with north-south links through the area noted as being of particular importance. The appeal scheme will help facilitate greater permeability for pedestrians and cyclists, providing a significant improvement compared to the current situation. CR11g sets out that 'development should continue the high-quality route including a green link from the north of the station to Christchurch Bridge'. The appeal scheme provides a high-quality green, sensitively landscaped route (both hard and soft landscaping) link connecting Vastern Road to Christchurch Bridge. As such, the appeal scheme is consistent with CR11ii and CR11g.
- 4.5 Mr Doyle comments at paragraph 2.9.10 that 'a straight link should be provided through the appeal site except where insurmountable site constraints prohibit this'. The directness of the route and the configuration of ramps are addressed by Mr Taylor at paragraphs 3.3-3.38 and by Mr Witchalls at paragraphs 5.1.1-5.3.5. The provision of a straight route is not a development plan policy requirement for the site. As set out in paragraph 3.53

of my SoC, should the straightness of the route have been a requirement of RBC it should have been included in the wording of the site-specific adopted policies, CR11 and CR11g. In this context and noting the constraints of the site which are discussed and demonstrated to be insurmountable by Mr Taylor in his SoC and PoE, the appellant has designed the scheme to achieve the best possible alignment of the north-south route as part of high-quality new development. I consider that the proposed route is attractive, well-designed, clear and legible for both pedestrians and cyclists, in accordance with paragraph 92 of the revised NPPF. It will provide an enhancement compared to the existing situation, consistent with the Local Plan. It is fully fit for purpose and will not 'throttle' the overall north-south link between the town centre and river, contrary to what Mr Doyle suggests at paragraphs 2.10.1-2.

4.6 Mr Doyle identifies three purposes of the north-south route at paragraph 2.10.3. Mr Doyle has based these on CR11 and the RSAF, however I note his specified purposes are not stated within the Local Plan or the RSAF. I respond to each of his suggested purposes in turn. Firstly, Mr Doyle suggests the route is intended to connect high density residential districts to open spaces. Paragraph 3.6 of the RSAF refers to routes to enhance movement and linkages across the area, noting that redevelopment sites provide opportunities for public space. As I discuss at paragraph 3.39 of my SoC, the appeal scheme will provide enhanced movement and linkages across the area, consistent with the RSAF. Indeed, it will provide direct access to Christchurch Meadows through the provision of a connection to Christchurch Bridge. Secondly, Mr Doyle refers to paragraph 5.6 of the RSAF and suggests a purpose of 'reconnecting rivers'. The appeal scheme provides a new connection south from the river which will form part of the wider connection between the Rivers Thames and Kennet. Thirdly, Mr Doyle refers to 'a strategic walking and cycling route from the central core through the station to the River Thames'. As I discuss above, at no point is the route described as strategic in the Local Plan or RSAF, nevertheless the appeal scheme provides a new route which will enhance access between Vastern Road and the Thames for all users. I therefore consider that the appeal scheme provides a route compliant with the requirements of CR11 as well as the wider Local Plan.

4.7 Mr Markwell states at paragraph 6.14 of RBC's SoC that 'the proposed development fails to deliver the visual link between the Thames and the Station required by policy (e.g., paragraph 7.10 of the RSAF)'. There is no development plan policy basis for requiring a visual link with no reference within policy wording to a visual link or unbroken line of sight being required. Paragraph 5.4.6 of the Local Plan refers to the north-south link being the main priority for the site, however it does not refer to or seek to require an unbroken line of sight. Instead, paragraph 5.4.6 states that 'if visual links are provided, this will help change the perception of the area north of the station as a separate entity'

(my emphasis). On this basis, it is clear that the Local Plan is not seeking to impose a requirement for a visual link across the area.

- 4.8 The RSAF is not development plan policy. Whilst I accept it has some weight as a material consideration, it is neither a development plan document, nor an adopted masterplan for the north-south route nor an up-to-date reflection of the situation on the ground, as I discuss from paragraph 3.32 of my SoC. In this regard, Mr Cook's comments at 4.9.8 are incorrect, not only because the RSAF is not policy but also because the RSAF precedes rather than follows the Local Plan (as Mr Cook appears to think is the case from the fact that he says the RSAF "builds on" the Local Plan).
- 4.9 Moreover, RBC's case regarding where a line of sight is sought is inconsistent. Mr Doyle purports that the line-of-sight RBC require is from the Station Square immediately to the north of the Station to a new area of public open space adjacent to the river on the appeal site. This is inconsistent with Mr Markwell's SoC as well as that of Mr Cook who also refers to a line of sight between the Thames and the Station (paragraph 4.9.5). It is also inconsistent with the RSAF which refers to the north-south link between the Station and the Thames (paragraph 7.10). I note that Figure 7.2 in the RSAF identifies that new views are to be created from the points which Mr Doyle refers to; however, there is no reference to an unbroken line of sight between those two points. Further, CR11g does not specify a location for new public space within the site; require there to be a line of sight to such a space; or even require that new public space is provided. Rather it refers to a link between the Station and the Bridge and identifies potential for an area of open space at the riverside. As such, there can be no policy basis for requiring a line of sight to such new public space.
- 4.10 An unbroken line of sight between the Station and Thames itself (as is referred to in paragraph 7.10 of the RSAF) is impossible to achieve due to levels, as Mr Clark and Mr Taylor discuss within their PoEs (paragraphs 3.18-3.23 and 3.6-3.7 respectively).
- 4.11 RBC have accepted within their comments of 22nd October 2020 (Appendix 13 to my SoC) that the line of sight is not going to be achievable as I note at paragraph 3.53 of my SoC.
- 4.12 Mr Markwell alleges that 'the proposed buildings have been intentionally positioned to terminate sight lines' (paragraph 6.14). As Mr Taylor demonstrates within his PoE, a straight route cannot be achieved due to immovable constraints. In this regard, the appellant has not 'intentionally' designed the site to terminate sight lines, rather it is not possible to achieve a straight line of sight from the Station to the Thames given the constraints present and so the optimum and most direct link possible is proposed.

- 4.13 Notwithstanding this, as Mr Clark demonstrates in his SoC (from paragraph 3.29), a direct line of sight is not necessary to achieve a high-quality route. The appeal scheme provides an appropriate design for the north-south route as part of a wider high-quality development.
- 4.14 Mr Doyle comments at 2.14.4 that the total area of landscaped spaces provided in the appeal scheme is too small and fragmented; Mr Taylor responds to this at paragraphs 3.39-3.45.
- 4.15 Width is addressed by Mr Witchalls at paragraph 6.4 of his SoC and paragraphs 5.4.1-5.4.6 of his PoE. There is no policy basis for requiring a specific width. Moreover, the width as proposed is consistent with standards as set out in Mr Witchalls' PoE and Mr Cook's SoC (paragraph 5.4.1).
- 4.16 Mr Markwell comments at paragraph 6.12 that the appeal scheme will provide 'the narrowest section of the wider north-south spine'. No planning consent has been secured for the sections of the route between Vastern Road and the station and therefore the width of that section, as well as its alignment, is not confirmed at the time of writing.
- 4.17 The link to the towpath is addressed by Mr Witchalls in his PoE at paragraphs 6.1.1-6.3.9. There is no policy basis for requiring cycle access to the towpath. Should such access have been sought by RBC, I consider it should have been specified in CR11g. CR11g requires that development should maintain and enhance public access along and to the Thames, which will be achieved and enhanced through the appeal scheme which provides a new connection to the towpath.
- 4.18 Mr Markwell and Mr Cook raise a concern that the gradient of the route is not compliant with the Department for Transport Inclusive Mobility guidance document. I note that this document is guidance only and not a standard which is required to be adhered to, and in any event does not apply to ramps such as that which is proposed. Mr Witchalls notes at paragraph 6.3.7 that the minor deviation from the Inclusive Mobility guidance (of 12mm) can be addressed through the detailed design of the site. In this regard, the finished route would be entirely in accordance with guidance and the NPPF.
- 4.19 Servicing movements are also addressed by Mr Witchalls at paragraphs 7.1.1-7.2.15. As Mr Witchalls demonstrates, the design would not be detrimental to the safety of pedestrians and cyclists, having been designed to prioritise the north-south route, and is therefore consistent with Policy TR3.

- 4.20 Mr Doyle appears at paragraph 2.17.4 to define 'quality' as relating to directness, visual links, width and landscape. This definition is not provided by policy. I consider that quality relates to the overall design approach, and how it addresses policy requirements and objectives holistically. The route is designed to be an integral element of the over-all design solution, it has active frontages and informal surveillance from the residential units which line the route; its hard and soft landscaping forms part of the overall approach to the scheme, and a green tree lined route is achieved from Vastern Road to the point that the public open space opens up towards the river. A scheme of public art and wayfinding will be integrated into the design solution. Further, Mr Witchalls demonstrates that the technical specifications of the route, which include width, gradient, layout of the switch backs, and vehicular crossing points, have been developed to achieve the optimum solution. I consider that the appeal proposal is a high-quality development on the basis it complies with relevant policies and effectively balances the objectives for the route which are set out in Policy and within the RSAF.
- 4.21 Mr Taylor from paragraph 3.52 identifies that Mr Doyle's suggested alternative schemes are flawed for a number of reasons, not least the layouts involve more changes of direction, particularly for pedestrians, than in the appeal scheme. Mr Taylor also notes that Mr Doyle's suggested layouts include the same link to the towpath as proposed by the appellant, despite RBC's objection to this. As such, the alternative routes are not considered to be better than that proposed as part of the appeal scheme, indeed I consider them to be an inefficient use of land that will not result in as high-quality and attractive a place as that proposed by the appellant.
- 4.22 Mr Doyle at paragraph 4.11.2 comments that 'it is puzzling that the appellant can demonstrate how the smaller and narrower SSE site [the remainder of the CR11g allocation] can provide a direct link when the larger and wider appeal site cannot'. As with Mr Markwell's SoC, there has been a failure to acknowledge the constraints which Mr Taylor demonstrates precludes an entirely straight route through the site.
- 4.23 Importantly, without the appeal scheme, no route from the station to the river would be possible. Having regard to the importance placed on delivering a north-south route by RBC (as evident at paragraph 5.4.6 of the Local Plan) and by Mr Doyle at paragraph 2.9.2 of his SoC, I consider that this strongly supports the case for the appeal scheme.
- 4.24 RBC have applied a narrow focus in relation to the north-south link and in doing so have failed to consider the route in the context of the wider urban design aspirations for the appeal site as a whole. The failure to look at the scheme as whole means the opportunity

for a high-quality development, including a high-quality new connection between Vastern Road and Christchurch Bridge, as proposed by the appellant has been overlooked.

- 4.25 Overall, I consider that the proposed north-south route is consistent with the site-specific policies CR11, CR11g, as well as Policies EN11, CC7, CR2, CR3, TR3 and TR4.

Reason for Refusal 2

- 4.26 Reason for Refusal 2 relates to the relationship of the appeal scheme, specifically Blocks D and E, to the Thames Path. RBC contend that the proposals would harm the setting and character of the path and the River Thames. I have responded to these points from paragraph 3.99 of my SoC, with Mr Taylor and Mr Clark providing detailed responses in their SoCs. I do not repeat those points below and instead address the points raised by Mr Markwell and Mr Doyle in their SoCs.
- 4.27 Mr Markwell acknowledges at paragraph 6.28 of his SoC that massing concerns (other than in relation to impact on ecology) were only drawn out at a late stage of RBC's consideration of the application, i.e. at the point that the Committee Report was being prepared.
- 4.28 Mr Doyle relates the proposals to RBC's Tall Buildings policy (CR10) at paragraphs 3.6.9 and 3.13.4. The proposals are not 'tall buildings' when considered against RBC's definition as clearly stated in Policy CR10, and as Mr Doyle agrees at paragraph 3.13.3. Therefore, contrary to Mr Doyle's view as expressed at his paragraph 3.6.9, CR10 is not relevant to the appeal proposal, and the principles of the policy cannot be applied to buildings which fall below (to any degree) the stated working definition. Mr Doyle and Mr Markwell also refer to the Tall Buildings Strategy. As Mr Clark notes the effects of built form in the appeal scheme are explained in the submitted Townscape and Visual Impact Assessment through careful consideration of beneficial and adverse change in relation to the relative sensitivity of townscape and visual receptors. Mr Clark demonstrates that the balance of change results in almost entirely beneficial effects (paragraph 3.81 of his PoE).
- 4.29 Mr Clark responds within his PoE (at paragraph 2.6) to comments made by Mr Doyle at paragraph 3.6.4 of his SoC) regarding how the bulk, height and massing respond to the National Design Guide. He confirms the appeal proposals are in accordance with the guide.
- 4.30 Policy EN13 is referred to by Mr Doyle. EN13 is not referred to within the Reason for Refusal and as such I do not consider that it is relevant to the consideration of this issue. Notwithstanding this, Mr Clark demonstrates that the appeal scheme will not detract from the character or appearance of the Thames valley, and therefore is consistent with EN13.

- 4.31 Mr Clark responds to criticisms about the TVIA raised at paragraph 3.11.2 and 3.18.1 of Mr Doyle's SoC within his PoE (from paragraph 3.83). He confirms that the impact on towpath users has been considered, specifically within views from Christchurch Bridge which were agreed with RBC as part of pre-application engagement to be representative of near-distance views from the river corridor (paragraph 3.87).
- 4.32 Mr Taylor responds to Mr Doyle's comment at paragraph 3.12.2 regarding the dead frontage of Block D at towpath level and the lower level of the café and terrace within his PoE. I note that there is no policy basis for requiring an active frontage on all buildings. CR11 (iii) seeks developments that 'front onto and provide visual interest to existing and future pedestrian routes and open spaces'. CR3 seeks that developments adjacent to a watercourse provide active elevations facing the watercourse, do not turn their back on watercourses and do not result in blank or mundane elevations facing the watercourse. Mr Taylor responds to these points at paragraph 3.64, demonstrating that the appeal scheme provides active frontages facing the river, in particular at the bridge connection level, whilst also designing a scheme which appropriately responds to flood risk which necessitates uses such as residential being located above the towpath level.
- 4.33 Mr Doyle refers to the Christchurch Bridge mast as being a major landmark at paragraph 3.14.7. It is common ground between RBC and the appellant that the 2018 Tall Building Strategy Update confirms 'Christchurch Bridge is a landmark on the river, but is currently visually separated from the rest of the area'. It is also common ground that the suspension pier of the Bridge is visible from a limited number of points north of the station (Statement of Common Ground (SoCG) paragraph 7.23). Mr Clark provides comments on the mast from paragraph 3.52 of his PoE. He concludes that the mast is only truly prominent in the townscape as perceived along the river corridor to the east and west (and then only from short distances owing to vegetation in Christchurch Meadows and on Fry's Island) and from Christchurch Meadows to the north with the principal legibility function in the townscape being to mark the river crossing and provide a focal point for routes from the west, north and east towards the town centre across the open space. Mr Clark comments that in these angles of view there would be no competition from the proposed built forms (paragraph 3.56).
- 4.34 Overall, I consider that it has been demonstrated that the appeal scheme responds appropriately to the Thames Path and will have a beneficial impact on its setting and character, for the reasons articulated for Mr Clark and Mr Taylor in their SoCs and PoEs. In this regard, I consider that the scheme is consistent with policies CR4, CR11v, CR11g, CC7, CR2, CR3 and EN11.

Reason for Refusal 3

- 4.35 Reason for Refusal 3 relates to ecology and trees. RBC's case is firstly that the appeal scheme will shade the River Thames and impact its marginal habitats with appropriate mitigation not demonstrated and secondly that large canopy trees are required within the riverside buffer and insufficient space has been provided for these. I respond to these points at paragraph 3.147 to 3.150 of my SoC. Mr Corbyn and Mr Rawlinson also respond to detailed matters within their SoCs. I focus on responding to RBC's SoC below, with my comments supplemented by those provided by Mr Corbyn, Mr Taylor and Mr Clark within their PoEs.

Impact of River Thames' marginal habitats

- 4.36 In relation to the potential impact of the riverside buildings on marginal vegetation, RBC argue that the 'mitigation hierarchy' as set out at paragraph 180 of the NPPF (July 21 revision) has not been appropriately followed. I have addressed this point in my SoC (para 3.147 to 3.150) and expand on these points below. Paragraph 180 a) states that:

If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

- 4.37 In considering the application of the mitigation hierarchy it is necessary in the first instance to consider whether significant harm will be caused and whether that harm can be avoided by locating on an alternative site with less harmful impacts.
- 4.38 Mr Corbyn addresses the significance of any harm in his SoC (paragraphs 3.28-3.31) and PoE (paragraphs 4.1-4.4). He agrees that the River Thames corridor at Reading is of Borough Significance, however he concludes that any potential impacts on marginal vegetation that will be caused by overshadowing from the proposed buildings will be of no more than Neighbourhood Significance, which is of a lower magnitude than 'Borough Significance'.
- 4.39 Mr Corbyn addresses the overshadowing that the proposed buildings may cause from paragraph 5.2 of his PoE, concluding that it is insufficient to have a significant detrimental impact. Mr Corbyn also says that marginal vegetation can and does thrive in shaded settings and that at worst he would expect a slight reduction in plant vigour and a loss

of small areas of marginal habitat already struggling to establish resulting from any increased over shadowing rather than comprehensive failure. Hence his assessment that any harm, if it occurs, will be of Neighbourhood Significance only.

4.40 In my SoC I address at paragraph 3.1.48 the allocation of this site for housing (Local Plan Policy CR11g). RBC have allocated 12 sites within the Station Major Opportunities Area, and CR11g forms part of the housing trajectory over the plan period. Mr Markwell suggests in his SoC at paragraph 6.4 that RBC will have an excess over and above the housing trajectory of 556 units, and that this is sufficient to demonstrate that RBC do not require the appeal Site CR11g to deliver the 209 units proposed in the appeal application. My evidence at 3.21 above, indicates that an excess of 556 units will be absorbed by other factors leaving a much smaller margin than Mr Markwell anticipates. In addition, I fundamentally disagree with Mr Markwell's dismissal of the increased housing need which RBC will be required to address from November 2024. I do not rehearse here the points I make at 3.6, however I would argue that contrary to Mr Markwell's statement on the matter, the increased baseline housing need from 689 to 876 per annum from November 2024 is very relevant and will impact on both the current five-year housing land supply and housing delivery over the plan period. On that basis, site CR11g will need to deliver in accordance with the allocation, and indeed RBC will be relying on all their allocations in order to meet their housing need. On that basis, it is reasonable to conclude that an alternative site cannot be identified in accordance with the NPPF Paragraph 180 Mitigation Hierarchy, as the alternative sites are already relied upon to meet housing need.

4.41 In his PoE Mr Taylor has set out at his paragraph 3.132-3 the collective impact on housing numbers on the appeal site, if all of RBC's objections and required reductions are addressed. In respect of reason for refusal 3, Mr Taylor at his Fig. Ap. 13, 14 and 15, demonstrates the impact of reducing the height or layout of the riverside buildings to reduce potential overshadowing. In undertaking this exercise Mr Taylor has used the advice set out in the Environment Agency (EA) consultation response (16th October 2020, document 4s(2) of RBC's submission), that the usual rule of thumb is to set the building back from bank top by the same distance as the height of the building; this equates to drawing a line at 45 degrees to the bank top and aligning buildings with that line. Mr Taylor has considered 3 scenarios which I summarise below:

	Scenario	Number of units lost
1	Set buildings down (Mr Taylor Fig. Ap. 14)	-48
2	Set buildings back from marginal vegetation	-38

	(Mr Taylor Fig. Ap. 13)	
3	Combination of 1 and 2 above (Mr Taylor Fig. Ap. 15)	-43
	Total number of units lost.	Between 38 and 48

- 4.42 The loss of 38, 43 or 48 units would reduce the number of dwellings on the appeal site to 171, 166 and 161 respectively, notwithstanding any other reductions that RBC consider necessary.
- 4.43 The appeal site is in a highly sustainable location within 170m of Reading Station and within 800m of town centre facilities, including The Oracle Shopping Centre, and employment opportunities. Bus services to a wide range of destinations within the Borough and beyond operate from the bus interchange north of the station and from stops south of the station on Station Road and Friar Street (see Transport Statement for further details (CD1.138)). In my view, this is precisely the kind of site which should deliver in line with its allocation, ensuring the efficient use of sustainable and accessible sites. A significant reduction in the number of units on the site would result in this not being the case, with significantly less housing than envisaged in the Local Plan being delivered. Notwithstanding the collective impact of the amendments to the scheme that RBC appear to consider necessary, the loss of between 38 and 48 units in respect of reason for refusal 3 alone is considered to be significant of itself.
- 4.44 I therefore consider that the relatively low level of harm to marginal vegetation, assessed by Mr Corbyn as of 'Neighbourhood Significance' cannot be avoided when balanced against the loss of housing delivery on this allocated, and highly sustainable site, when considered in the context of Reading's housing need which is set to increase over the plan period.
- 4.45 In their consultation response of 16th October 2020, the EA set out 2 Options. The first being an approach to avoiding harm to the biodiversity of the marginal vegetation by reducing height of buildings and/or setting them back further from the river which I refer to in my paragraph 4.41 above, acknowledging that *"we do realise this may not be the preferred option"*. The second option suggests additional marginal planting to be installed as a combination of mitigation and ecological enhancement, plus additional shade tolerant plants to the footbridge planting area to allow for succession to a shadier environment. In their response, the EA also state that there are a number of locations that could be explored for this additional planting.

- 4.46 Paragraph 180 of the NPPF in providing the Mitigation Hierarchy anticipates circumstances where significant harm cannot be avoided. Having demonstrated why the harm cannot be avoided, it is right that the Appellant has identified suitable locations and a detailed scheme for compensation.
- 4.47 Moving to the second stage of the Mitigation Hierarchy, Mr Corbyn addresses RBC concerns relating to the deliverability of the Appellants Options A and B for compensation on the northern and southern bank, focusing specifically on the southern bank (Option B).
- 4.48 Option B relates to a proposed area of compensation on the southern bank of the river in front and to the east of the site. The compensation proposals would increase the width and the area of the planted coir rolls (marginal vegetation) along the existing length to the east of the Christchurch Bridge. The wildfowl fence, which is currently broken, will be removed and a new stronger fence installed on the river edge of the additional coir roll. Mr Corbyn explains that increasing the width of coir rolls in Option B offers more sustainable long-term benefits for biodiversity compared with the existing single coir roll. He also suggests that Option B also offers much better existing conditions for marginal vegetation than the existing area between the bridge ramps as it is more open and the river depth is shallow. A wider strip of marginal vegetation will also be more resilient from boat wash, etc. Mr Corbyn's evidence is supplemented by information provided by Salix which concludes that this location is suitable for additional coir rolls.
- 4.49 Mr Corbyn's evidence is also supplemented by a report from Stantec who reflect on both the depth of the river at the point that the compensation planting will be installed, and the potential impact of the coir rolls on flood conveyance and navigability. They conclude that the river is shallow enough for the marginal planting to establish, and also that any effect on flood conveyance is very unlikely and that there will be no effect on navigability.
- 4.50 Mr Corbyn concludes that the enhancement of marginal vegetation represented by Option B is a deliverable compensation option which would more than compensate for any loss of vigour of the remaining 30m length of marginal vegetation adjacent to the site.
- 4.51 Mr Corbyn also responds to Dr Jenkins who states that mitigation needs to conform to the principle of additionality and that simply enhancing vegetation is insufficient. Mr Corbyn argues that the marginal vegetation proposed by Option B will be more than doubled in area, and that this conforms with the principle of additionality.
- 4.52 In relation to the site as a whole, Mr Corbyn in his PoE confirms that the proposals will result in at least 118% onsite biodiversity increase. The site has very limited biodiversity

value, due to the nature of coverage on the site, which is either built form or hard standing, with only small areas of vegetation towards the north of the site. The landscape scheme (drawing no. BHOC.448.LA.101 Rev E (CD1.74)) responds to the characteristics of the site, providing structured landscaping and a green corridor adjacent to the north south link, which becomes a new public open space to the north of the site, with wildflower meadow and mature trees as the site interacts with the tow path and riverbank on its northern boundary. In conjunction with the compensation scheme proposed for the southern bank marginal planting, the scheme represents a positive approach to increasing biodiversity.

- 4.53 Overall, Mr Corbyn concludes that the proposed development will secure positive ecological benefits throughout the site in addition to enhancing the marginal vegetation off site.

Trees

- 4.54 In relation to the provision of large canopy trees, RBC argue that large canopy trees are required within the riverside buffer and insufficient space has been provided for such trees.
- 4.55 There is no development plan policy basis for requiring large canopy trees within the riverside buffer, or anywhere within the site. Policy EN11 seeks the provision of a strengthened role for watercourses as wildlife corridors. Policy EN12 seeks the provision of new tree planting wherever practicable. Policy EN14 seeks provision for tree retention and planting. None of these policies, nor any other policy within the development plan, require the provision of large canopy trees. Paragraph 4.2.68 of the Plan says there will be a need to use appropriate large canopy trees, but as Mr Clark points out that does not amount to a requirement to place large canopy trees in every or any particular location.
- 4.56 The Tree Strategy adopted by RBC in March 2021 does not have development plan status, nor is it an SPD. It seeks the provision of large canopy trees; however, the document is guidance only and does not have the weight of a statutory development plan document.
- 4.57 I consider that should the provision of large canopy trees in this location have been a specific aspiration of RBC it should have been reflected in the wording of policy CR11g. It was not. Indeed, no reference is made with CR11g to the provision of tree planting within the site at all.

- 4.58 Notwithstanding this, the appeal scheme includes a large canopy tree. As Mr Clark notes this tree is provided where legibility is most relevant and where it reflects distinctive local character (paragraph 3.95 of his PoE).
- 4.59 In addition to the large canopy tree, 7 other trees are proposed within the riverside buffer. These tree species were chosen based on advice provided by the EA in relation to tree species and in response to concerns raised by RBC about overshadowing and possible physical contact with proposed buildings, as Mr Rawlinson explains in his SoC. As Mr Clark demonstrates at paragraph 3.95 of his PoE, these trees are entirely suitable to provide softening of the built frontages and a progression in scale to them from the Thames Path, whilst not unduly compromising the amenity benefits of riverside views and immediacy of active frontage to the river corridor.
- 4.60 The riverside buffer proposed provides sufficient space for a sustainable long-term relationship between proposed buildings and planting, as demonstrated by Mr Rawlinson within his SoC.
- 4.61 The long-term management of planting can readily be secured by planning condition; this will ensure that there is no future conflict between planting and buildings which could lead to pressure for tree removal from residents.
- 4.62 Mr Taylor addresses the riverside buffer included within the appeal scheme at paragraphs 3.76-3.81 of his PoE. I note that Policy EN11 sets out that where development in the vicinity of watercourses is acceptable it will 'be set at least ten metres back from the watercourse where practicable and appropriate to protect its biodiversity significance'. As Mr Taylor notes at paragraph 3.80 of his PoE, based on additional survey information commissioned following receipt of RBC's SoC, the appeal scheme slightly impinges on the 10m buffer in two small instances, the total area of which is 2.12m². The wider development provides an increased buffer to the river with an additional 63.68m² beyond the 10m buffer free of buildings. Policy EN11 seeks a 10m set back where practicable and appropriate; this has been complied with, with the exception of two minor impingements where it is not practicable to achieve without a reduction in the number of dwellings, and nor is it appropriate on design grounds. Furthermore, as Mr Taylor says, for the most part the proposals are located considerably more than 10m back from the river. On this basis, I consider that the appeal scheme is consistent with EN11. Similarly, I consider that the appeal scheme is consistent with CR11g which reiterates the request for development to be set back at least ten metres.

- 4.63 Overall, in relation to reason for refusal 3 I consider that the appeal scheme is consistent with paragraph 180 of the NPPF as well as policies EN11, EN12, EN13, EN14, CC7, CR2, CR3, CR4 and CR11.

Reason for Refusal 4

- 4.64 Reason for Refusal 4 relates to noise. RBC's case is that the appellant has failed to demonstrate sufficient noise mitigation measures to result in acceptable living conditions to future occupiers. I have responded to this case within my SoC (paragraph 3.166 onwards). Mr Peckham also addresses the concerns raised within his SoC, supplemented by his PoE. I respond below to the points raised by Mr Scrivener within his SoC (as reiterated by Mr Markwell in his SoC).
- 4.65 Mr Scrivener raises concerns regarding the methodology used by Mr Peckham in assessing noise impacts. Mr Peckham responds to these concerns within his PoE.
- 4.66 Mr Peckham also responds to Mr Scrivener's comments on the conclusions drawn in the noise assessment within his PoE, concluding that the design of the site and the noise impact from the neighbouring SSE operations is mitigated to a minimum and fully compliant with the requirements of the Agent of Change as described in the NPPF and PPG. Mr Peckham's PoE is informed by onsite noise monitoring surveys which have been ongoing between 21st May and 20th September 2021. Mr Peckham explains that noise from the substation operations is characterised by a continuous low level, low frequency 'hum' from the operation of the transformers and from the operation of the transformer cooling fans. The cooling fans operate infrequently and have been found to operate for a total of 7 hours during the period of onsite noise monitoring. This equates to 0.2% of the time period considered.
- 4.67 The development is engineered to ensure an acceptable acoustic environment both inside and outside of the proposed new dwellings, and mitigation measures to ensure appropriate noise standards are complied with can readily be secured by condition. Wording for such a condition is agreed by the appellant and RBC and is included within Appendix F of the SoCG.
- 4.68 Overall, I consider that it has been demonstrated that the appeal scheme is consistent with policies CC8, EN16 and CR6 on the basis that proposed mitigation measures will lead to a suitable quality of accommodation for future occupiers in terms of noise.

Reason for Refusal 5

- 4.69 Reason for Refusal 5 relates to heritage. RBC's case is that it has not been adequately demonstrated that retention and reuse of the locally listed building has been fully explored and that the benefits of the proposal do not significantly outweigh the harm caused to the building's significance. I respond to these points from paragraph 3.174 of my SoC, with detailed comments also provided within Mr Weeks' SoC. I respond below to the points raised by Mr Markwell, Mr Doyle and Mr Edgar, with my comments supplemented by those of Mr Weeks and Mr Taylor within their PoEs.
- 4.70 Mr Edgar suggests that the locally listed building is of high significance in terms of the social and industrial importance to Reading, the quality of the architecture and the influence of the architect linking to his historical associations with Reading and the Reading Electric Supply Company. Mr Weeks responds to each of these points within his PoE. Mr Weeks concludes that the building is of relatively low significance, as is set out in his PoE.
- 4.71 I note that Mr Edgar draws reference to the appellant's consultation website and says that it is 'indicative of the dismissive approach taken to the significance of the building by the developer' and that 'it indicates to me [Mr Edgar] that the appellant has not properly appreciated the significance of the building in coming to the view that it has a relatively low level of significance' (paragraph 3.26). These comments are unwarranted. Heritage has been considered in detail by the appellant, informed by technical work from Mr Weeks. The appellant's website is promotional material for the site used during consultation on draft proposals, it does not represent a detailed heritage assessment and Mr Edgar is wrong to suggest that this material suggests the significance of the building has not been properly considered.
- 4.72 On the basis of Mr Edgar's view of significance, he and Mr Markwell conclude that the loss of the building would be 'a loss to the town on a number of social and historic levels, causing substantial harm to the character and significance of the site' (paragraph 6.65 of Mr Markwell's SoC). Mr Weeks disagrees with the level of harm that would be caused in heritage terms, identifying that a limited level of harm would be caused overall given the relatively low significance of the building.
- 4.73 I also note that, were the appellant minded to do so, they would be able to demolish the locally listed building subject to applying to RBC for a determination as to whether the prior approval of the method of demolition and any proposed restoration of the site will be required (as per Schedule 2 Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)). The building does not

require planning consent for demolition. I consider that were the building to be of as great significance as Mr Edgar suggests, RBC would have sought to go to greater lengths to protect the building from demolition, and the alterations and adjacent development which have already taken place.

- 4.74 With regard to options for the retention and reuse of the building, RBC suggest these have not been fully considered. Mr Taylor provides detailed comments on the suitability of the building for reuse at paragraphs 3.97-3.98 and 3.105-3.114 of his PoE in response to RBC's SoC. Based on these comments, it is considered that the reuse of the building for residential, office or other uses is not practical given the location, size and floor levels of the building. More generally, retention of the building would not be appropriate in design and townscape terms in the context of the site's redevelopment. Mr Taylor also comments at paragraph 3.112 that retention would impose significant costs, thereby potentially impacting on the viability of development.
- 4.75 Options for façade retention have also been considered, as Mr Taylor describes within his PoE. Mr Taylor demonstrates that all possible options have been considered and discounted on the basis they are inappropriate or unfeasible.
- 4.76 Notwithstanding this, Mr Edgar advises that the retention of the façade would result in a medium-high level of harm overall to the significance of the building (paragraph 3.53). In this context, façade retention does not appear to represent a desirable option in RBC's view, or the appellant's view.
- 4.77 Mr Markwell comments at paragraph 6.69 of his SoC that 'the appeal scheme's physical indications towards the past are general imitation and tokenistic, somewhat abstract in nature. Whereas the retention on the locally listed building would enable a genuine part of the earlier power station to feature in the redeveloped site as part of the public realm'. Mr Markwell fails to note here that the building has undergone various detracting alterations since it formed part of the power station and its historic purpose is not evident from the building itself, as Mr Weeks/Taylor note. Moreover, aside from the architecturally unrelated building to the west, the setting of the locally listed building bears no resemblance to that which would have existed originally. Mr Edgar states that 'no 'setting' to the building is required' and that the frontages of the building adjoined by the former SSE buildings are more amenable to change and 'could be adapted howsoever they need to be' (paragraph 3.57). However, I conclude that the building could not readily be included in any redevelopment given its location and that it would appear isolated, with no context to explain the historic use of the building.

- 4.78 In contrast, the design of the appeal proposal, which references the industrial heritage of the site, will signal the heritage of the area. In this regard, I consider that the appeal scheme is consistent with Policy EN4 which outlines that replacement buildings should draw upon heritage elements of the previous design, incorporating historical qualities that made the previous building significant. Policy EN4 identifies this may include appearance, scale and architectural quality. As I set out at paragraph 3.182 of my SoC, the appeal scheme reflects the historical qualities of the former power station, as shown in images included in Mr Weeks' Heritage Statement (CD1.125) through its industrial aesthetic and scale. I note that in response to the planning application, RBC's historic buildings consultant considered the bespoke design proposals of the scheme to be 'a good quality response to the historic context of the proposed development' (Document 4b within RBC's submission).
- 4.79 Mr Markwell comments at paragraph 6.70 of his SoC that a number of the benefits offered by the appeal scheme would be provided by any proposal on the site. At paragraph 6.71 Mr Markwell questions whether the benefits could have been achieved had the proposals included the retention or part retention of the locally listed building. I consider that a number of the benefits offered by the appeal scheme would not have been possible with the retention of the locally listed building. Mr Taylor has provided details of the impact of the retention of the building, most notably that it would result in a reduced quantum of development being possible (see paragraph 3.113 of Mr Taylor's PoE). As a consequence of this the development of the site may not be able to support the provision of the same infrastructure or could become unviable altogether. I consider this would be a particular issue if other reductions to the appeal scheme sought by RBC were to be realised.
- 4.80 Paragraph 203 of the NPPF requires, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement having regard to the scale or any harm or loss and the significance of the heritage asset. Mr Weeks has provided evidence to demonstrate that the loss of the locally listed building as part of the appeal scheme would result in limited harm to heritage. In this context, and taking account of the significant benefits offered by the appeal scheme, as discussed in paragraphs 3.180-189 and Section 5 of my SoC, I consider that the loss of the locally listed building is justified.
- 4.81 Overall, I therefore consider that the appeal scheme is consistent with policies EN1 and EN4 as well as paragraph 203 of the NPPF.

Reason for Refusal 6

- 4.82 Reason for Refusal 6 relates to comprehensive development. RBC's case is that it has not been adequately demonstrated that the appeal scheme is part of a comprehensive approach to the CR11g sub-area. I respond to this from paragraph 3.197 of my SoC, with Mr Taylor also responding in his SoC and PoE. I respond below to the points raised within Mr Doyle's SoC.
- 4.83 Mr Markwell comments at 6.75 that the appellant has submitted insufficient information to demonstrate that the appeal scheme will play a full part in the comprehensive development of the CR11g sub-area. The information submitted by the appellant is criticised for its limited detail.
- 4.84 Detailed design would be considered at such time as the remainder of the allocation came forward for development, however there is no policy requirement for this to be done now, rather that it is to be demonstrated that the site could be developed in line with policy aspirations. Mr Doyle acknowledges this at paragraph 4.8.2. I consider that sufficient information has been provided to demonstrate that the remainder of the allocation is likely to achieve the requirements and aspirations of the Local Plan, consistent with Mr Doyle's request at paragraph 4.8.2.
- 4.85 The illustrative layout included within the Design and Access Statement (Appendix 11 of my SoC) is criticised on design grounds by Mr Doyle (paragraph 4.9.2 and as summarised by Mr Markwell at paragraph 6.76). Mr Taylor provides detailed comments within his PoE (paragraph 3.120) responding to the criticisms made by Mr Doyle and demonstrating that the comprehensive development of the whole CR11g allocation can be achieved.
- 4.86 Mr Doyle also criticises the scheme on the basis that it does not distribute risk, costs and benefits proportionately across the CR11g allocation. I disagree. The appeal scheme has been designed to make efficient use of the site, consistent with paragraph 124 of the NPPF and in line with the plot density advocated within RBC's Housing and Economic Land Availability Assessment (HELAA). Regard has also been had to how the remainder of the allocation could be developed, as has been demonstrated within the DAS and the SoC and PoE of Mr Taylor. I consider that the appeal scheme will enable efficient use to be made of the remainder of the allocation, should it come forward for development. Indeed, as Mr Taylor sets out at paragraphs 3.120 and 3.127, there may be opportunities for additional built footprint within the remaining land, subject to detailed design considerations. This could include the removal of the north-south connection through the site which Mr Doyle considers 'burdens the SSE site'. As discussed above, such details do not need to be resolved now for the appeal scheme to be compliant with policy, rather

the appellant needs to demonstrate that it is possible for the site to be developed in accordance with Local Plan requirements and aspirations, which has been done.

- 4.87 As I note above, the appeal scheme makes efficient use of the land available, consistent with paragraph 124 of the NPPF. Mr Doyle suggest at paragraph 4.13.1 that the illustrative layout for the remainder of CR11g shows an inefficient use of land. As I discuss above, the detailed design of the remaining land would be undertaken should the land come forward for development and there are potential opportunities for additional built footprint. On this basis, as Mr Taylor discusses within his PoE, a plot coverage compliant with the averages suggested by RBC's HELAA is readily achievable on the remaining land.
- 4.88 Mr Doyle suggests at paragraph 4.5.11 that Policy CR3 is relevant to this Reason for Refusal. It is not included within the Refusal for Refusal stated on the decision notice issued by RBC on 9th April 2021. Moreover, the appeal site is less than one hectare, the threshold at which the policy applies. I therefore consider that the policy is not of any relevance. Notwithstanding this, the appeal scheme provides a new north-south route which will facilitate access from the surrounding area, including forthcoming development, to existing open space and that which will be provided on the appeal site.
- 4.89 Importantly, none of the policies included within Reason for Refusal 6 (CR2, CR11viii and CR11g) require the appellant to demonstrate that the appeal scheme *would* be part of the comprehensive development of the whole of Station/Riverside area. Mr Doyle implies that this is the case at paragraph 4.15.1. Policy CR11viii explains that development should not prevent neighbouring sites from fulfilling policy aspirations and should contribute towards the provision of policy requirements that benefit the whole area, such as open space. This has been complied with, and Mr Taylor demonstrates how the remainder of the CR11g allocation can be developed consistent with policy requirements; as such, it has been demonstrated that the appeal scheme will not prevent the neighbouring site from fulfilling policy aspirations.
- 4.90 Moreover, the appeal scheme includes a north-south route which will enhance connectivity across the wider Station/River Major Opportunity Area as well as new public spaces and a café. It also provides a connection to a district heat network (should one come forward). These features of the appeal scheme will provide benefits for the whole area including in terms of connectivity, amenity and sustainability. In addition, no features of the scheme will prevent sites south of Vastern Road fulfilling policy aspirations.
- 4.91 Mr Doyle seeks to relate a number of other issues to this Reason for Refusal, for example that 'the lack of a comprehensive approach, stemming from the subdivision of the site, affects the decision not to retain the locally listed building' (paragraph 4.12.1) and that

it is 'puzzling' that a direct link is shown on the SSE site but not the larger and wider appeal site (paragraph 4.11.2). As set out in the SoC, there are a number of constraints which have informed the development of proposals for the site. Mr Doyle suggests that if the SSE site comes forward these constraints will most likely disappear completely thereby justifying the need for a comprehensive and fully integrated scheme for the entirety of CR11g. I disagree. Constraints will remain, for example regardless of the site size the retention of the locally listed building would lead to a reduction in the quantum of homes that could be provided.

4.92 Furthermore, I consider that the appeal scheme provides for and facilitates a comprehensive and fully integrated scheme, whilst also enabling a significant contribution to housing supply in the Borough and the provision of key infrastructure to be realised now.

4.93 In reality, the SSE site is not going to become available for development for a considerable length of time, if at all. In this context and taking account of the need for new housing in the Borough and sustainability of the site, the appellant has designed a scheme which will provide a high-quality development on the brownfield land available whilst also facilitating development of the remaining land should it become available in the future. I consider that this is a sensible approach given the considerable uncertainty regarding whether and when the SSE site will become available for development. I also consider that the ability to achieve a comprehensive development of the CR11g allocation has been demonstrated and as such the appeal scheme is entirely consistent with policies CR2, CR11viii and CR11g.

Reason for Refusal 7

4.94 Reason for Refusal 7 concerns the lack of a Section 106 Agreement. It is common ground between the appellant and RBC that planning obligations are required to be secured by an agreement or undertaking Section 106 of the Town and Country Planning Act 1990. Planning obligations will ensure that the appeal scheme is compliant with the Local Plan Policies and SPDs referenced in Reason for Refusal 7. On this basis, it is also common ground that the Reason for Refusal can be overcome through the execution of a suitably worded planning obligation.

4.95 A Section 106 Agreement will be submitted as part of this appeal (a draft of which is submitted alongside this PoE). Discussion with officers has taken place to inform the content of the Agreement and it has been shared with RBC for their comment.

- 4.96 With respect to affordable housing, it is common ground with RBC that a planning deferred contributions mechanism is appropriate in line with RBC's Affordable Housing SPD (2021). At the time the SoCG was agreed with RBC on 17th September, discussions regarding the format of the review mechanism were ongoing. Following these discussions, the Appellant has agreed an Addendum to the SoCG regarding the format of the mechanism as well as the baseline figures with RBC (dated 28th September). In summary, the use of the baseline figures set out by Mr Jones of BPS in his SoC for RBC, a benchmark land value of £6,500,000 and developer profit of 17.5%, and that the proforma for the deferred contributions mechanism be undertaken in accordance with the proforma attached to the Section 106 Agreement which is based on an Argus appraisal is now common ground. This is reflected within the Section 106 Agreement.
- 4.97 Overall, taking account of the above, I consider that the appeal scheme is consistent with all policies included within Reason for Refusal 7 (CC3, CC4, CC9, EN9, EN11, EN12, H3, H5, TR1, TR3 and TR5) as well as the included SPDs.

5.0 RESPONSE TO THE RULE 6 PARTY'S STATEMENT OF CASE AND OTHER INTERESTED PARTIES

- 5.1 In this section of my evidence, I respond to comments raised by the Rule 6 party in their SoC as well as comments raised by other interested parties. I do not repeat here the responses to representations made in response to the planning application provided in my SoC.

Privacy

- 5.2 Mr Sarafian on behalf of the Thames Path Residents Association raises a concern on page 2 of his SoC that buildings of 3-4 storeys would 'seriously impact our privacy and restrict our enjoyment of our properties'. I have responded to this issue from paragraph 4.9 of my SoC. Mr Taylor responds from paragraph 4.5 of his PoE, concluding that the appeal scheme does not cause an unacceptable level of harm to the privacy of the existing Lynmouth Road dwellings.

Traffic congestion

- 5.3 Mr Sarafian notes a concern regarding deliveries to the site and the impact these may have on surrounding areas. Mr Witchalls responds to this at paragraph 8.1.5 of his PoE.

Overbearing

- 5.4 Mr Sarafian notes a concern that development would be overbearing. Mr Clark responds to this from paragraph 4.1 of his PoE.

Pinch points

- 5.5 Mr Sarafian notes a concern about pinch points, referring to paragraph 6.15 of the committee report. Paragraph 6.15 identifies a pinch point between Blocks C and F/G which is said to give the development 'a cramped appearance and closes off views through'.
- 5.6 Mr Taylor and Mr Clark discuss the appearance and experience of travelling through the site within their SoCs and PoEs. Mr Clark demonstrates that the route through the site is consistent with the well-established design approach of staged, sequential enclosure of views along movement corridors.

- 5.7 I have responded to the back-to-back distance between proposed dwellings in this location at paragraph 4.11 of my SoC, noting that flats have been designed to not directly look into one another, thereby resulting in no detrimental effect on privacy.

Impact on residential amenity

- 5.8 Mr Sarafian raises a concern about the impact of the appeal scheme on residential amenity. The basis of this concern is not specified within his SoC. I have responded to the issue of loss of light from paragraph 4.13 of my SoC. The SoC prepared by Mr Barnes (Appendix 21 of my SoC) confirms that the considered design response to the development has enabled retained Vertical Sky Component levels which are reasonable within the urban context to be achieved. No objection to daylight/sunlight is raised within the committee report. In response to Mr Sarafian's SoC, Mr Barnes has produced a sunlight amenity assessment which considers potential overshadowing of the amenity space serving Thames Court (see **Appendix 1**). The assessment confirms that with the appeal scheme in place Thames Court would see at least 2 hours of direct sunlight to 100% of its area on the 21st March. He concludes that the space is therefore fully BRE compliant.
- 5.9 Moreover, at paragraph 6.21 of the committee report it is stated that 'the residential use is likely to be more acceptable in residential amenity terms than the previous general industrial use'.
- 5.10 I therefore consider that the appeal scheme will not result in an unacceptable impact on residential amenity.

Outdoor amenity space

- 5.11 Mr Sarafian raises a concern about the provision of outdoor amenity space for new dwellings, drawing on paragraph 6.22 of the committee report. I note that there is no policy requirement for all dwellings to have private outdoor space in central Reading. Paragraph 4.4.87 of the Local Plan sets out a guide for outdoor space for different types of accommodation, noting that development in central Reading will not always be expected to comply with the standards for dwellings outside central Reading. Open space is nonetheless required, unless exceptional circumstances prevail, to accommodate modest sitting out areas and clothes drying facilities.
- 5.12 It is common ground with RBC that 114 dwellings will be provided with private outdoor amenity space in the form of balconies and terraces. In addition, Juliet balconies are

provided to other dwellings. The provision of usable private outdoor amenity space has been maximised having regard to site constraints and is complemented by communal outdoor space. I consider that the quantum of private outdoor amenity space proposed is appropriate for, and at least consistent with other examples of flatted developments within Reading, particularly given the ease of access to open space within the site and within very close proximity to the site, such as at Christchurch Meadows.

Loss of locally listed building

- 5.13 Mr Sarafian and Ms Williams on behalf of Reading Conservation Area Advisory Committee (RCAAC) have raised concerns regarding the loss of the locally listed building. I have responded to these concerns from paragraph 3.174 of my SoC and paragraph 4.69 above in the context of Reason for Refusal 5. Mr Weeks has provided specialist heritage input in his SoC and PoE and Mr Taylor has provided input on the options for the retention and reuse of the building within his SoC and PoE. As set out above, overall, I consider that the loss of the building is justified in line with local policy as well as the NPPF.

Future-proofing of development

- 5.14 The appeal proposal includes an energy strategy based on an Air Source Heat Pump led heat network which utilises low carbon electricity. The proposal also provides a capped connection to a district heat network, should one come forward in the vicinity of the site. Photovoltaic panels are also proposed, generating further low carbon electricity.
- 5.15 On this basis, I consider that the appeal scheme is future-proofed and consistent with policy. Indeed, at paragraph 4.12.4 of the committee report it is confirmed that 'the energy strategy does comply with the Local Plan energy and carbon policies'.

Flood risk

- 5.16 Mr Sarafian raises a concern about flooding in gardens of nearby houses due to the current ground level being above the ground level of gardens in Lynmouth Road. Mr Taylor notes at paragraph 4.16 of his PoE that the height difference between ground floor levels of Lynmouth Road properties and levels within the site would be 0.5-0.7m, not 1.5m as Mr Sarafian suggests. Levels within the site are in accordance with the requirements of the Flood Risk Assessment submitted as part of the planning application.

- 5.17 The Flood Risk Assessment submitted as part of the application (CD1.124) demonstrates that 'the future occupants and users of the proposed development will be safe from flooding and there will be no detrimental impact on third parties' (paragraph 8.1.3).
- 5.18 A surface water drainage strategy has been prepared (CD1.132) demonstrating a significant reduction in peak runoff rates through the incorporation of onsite SuDS attenuation measures. There is currently no surface water attenuation on the site, which is currently almost entirely impermeable, and the appeal scheme will provide a betterment of more than 50% in terms of attenuation (as stated in paragraph 8.1.3 of the CD1.132), in line with Policy EN18.
- 5.19 No objection was raised by the Lead Local Flood Authority during determination of the application, subject to a condition relating to sustainable drainage (see paragraph 4.8.1 of the committee report). The requested condition is included in the schedule of agreed conditions appended to the Statement of Common Ground (Appendix F, condition 14).
- 5.20 On the basis of the above, I consider that it has been demonstrated that the appeal scheme will not lead to increased flood risk, including in the gardens of nearby houses.

Impact of tree planting

- 5.21 Mr Sarafian notes a concern that tree planting may damage the partitioning brick garden walls on the boundaries of gardens of properties on Lynmouth Road. I note that no concern has been raised by RBC. Trees will only be planted within the appeal site and appropriate consideration has been given to the impact that trees may have on surrounding features, having regard to their growth potential. Mr Taylor responds to Mr Sarafian's concern from paragraph 4.15 of his PoE, noting that tree planting will be in accordance with best practice to ensure no damage would be caused to existing properties. Overall, I consider that there is no planning policy basis to this concern, with no relevant development plan policies.
- 5.22 Tree planting proposed will also assist in maintaining the privacy of existing properties, a concern also raised by Mr Sarafian, as Mr Taylor notes at paragraph 4.13 of his PoE. This is in addition to providing biodiversity benefits, improving the green infrastructure within the site and softening the appearance of built form, thereby enhancing amenity for existing and future residents.

Cycle route design

- 5.23 Mr Elliot and Ms Lambert on behalf of Caversham and District Residents Association (CADRA) comment on the design of the proposed north-south route, in terms of its layout as well as how it will connect to the wider north-south route. I have responded to these points within my SoC (from paragraph 3.36) and in Section 4 of this PoE with detailed comments also provided by Mr Taylor, Mr Clark and Mr Witchalls. Overall, I consider that the design accords with policy requirements and, crucially, will provide significant enhancement in terms of connectivity compared to the current situation.

Building heights

- 5.24 Ms Lambert raises a concern about building heights adjacent the river. I respond to this point in relation to Reason for Refusal 2 above and within my SoC. Mr Clark and Mr Taylor also provide responses within the SoCs and PoEs. Overall, I consider that it has been demonstrated that the buildings are of an appropriate height and will have a positive impact on the character of the area and that mitigation address any impact on the river. I therefore consider that the appeal scheme is consistent with the requirements of the Local Plan.

Benefits of development

- 5.25 I note that Ms Lambert identifies positive aspects of the development which CADRA support. In addition, I note that Mr Sarafian concludes that the residents, represented by the TPRA, support the development of the site. In my view, as set out above and within my SoC, the benefits of the appeal scheme far outweigh the disbenefits.

6.0 SUMMARY AND PLANNING BALANCE

- 6.1 The appeal proposal for 55 Vastern Road represents the complete redevelopment of a sustainably located, brownfield urban site allocated for residential development in the adopted Local Plan. The proposal will provide a significant quantum of new homes to assist Reading Borough Council in delivering enough housing to meet its increasing housing need. Affordable housing will be provided if the viability of the development improves.
- 6.2 The scheme is a well-considered development of high-quality architectural design, layout, detailing and materials which is informed by and responds to the site's former use as a power station. The appeal proposal maintains and enhances the character and appearance of the surrounding area.
- 6.3 Importantly, the scheme facilitates a north-south link between Christchurch Bridge and Vastern Road, connecting the river/Caversham with Reading station and town centre. The delivery of such a link is RBC's key aspiration for the site and has, in that context, been a key consideration of the appellant during the preparation of proposals for the site.
- 6.4 The appeal scheme has been designed to respond appropriately to the site context, including the river. As demonstrated in the submitted Statement of Case and in the Proofs of Evidence of myself, Mr Taylor, Mr Clark, Mr Witchalls, Mr Weeks, Mr Corbyn and Mr Peckham, the proposed development aligns with the site allocation policy CR11g, other relevant policies in the adopted Local Plan and national policy as set out in the revised NPPF (2021).
- 6.5 Contrary to reason for refusal 1, the appeal scheme would deliver a new north-south route between Vastern Road and the River Thames, providing access to Christchurch Bridge and Caversham to the north as well as to the towpath, and part of the link from the north to the Station. The proposed route is of high quality, is safe and legible. In addition, it addresses the range of urban design objectives in accordance with RBC's principal aspiration for the site and in accordance with site-specific and more general policy within the Local Plan, and the RSAF.
- 6.6 Without the appeal scheme, no such route to Christchurch Bridge is possible and the delivery of the principal objective for this area will not be achievable.
- 6.7 The appeal scheme has been designed to respond appropriately to the site context, including the river, contrary to reason for refusal 2.

- 6.8 In my evidence and in relation to reason for refusal 3 I address the approach to the application of the mitigation hierarchy as set out at paragraph 180 of the NPPF, and conclude that any potential harm caused to marginal vegetation by increased overshadowing of the river and its margins cannot be avoided without substantially undermining the efficient use of urban land and the delivery of a sustainably located allocated site (CR11g). Any additional shading of the River Thames resulting from the appeal scheme, and subsequent impact on the marginal habitats of the river, can be addressed through the implementation of an ecological compensation scheme, as has been proposed by the appellant. Such compensation can readily be secured via a planning obligation.
- 6.9 The proposed tree planting on the riverside frontage is in accordance with policy. Maintenance of the trees to ensure no future conflict with buildings can readily be secured by planning condition.
- 6.10 Acceptable living conditions for all future residents will be achieved through the use of appropriate mitigation. Measures to ensure the noise environment is suitable for all dwellings can readily be secured by planning condition, ensuring that the appeal scheme is consistent with adopted policy.
- 6.11 The feasibility of retaining the locally listed building has been carefully assessed by Mr Weeks and Mr Taylor. Moreover, given the relatively low significance of the heritage asset, its loss is outweighed by the benefits of the scheme.
- 6.12 The appeal scheme provides for a high-quality development which makes efficient use of a brownfield site whilst also not prejudicing the ability to develop adjacent land as part of a comprehensive approach to the site allocation should that land become available for development at a future point in time. The proposals are in line with policy and do not prevent the remainder of the allocation also coming forward in accordance with policy.
- 6.13 Planning obligations will be secured to provide for the infrastructure necessary to mitigate impacts of development. This includes new and improved transport infrastructure and financial contributions towards open space and leisure, carbon offsetting, employment and skills. Whilst the appeal scheme cannot currently viably provide affordable housing, a planning deferred contributions mechanism will enable the provision of affordable housing should the viability improve at a future point in time.

- 6.14 All of the above has been achieved by the appellant as part of development proposals which are in accordance with the Local Plan allocation policy (CR11g) and at a density in line with that envisaged in RBC's Housing and Economic Land Availability Assessment. The appeal scheme will make efficient use of a brownfield site in a highly sustainable location, consistent with the aspirations of RBC as set out in the adopted Local Plan.
- 6.15 The appeal scheme will deliver numerous benefits for the new residential community it will create as well as for the wider Borough.
- 6.16 These benefits weigh significantly in support of the appeal scheme in the planning balance. They outweigh the harm caused to heritage as a result of the loss of the locally listed building.
- 6.17 Within Section 5 of my SoC I conclude that the appeal scheme achieves the three objectives of sustainable development as listed in paragraph 8 of the NPPF. Taking account of the amendments to paragraph 8 in the revised NPPF, I review the planning balance below.
- 6.18 The appeal scheme presents numerous opportunities for significant benefits, not least the following:
- The delivery of 209 new homes on a site allocated for housing in the adopted Local Plan, contributing towards meeting the increasing housing need in the Borough
 - The delivery of a new north-south pedestrian and cycle link connecting Vastern Road to Christchurch Bridge which will provide enhanced access between Reading town centre and the River Thames/Caversham – a key aspiration of RBC
 - The delivery of a new pedestrian link connecting Vastern Road and the River Thames towpath, improving access to the river from the town centre
 - The creation of a new high-quality development, improving the attractiveness of the area for existing and new residents
 - The provision of a riverside café and new public realm, creating an attractive active frontage to river
 - The provision of £200,000 towards the funding of a new pedestrian and cycle crossing on Vastern Road, improving access between the Station and Thames/Caversham
 - The delivery of a net biodiversity gain of 118%, contributing to RBC's environmental aspirations through the delivery of new planting including of trees

- The delivery of flood protection measures in line with emerging Environment Agency proposals
- The construction of sustainable new buildings with a low carbon energy strategy, renewable energy provision and a financial contribution towards carbon offsetting
- An affordable housing deferred contributions mechanism to secure affordable housing contribution if the viability of the scheme improves during build out
- A financial contribution towards open space and leisure improvements in the Borough
- A financial contribution towards the Borough's Employment and Skills Plan

6.19 Despite these benefits which would be delivered by the appeal scheme, RBC object to the proposals. For the reasons I have set out above, as supported by the PoEs of Mr Taylor, Mr Clark, Mr Witchalls, Mr Weeks, Mr Corbyn and Mr Peckham, none of RBC's objections to the proposals outweigh the significant benefits offered by the scheme, particularly as the concerns raised by RBC could readily be resolved through suitably worded conditions and obligations. For example:

6.20 RBC have raised concerns about the appeal scheme resulting in additional shading of marginal vegetation within the River Thames. The appellant has proposed mitigation to address any impact caused by any additional shading and a planning obligation to secure the provision of this mitigation scheme.

6.21 RBC have raised concerns about the noise amenity for new residents. The provision of appropriate glazing and ventilation to ensure acceptable noise amenity can readily be secured by planning condition. The wording of this condition has been agreed with RBC and is included in Appendix F of the SoCG.

6.22 RBC have raised concerns about the lack of an unbroken line of sight to the River Thames. The appellant has responded to these concerns above and proposes the provision of signage as well as public art within the site to assist with wayfinding. This can be secured through planning conditions and obligations, thereby ensuring there will be appropriate measures, further to the design of the development itself, to assist in wayfinding.

6.23 Taking account of the significant benefits offered by the appeal scheme and the relatively low significance of the locally listed building on the site, I consider that the loss of the locally listed building is outweighed by and justified by the benefits that development would provide.

- 6.24 In the context of the above, I consider that the appeal scheme is in accordance with paragraph 8 of the NPPF as well as the wider NPPF. The appeal scheme is also in accordance with the adopted development plan.
- 6.25 On this basis, I submit that in accordance with paragraph 11c) of the NPPF the appeal proposal should be approved without delay.

APPENDIX 1



BRE's Sun On Ground
Area seeing at least two hours of sunlight

YES	NO
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Day: 21st March
Latitude: 51.4°N
Effective day length: 10 hours
*Min solar angle 10°
(BR209 3.3.8)

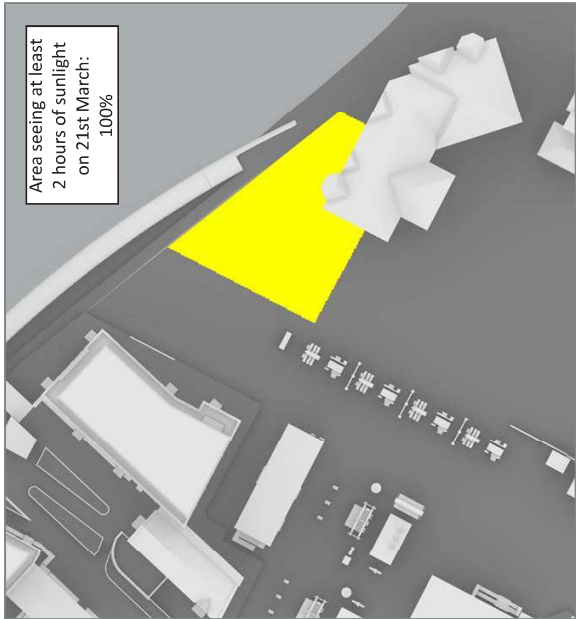


Fig. 2: Proposed

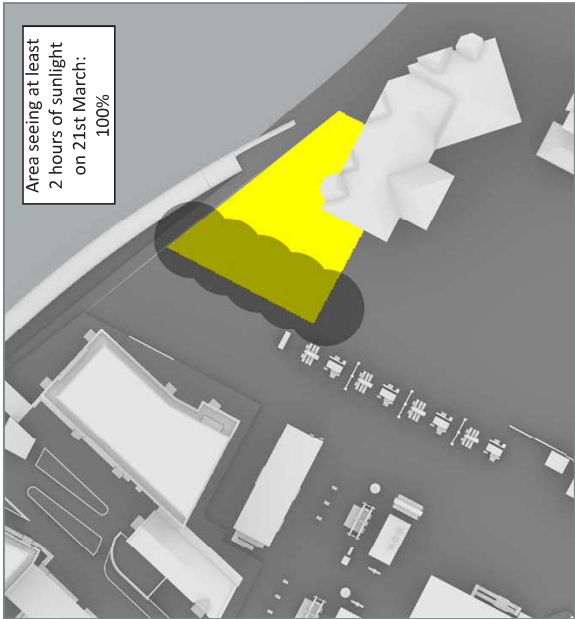


Fig. 4: Proposed with trees

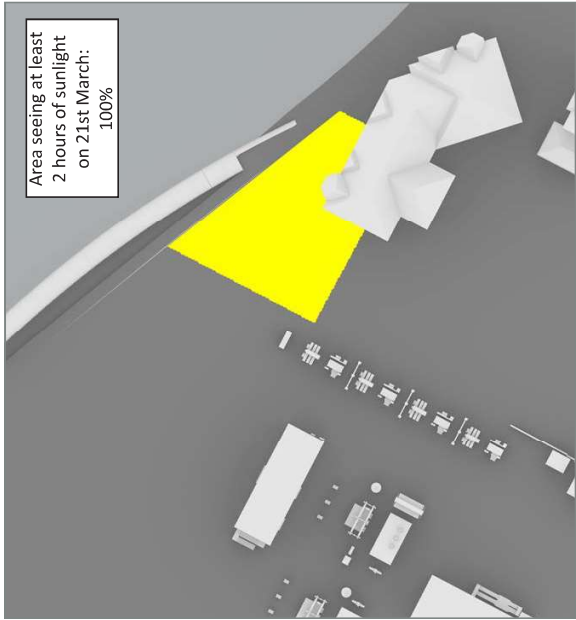


Fig. 1: Existing

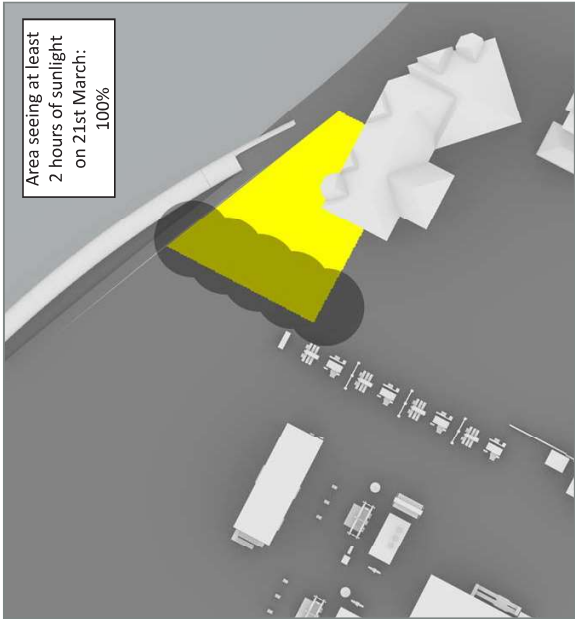


Fig. 3: Existing with trees

* Trees transparency 20%

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MASTERPLANNING & URBAN DESIGN
ARCHITECTURE
LANDSCAPE PLANNING & DESIGN
ENVIRONMENTAL PLANNING
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produced using recycled
or FSC paper and
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Appendix B

Reading: Council's evidence



**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78**

**APPEAL BY BERKELEY HOMES (OXFORD & CHILTERN) LTD AGAINST THE DECISION
BY READING BOROUGH COUNCIL TO REFUSE PLANNING PERMISSION FOR**
Demolition of existing structures and erection of a series of buildings ranging in height
from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace
(A3 use class), together with a new north-south pedestrian link, connecting Christchurch
Bridge to Vastern Road

AT

55 Vastern Road, Reading, RG1 8BU

INSPECTORATE REFERENCE: APP/E0345/W/21/3276463

READING BOROUGH COUNCIL REFERENCE: 200188/FUL

REBUTTAL PROOF OF EVIDENCE

**MARK WORRINGHAM BA (Hons) MSc MRTPI
ON BEHALF OF READING BOROUGH COUNCIL**

Date: October 2021

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Appendices

1. Appendix 1: Response from Plymouth City Council
2. Appendix 2: Response from Coventry City Council
3. Appendix 3: Response from Leeds City Council
4. Appendix 4: Response from Hull City Council
5. Appendix 5: Data on completed dwellings on small sites from Residential Commitments documents 2013-2020
6. Appendix 6: Adjustments to small site windfalls to account for non-C3/C4 forms of residential
7. Appendix 7: Summary of changes to strategic sites (10 dwellings or more) between 1st April 2020 and 30th September 2021
8. Appendix 8: Extract from the Reading Central Area Action Plan adopted January 2009

Qualifications, Experience and Declaration

This Proof Rebuttal has been prepared by Mark Worringham. I am Planning Policy Team Leader at Reading Borough Council. I have 20 years' experience in planning policy matters, and have worked in planning policy in Reading since 2004. I hold a Masters Degree in City and Regional Planning from Cardiff University. I am a Member of the Royal Town Planning Institute.

I led production of the Reading Borough Local Plan, adopted in 2019. I also lead preparation of the Council's Annual Monitoring Report which includes the annual updates to the Council's Housing Trajectory and Five-year Housing Land Supply position. I am familiar with the appeal proposal, having prepared the planning policy response to the application.

The evidence which I have prepared and provide for this appeal (reference APP/E0345/W/21/3276463) in this Proof of Evidence is true and has been prepared in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.

1.0 INTRODUCTION AND SCOPE

- 1.1 This rebuttal proof of evidence sets out rebuttal evidence in response to the ‘Town Planning Proof of Evidence’ of Kim Cohen relating solely to Section 3.0 on housing land supply. It also sets out rebuttal evidence in response to paragraph 3.4 of the ‘Design Proof of Evidence’ of Dave Taylor and paragraph 3.7 of the ‘Townscape and Visual Proof of Evidence’ by Patrick Clark.
- 1.2 At the outset, it is also clarified that this is not expected to be an exhaustive rebuttal and this document only deals with certain points where it is considered appropriate and helpful in responding in writing at this stage. Where a specific point has not been specifically responded to, this does not mean that these points are accepted, and these other points may be addressed further at the Public Inquiry.

2.0 RESPONSES TO THE APPELLANT'S TOWN PLANNING PROOF OF EVIDENCE

2.0.1 The Town Planning Proof of Evidence (PoE) prepared by Mrs Cohen on behalf of the Appellant covers a number of matters relating to housing land supply in section 3.0. Comments within the section refer to both five year housing land supply matters and to the Housing Trajectory covering the whole Local Plan period. However, the Appellant has now confirmed that it is not pursuing a case that RBC does not currently have a five year supply of housing, and this is set out in a Second Addendum SoCG, as submitted on 15th October 2021. This Rebuttal therefore deals mainly with housing land supply in terms of the whole plan period and the Housing Trajectory

2.0.2 The points raised by Mrs Cohen fall into three categories, which I will take in turn:

- Relevance of the standard methodology to housing requirements
- Assumptions about small site windfalls
- Site-specific supply

2.1 Relevance of the standard methodology to housing requirements

2.1.1 Mrs Cohen asserts in paragraph 3.7 of the Town Planning PoE that the revised standard methodology for calculating local housing need is of “*significant relevance to this appeal*” and in paragraph 3.9 that the increasing housing requirement “*supports the case for the appeal proposal to be approved*”. I do not agree for the reasons set out below.

2.1.2 As previously stated, Reading’s housing requirement of 689 homes per annum between 2013 and 2036 was set out in the Local Plan adopted on 4th November 2019, and was based on an objectively assessed housing need of 699 homes per annum. The standard methodology for assessing local housing need would, according to the Council’s calculations, result in an annual local housing need of 872 dwellings starting in 2021, representing a considerable increase over both previously assessed need and housing requirements. The outcome of applying the methodology based on 2021 figures is common ground (see the Second Addendum SoCG, as submitted on 15th October 2021, paragraph 2.2).

2.1.3 It should firstly be noted that it is also common ground that “*the increased requirement is not currently in effect in Reading, and would not be in force until it was reflected in an adopted Local Plan update or until November 2024, whichever is earlier*” (paragraph 7.7 of the Statement of Common Ground).

2.1.4 I do not agree with Mrs Cohen that the standard methodology for calculating housing need is of “*significant relevance to this appeal*” or “*supports the case for the appeal proposal to be approved*”. This is for three main reasons:

- It does not reflect the content of the NPPF and Planning Practice Guidance;
- Figures generated by the standard methodology are almost certain to have changed by the time the Local Plan review takes place; and
- It would pre-empt the outcome of both the Local Plan review and any subsequent plan-making process.

2.1.5 It is my strong view that assessing housing supply against the standard methodology figures in Reading at this point would not be in line with either the NPPF or Planning Practice Guidance.

2.1.6 Paragraph 74 of the NPPF states that:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old”.

2.1.7 Therefore, local housing need is only used as the basis for assessment where the strategic policies are more than 5 years old. Use of the present tense is relevant here - the question is whether policies “are” more than 5 years old, not whether policies “will be” more than 5 years old. As the Reading Borough Local Plan is less than 5 years old, local housing need is not used as the basis for assessing supply for any of the affected years.

2.1.8 Planning Practice Guidance includes a clear statement on this matter:

“Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year housing land supply figure where:

- the plan was adopted in the last 5 years, or*
- the strategic housing policies have been reviewed within the last 5 years and found not to need updating.*

In other circumstances the 5 year housing land supply will be measured against the area’s local housing need calculated using the standard method.”

(Paragraph: 005 Reference ID: 68-005-20190722)

2.1.9 According to this guidance, the use of the standard methodology is only of relevance in “other circumstances”. These other circumstances do not currently arise in Reading because the relevant strategic policies are in a plan adopted in the last 5 years.

2.1.10 Neither the NPPF nor the PPG state that, where a local plan review is due to take place within the five year housing supply period (which should virtually always be the case given the statutory five year review timescales) then the standard methodology should be used for those years that fall beyond the review date, which is Mrs Cohen’s contention. If this interpretation were to be

valid, there would need to be a clear statement to this effect in the PPG, because it is not the obvious interpretation of the guidance at all. No such statement is present.

2.1.11 Using the standard methodology figures at this stage is also inappropriate because the figures are virtually certain to have changed (in either direction) by the time that the review takes place and any resulting revisions to the plan are progressed. The methodology places a large emphasis on the affordability adjustment, calculated on the basis of median workplace-based affordability ratios, published annually by the Office for National Statistics. If a Local Plan review were to take place during 2024, the latest possible within the statutory review period, then there would have been three further publications of annual affordability ratios before the calculation of the standard methodology for plan making purposes is required. In this context, it is worth noting that, whilst the longer-term trend is generally for the affordability ratio to increase in Reading, there have also been a number of year on year decreases (2008-09, 2010-11, 2016-17 and 2019-20), so it cannot be said with any certainty what the figures will be when the required plan review takes place.

2.1.12 In addition, there can be no certainty about what the methodology will be at the time the Local Plan in Reading is reviewed. The standard methodology was first introduced in 2018, and since that time it has been subject to two significant changes (once to refer to 2014-based household projections and once to include the uplift for the largest urban areas). The results of the 2021 Census are likely to begin to become available within the intervening period, and may impact on whether 2014-based household projections that will be ten years old by the time of the Local Plan review still have any relevance. The Planning White Paper also suggested that a new methodology be introduced that takes account of constraints and results in a binding housing requirement, although planning reform associated with the White Paper has now been paused. There is considerable uncertainty, and it cannot be assumed for these purposes that the methodology will remain consistent.

2.1.13 Furthermore, use of the standard methodology figures as a basis for assessing future supply at this stage pre-empts the outcome of both the Local Plan review and any subsequent plan-making process.

2.1.14 Firstly, this is because use of the standard methodology is not a mandatory basis for plan-making. Paragraph 61 of the NPPF states that:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance - unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.”

2.1.15 Therefore, whilst use of the standard methodology would be the default position, national policy allows for alternative approaches to local housing need to be used in exceptional circumstances. Whether this is something that would be pursued in Reading is not known at this point, and this decision would need to be part of the Local Plan review process.

2.1.16 Secondly, once local housing need is identified, there is an additional stage before housing requirements in a plan are set. Paragraph 66 of the NPPF states that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

2.1.17 Therefore, the job of setting strategic policies includes assessing the degree to which the need for the plan area and any unmet needs from neighbouring areas can be accommodated over the plan period. This is the same process which meant that an identified need of 699 homes per annum for Reading Borough resulted in a housing requirement of 689 homes per annum in policy H1 of the Local Plan. A full assessment of capacity to accommodate needs is essential to this process. This may or may not result in a housing requirement that differs from local housing need, or to other approaches such as phased requirements.

This will need to be part of the plan review and subsequent plan-making process, and cannot be assumed at this stage.

2.1.18 On a more specific point, it is also worth noting that Mrs Cohen's PoE, in Table 1, applies a 5% buffer to every year of housing supply across the plan period. The purpose of the buffer, according to the NPPF in paragraph 74, is to bring forward delivery from later in the plan period. Paragraph 74 states that "*The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of ...*". Therefore, it should not be applied across the entire plan period, only to the years falling within five year supply.

2.1.19 Regarding the specific matter of five year housing land supply, Mrs Cohen's PoE, in paragraph 3.8 in particular, suggests that the standard methodology should be factored into five year housing land supply. It is recognised that it is now common ground that Reading has a five year supply of housing land. However, I have nonetheless sought views from other urban authorities that are in a similar position to Reading in that they are among the authorities to which the 35% urban uplift applies, and have adopted Local Plans containing housing requirement figures that are less than five years old. The authorities (other than London Boroughs) in the most comparable position to Reading are Plymouth (Plymouth and South West Devon Joint Local Plan adopted March 2019), Leeds (Core Strategy Selective Review adopted September 2019), Coventry (Local Plan adopted December 2017) and Hull (Local Plan adopted November 2017).

2.1.20 Responses received from each of Plymouth City Council (Appendix 1), Coventry City Council (Appendix 2), Leeds City Council (Appendix 3) and Hull City Council (Appendix 4) agree with RBC's position that, in line with Planning Practice Guidance, the housing requirement figures in adopted Local Plans should continue to be used for the purposes of calculating five-year housing land supply until such time as the plan is reviewed or the five-year review period has passed. I am therefore confident that, as well as fulfilling national policy,

the Council's approach is consistent with other authorities in a similar position across England.

2.2 Assumptions about small site windfalls

- 2.2.1 Mrs Cohen's PoE argues in paragraph 3.13 that RBC's anticipated housing supply is overly optimistic because an unrealistic supply from small site windfalls has been assumed, and that the allowance of 127 per year should be reduced to 117 based on delivery over the plan period up to 2020. I disagree with that conclusion.
- 2.2.2 Before considering the figures in more detail, it is worth mentioning that the figures for small site windfalls reported for past years in the Housing Trajectory published in the 2019-20 Annual Monitoring Report appear to be incorrect for the first three years of the plan period, 2013-2016. They do not accord with the published small site housing completion figures within the annual published Residential Commitments documents. Appendix 5A to 5C contain the relevant tables (Table 5 showing completed dwellings) from the Residential Commitments documents for each year. These figures were included in the Trajectory for information only and do not have any knock-on impacts on any other figures. This error does not affect the basis for calculating the 127 homes per year on small site windfalls, which stems from the Housing and Economic Land Availability Assessment 2017, which uses the correct figures. It also does not affect the overall past completion figures which are correctly reported in the Trajectory and which are used to calculate cumulative completions. Therefore, whilst an unfortunate error on behalf of RBC, correction of this error will not affect any other entries within the Housing Trajectory.
- 2.2.3 The correct figures are set out in Table 1 below. It should be noted that use of the correct figures only subtly affects the specific comment made by Mrs Cohen in paragraph 3.13, in that the allowance of 127 per year is still only exceeded in 2014-15 and 2017-18, although using the correct figures it is also equalled in 2015-16. However, it does affect the overall conclusion, because the average of delivery over that seven-year period 2013-2020 was actually 126 rather than 117 per year.

Table 1: Corrections to small site windfall figures in 2019-20 Housing Trajectory

Year	Small site completions (incorrect figures as reported in 2019-20 Housing Trajectory)	Small site completions (correct figures as reported in annual Commitments documents)
2013-2014	123	114
2014-2015	129	155
2015-2016	80	127
2016-2017	103	103
2017-2018	141	141
2018-2019	124	124
2019-2020	117	117
Total 2013-2020	817	881
Annual average 2013-20	117	126

2.2.4 However, corrections aside, I disagree with the wider point that it is only past delivery within the plan period that should be taken into account. The plan period has so far included some years of low delivery of homes due the end of the recession period, which affected housebuilding in Reading until at least 2014, and the effects of the pandemic. The small site windfall allowance of 127 per year was calculated within the Housing and Economic Land Availability Assessment (HELAA, published November 2017), which made up part of the Local Plan evidence base. These assumptions were available to the Inspector for the Local Plan as part of both the Housing Trajectory and calculations of five year supply, and, in her final report she considered the Housing Trajectory to be “realistic” (paragraph 27) and that “*The Council’s assumptions on demonstrating a five-year supply of housing land are robust*” (paragraph 28). The Inspector’s Report is included as Appendix 3 of Mr Markwell’s Proof of Evidence.

2.2.5 The approach taken by the HELAA is to calculate average past delivery of housing on small sites over a 15-year period between 2002 and 2017. This longer period smooths the effects of particular economic cycles. In accordance with the NPPF at the time (paragraph 48 in the 2012 NPPF), development on

garden land was excluded from the previous figures, although this is no longer specifically referred to in the 2021 NPPF. Given that this methodology was considered to form an appropriate basis for plan-making when the plan was examined, it makes sense to retain the approach and update the figures.

2.2.6 If the same calculation as considered appropriate through the Local Plan examination process was updated for the 15-year period from 2006 to 2021, the results would be as set out in Table 2. As can be seen, there would be a small reduction in annual figures from 127 to 124 per year. Spread over the remaining 15 years of the plan period, this would mean a total reduction of 45 dwellings.

Table 2: Small site windfalls 2006-2021

Year	Small site windfalls (all)	Small site windfalls (excluding garden land)
2006-2007	157	114
2007-2008	177	147
2008-2009	203	160
2009-2010	193	170
2010-2011	134	122
2011-2012	117	113
2012-2013	134	128
2013-2014	114	106
2014-2015	155	139
2015-2016	127	118
2016-2017	103	97
2017-2018	141	136
2018-2019	124	103
2019-2020	120	112
2020-2021	107	99
Average 2006-2021	140.4	124.3

2.2.7 However, it is worth being aware that the small site windfall calculations relate to dwellings only, which for the purpose of the commitments monitoring are C3 dwellinghouses and C4 small houses in multiple occupation. It does not include

other forms of accommodation such as residential care, student accommodation and large HMOs, which are otherwise accounted for in the figures for strategic sites in the trajectory. No allowance is made in the trajectory for these to continue to come forward on small sites, although the reality is that accounting for these would likely increase the small site windfall figures, for instance because losses of dwellinghouses to sui generis HMOs on small sites, a fairly common form of development in Reading, would be eliminated from the calculations.

2.2.8 For the plan period so far, the figures for small site completions (excluding garden land) would be amended as set out in Table 3 if all forms of residential accommodation were included. Details of the schemes that have resulted in these changes can be seen in Appendix 6, as can the methodology set out in the Local Plan for translating bedspaces in other forms of accommodation into a dwelling equivalent. As can be seen from Table 3, accounting for other forms of accommodation results in an average of an additional 4 homes per year.

Table 3: Small site windfalls 2013-2021 including all forms of residential accommodation

Year	Small site windfalls (excluding garden land) (C3/C4)	Small site windfalls (other forms of accommodation)	Small site windfalls (excluding garden land) (all forms)
2013-2014	106	-4	102
2014-2015	139	-1	138
2015-2016	118	1	119
2016-2017	97	7	104
2017-2018	136	1	137
2018-2019	103	6	109
2019-2020	112	15	127
2020-2021	99	9	108
Total 2013-21	910	34	944
Annual average 2013-2021	114	4.25	118

2.2.9 Therefore, given that in reality residential accommodation delivered through non-C3 forms of accommodation is likely to further boost the small site windfall figures from 124 per year (using updated figures within the established methodology) to 128 per year, I contend that the annual small site windfall assumption of 127 dwellings per year remains generally robust.

2.3 Site-specific supply

2.3.1 Mrs Cohen's PoE makes further assertions regarding the site-specific supply included within the Council's calculation of both its Housing Trajectory and its Five Year Housing Land Supply. These points relate to three sites:

- Land at Madejski Stadium, Shooters Way
- Alexander House, Kings Road
- Broad Street Mall.

Accounting for change and uncertainty

2.3.2 Before examining individual sites, it is worth bearing in mind that some degree of uncertainty and change from year to year is an inevitable aspect of calculating housing land supply in Reading. The circumstances surrounding sites that are, due to the nature of Reading, often in an existing use or where there are other competing uses such as commercial or community uses, mean that assumptions on sites may have to change significantly. This works both ways, in that it can reduce housing supply on some sites whilst increasing it on others. It is worth bearing in mind that this is the reason that the Council applies lapse rates to all sites where construction has not started - generally 10% on sites with planning permission or resolution to grant permission and 20% on prior approvals or local plan allocations (unless there are specific sites with greater certainty). The Trajectory therefore already accounts for uncertainty.

Land at Madejski Stadium, Shooters Way

2.3.3 The comments made by Mrs Cohen about Land at Madejski Stadium appear to relate only to timing, in terms of whether it can be relied on for the purposes of five year supply, not to the likelihood of implementation in the plan period to 2036. As it is now common ground that Reading has a five-year housing land supply, it is not considered that this needs to be addressed further.

Alexander House, Kings Road

2.3.4 Regarding Alexander House, Kings Road, the points made by Mrs Cohen are valid. The planning permission for the 56 dwellings on the site has now expired without the development being implemented. Prior approval for conversion to 22 dwellings was granted in June 2021. After accounting for lapse rates (see Appendix 7 for full details), this would result in 32 fewer dwellings being delivered over the plan period. The updated Housing Trajectory and Five Year Housing Land Supply for the 2020-21 Annual Monitoring Report will take account of this change.

Broad Street Mall

2.3.5 Regarding Broad Street Mall, it remains the case at the time of writing that the Section 106 agreement on this site has not yet been signed. However, the applicant and Council have made good progress in recent weeks on progressing this application. Conditions are now agreed and an extension of time has been agreed until 27th October, with both parties anticipating signature by that date. Permission may well have been issued before the inquiry takes place.

2.3.6 As Mrs Cohen identifies, the site has now been put up for sale. The Council does not agree that this means that the site is not deliverable. “Deliverable” sites are identified in the NPPF Glossary as including “*all sites with detailed planning permission*” until permission expires, “*unless there is clear evidence that homes will not be delivered within five years*”. I contend that the fact that a site has been put up for sale does not constitute clear evidence that homes will not be delivered within five years, and would not do so until such time as there was some evidence around the intentions of a new owner.

2.3.7 In any case, as the issue is not around demonstration of a five year supply and is instead around delivery across the longer plan period, the Broad Street Mall could still be included in supply calculations in the Trajectory if it were considered a “*developable*” site in line with the NPPF Glossary, albeit that its delivery outside the five year period would need to be assumed. Developable means that “*sites should be in a suitable location for housing development*”

with a reasonable prospect that they will be available and could be viably developed at the point envisaged". As the Council has resolved to grant permission for this residential development, the site is clearly in a suitable location for housing. Viability was assessed through the planning application process, and this demonstrated that the development was viable with an affordable housing contribution of 9%. Finally, even if a site is put up for sale, until the intentions of a new landowner are known it cannot be claimed that there is no reasonable prospect of its availability for housing development.

Other site-specific supply matters

2.3.8 As previously stated, uncertainty and change works both ways. A significant number of sites of 10 or more dwellings not included within the 2019-20 Housing Trajectory have since been granted planning permission or prior approval, or have a resolution to grant permission by the end of September 2021. These are as follows:

- 43 London Street (191043) - development of 21 dwellings granted June 2020;
- 42 Portman Road (200693) - prior approval for 16 dwellings granted August 2020;
- Wensley Road (200122) - development of 46 dwellings granted December 2020;
- 45 Caversham Road (201420) - development of 40 dwellings granted March 2021 (part of existing Local Plan allocation CR12b resulting in uplift of 10 dwellings over total assumed for this part of the site in 2019-20 Trajectory);
- 1 Bennet Court, Bennet Road (210306, 210320) - two separate prior approvals for 49 dwellings total granted April 2021;
- Arthur Hill Pool, 221-225 Kings Road (201135) - development of 15 dwellings granted May 2021 (existing Local Plan allocation ER1h for which 8 dwellings assumed in 2019-20 Trajectory);
- Great Brighams Mead, Vastern Road (210567) - prior approval for 110 dwellings granted June 2021;
- Land at 362 Oxford Road (201391) - development of 26 dwellings granted June 2021 (existing Local Plan allocation WR3j for which 13 dwellings assumed in 2019-20 Trajectory);

- Plot E, Station Hill (201537) - development of 415 dwellings representing an uplift of 45 dwellings over previously assessed supply, granted July 2021;
- Plot F, Station Hill (201533) - development of 184 dwellings representing an uplift of 16 dwellings over previously assessed supply, granted July 2021;
- Station Hill North (192032) - phases including new dwellings are in outline only, and would result in up to 750 additional dwellings above previously calculated supply, but likely balance of residential and non-residential is extremely flexible and number of homes that will actually be delivered is uncertain at this stage - granted July 2021;
- Rose Kiln Court, Rose Kiln Lane (211138) - prior approval for 38 dwellings granted September 2021;
- Fountain House, Queens Walk (211177) - prior approval for 48 dwellings granted September 2021;
- Soane House, 6-8 Market Place (211261) - prior approval for 93 dwellings granted September 2021;
- 2 Kings Road (211263) - prior approval for 12 dwellings granted October 2021;
- 11-12 Market Place (211312) - prior approval for 14 dwellings granted October 2021;
- 115 Chatham Street (210349) - development of 54 dwellings, resolved to grant permission July 2021, awaiting Section 106 (part of existing Local Plan allocation CR12b resulting in uplift of 34 dwellings over total assumed for this part of the site in 2019-20 Trajectory); and
- The Meadway Precinct, Honey End Lane (191496) - outline application for redevelopment of precinct for retail premises and 258 dwellings, resolved to grant permission October 2021, awaiting Section 106. 27 existing dwellings on site, meaning net gain of 231.

2.3.9 In total, the additional homes from the sites above, after inclusion of lapse rates and accounting for any dwellings already counted on a site within the Trajectory due to its inclusion as a Local Plan allocation, is 699, excluding Station Hill North where the number of homes is uncertain.

2.3.10 Furthermore, there would be an increase in the number of homes available to the land supply from major sites already within the Trajectory as a result of development commencing and the lapse rates therefore moving to zero. Based on the sites under construction at the end of 2020-21, this would mean:

- Land between Weldale Street and Chatham Street (170326) - 422 homes total, 42 additional homes in supply as a result of lapse rate changing from 10% to 0%;
- Former Cox and Wyman, Cardiff Road (171814) - 96 homes total of which 92 homes outstanding, 6 additional homes in supply as a result of lapse rate changing from 10% to 0%;
- Dukesbridge House, 23 Duke Street (201043) - 76 homes (prior approval), 14 additional homes in supply as a result of lapse rate changing from 20% to 0%, taking account of reduction in size of scheme by 1 dwelling;
- Dukesbridge Chambers, 1 Duke Street (191221) - 25 dwellings (prior approval), 5 additional homes in supply as a result of lapse rate changing from 20% to 0%;
- Norcot Community Centre, Lyndhurst Road (181377) - 18 dwellings, 2 additional homes in supply as a result of lapse rates changing from 10% to 0%; and
- 199-207 Henley Road (190835) - care home calculated as equivalent to 41 dwellings, 4 additional homes in supply as a result of lapse rate changing from 10% to 0%.

2.3.11 In total, this elimination of lapse rates for sites newly under construction adds 73 dwellings to the supply. It is worth noting that further sites have commenced development since the last monitoring exercise in April 2021. In particular, plots E and F of Station Hill have now commenced, and, as these total 538 dwellings (not including the uplift referred to in paragraph 2.41 above) and a lapse rate of 10% was assumed for the 19-20 Trajectory, this adds a further 54 dwellings to the supply. This may also apply to some other sites, but a full monitoring exercise has not been carried out since April 2021.

2.3.12 In addition to Alexander House, there are a number of other developments included in the 2019-20 Housing Trajectory where permission has recently expired. Whilst it is entirely possible that new proposals will be submitted on these sites, for the purposes of this analysis, they can be removed from the supply:

- Warwick House, 1 Warwick Road (151407) - development for 10 dwellings
- City Wall House, 26 West Street (171257) - change of use to 10 dwellings
- 14 Arkwright Road (180654) - prior approval for 37 dwellings
- 33 Blagrove Street (181074) - prior approval for 28 dwellings

2.3.13 In addition, the development at the former Reading Family Centre has reduced from 47 dwellings to 41 as a result of the latest permission. In total, these reductions to supply (taking account of relevant lapse rates and including Alexander House) total 107 dwellings.

Summary of site-specific supply

2.3.14 Therefore, as a result of new permissions, resolutions to grant permission and changes to lapse rates as a result of developments commencing, the total net additional homes added to supply for the plan period after accounting for lapse rates would be 719 (without accounting for Station Hill North). This includes the reduced supply for Alexander House, which Mrs Cohen has raised, but does not include any amendments for Land at the Madejski Stadium or Broad Street Mall for the reasons set out in paragraph 2.3.3 and paragraphs 2.3.5 - 2.3.7 respectively. This is set out in full in Appendix 7.

2.4 Conclusion

- 2.4.1 In paragraph 6.4 of Mr Markwell's Statement of Case, he notes that, based on the 2019-20 Housing Trajectory, the Council is expecting to exceed Local Plan housing requirements over the whole plan period to 2036 by 556 dwellings, and that this would give sufficient headroom to accommodate the identified total shortfall in meeting housing need over the plan period of 230 dwellings. Mr Markwell also identifies in paragraph 6.6 of the Statement of Case that this also means that the appeal site does not need to be developed for 209 dwellings to meet plan requirements.
- 2.4.2 Mrs Cohen's PoE (paragraph 3.21) argues that the exceedance of plan targets is likely to be lower than set out by Mr Markwell, and identifies reduced supply from small site windfalls and from three specific sites (Land at Madejski Stadium, Alexander House and Broad Street Mall) as reasons why this would be the case. Although Mrs Cohen's PoE does not include a specific figure by which assessed housing supply should be reduced, I have calculated the total reduction to supply that would be made across the whole plan period if the points in her Planning PoE were to be accepted as 562 dwellings after accounting for lapse rates (150 dwelling from small site windfalls, 32 dwellings at Alexander House, 380 dwellings at Broad Street Mall and no dwellings at Land at Madejski Stadium as the arguments are around timings only). Mrs Cohen further argues that increased housing requirements due to the changes to the methodology for local housing need will result in supply falling short of the requirement.
- 2.4.3 In this Rebuttal, I have demonstrated that the assumptions in the Housing Trajectory around small site windfalls remain robust and that no reduction should be assumed. I have also demonstrated that, since the date of the 2019-20 Housing Trajectory, changes to site-specific supply would result in supply over the plan period increasing by a further 719 dwellings. This takes account of a reduction for Alexander House as highlighted by Mrs Cohen, but not for Land at Madejski Stadium or Broad Street Mall for the reasons set out in this Rebuttal. This means that Mr Markwell's conclusions in paragraphs 6.4-6.6 of

his Statement of Case remain valid, and that, contrary to Mrs Cohen's conclusions, the exceedance of plan targets is likely to be higher than set out by Mr Markwell, at 1,275 dwellings over plan requirements over the plan period. This continues to give headroom to accommodate the shortfall from the Local Plan (230 dwellings) and a reduction in the dwellings on the appeal site (identified by Mrs Cohen in paragraph 3.24 of her PoE as being as high as 91 dwellings). It would also give headroom to allow for the additional reductions claimed by Mrs Cohen for small site windfalls (150 dwellings over the plan period) and Broad Street Mall (380 dwellings over the plan period accounting for lapse rates) whilst still resulting in an exceedance of plan requirements.

- 2.4.4 I have also made the case that housing supply in Reading should be judged against plan requirements in policy H1 of the adopted Local Plan rather than against the standard methodology for local housing need in the PPG, which, it is common ground, is not currently in effect in Reading. Use of the standard methodology at this stage would not reflect the PPG or NPPF, would not take account of changes in the methodology and/or assumptions and would pre-empt the Local Plan review and any subsequent plan-making process.

3.0 RESPONSES TO THE APPELLANT'S DESIGN PROOF OF EVIDENCE

- 3.1 The Design Proof of Evidence (PoE) prepared by Mr Taylor on behalf of the Appellant refers in paragraph 3.4 to the intentions of those who drafted policy CR11 of the Local Plan and the planning policy response to the planning application that is the subject of this appeal. Whilst the Rebuttal by Mr Doyle deals in depth with the matters covered in Mr Taylor's PoE, it is necessary to deal with this specific matter in this Rebuttal since I drafted both policy CR11 and the planning policy response.
- 3.2 In paragraph 3.4 of Mr Taylor's PoE he argues that the wording in paragraph 5.4.6 of the Local Plan (*"If visual links are provided, this will help change the perception of the area north of the station as a separate entity"*) perhaps accepts that unbroken views from the station to the river would not be possible to achieve. Paragraph 3.4 argues that because the Reading Station Area Framework (RSAF) pre-dates the Local Plan by 9 years, the Local Plan may have taken account of changes in that period, hence the wording above. The only changes likely to have influenced whether an unbroken view can be achieved is the subdivision of the CR11g site and retention of the SSE equipment.
- 3.3 I can confirm that Mr Taylor's speculation on the drafting of 5.4.6 is incorrect. The wording in question in paragraph 5.4.6 of the Local Plan in fact pre-dates both the submission of this planning application and the production of the RSAF. The wording is taken from the paragraph 6.11 of the supporting text to the equivalent policy RC1 in the Reading Central Area Action Plan (RCAAP), adopted in January 2009, which I also drafted. An extract from the RCAAP is included as Appendix 8. At the time, there was no reason to suppose that the site would be subdivided, the SSE equipment retained or that there would be any other impediment to clear visual links.
- 3.4 This was also the case at the time that the Local Plan was drafted. The Local Plan was submitted in March 2018, with the wording above identical to the adopted version. The first point at which development proposals on the basis of

a divided site were known to the Council was in October 2018, as part of the initial pre-application by Barton Willmore on behalf of Berkeley Homes (Western) Limited. By this point, the Local Plan was at the public hearings stage of the Examination. The potential subdivision of the site had not been raised in the SSE Regulation 19 representations of January 2018, and was not therefore discussed in the Examination.

- 3.5 Mr Taylor further speculates in paragraph 3.4 that the wording of the planning policy response was informed by the supposed intentions behind the drafting of paragraph 5.4.6. I can confirm that this was not the case, because paragraph 5.4.6 was not drafted with any such intentions.
- 3.6 Mr Doyle's Rebuttal Proof of Evidence deals with this matter further in paragraphs 3.2.3 to 3.2.7.

4.0 RESPONSES TO THE APPELLANT'S TOWNSCAPE AND VISUAL PROOF OF EVIDENCE

- 4.1 The Townscape and Visual Proof of Evidence (PoE) prepared by Mr Clark on behalf of the Appellant refers in paragraph 3.7 to the intentions behind those who drafted policy CR11 of the Local Plan. Whilst the Rebuttal by Mr Doyle deals in depth with the matters covered in Mr Clark's PoE, it is necessary once again to deal with this specific matter in this Rebuttal.
- 4.2 Mr Clark suggests that the practical challenges of providing visual links may have been recognised between the production of the RSAF and Local Plan, hence the wording of paragraph 5.4.6 (*"If visual links are provided, this will help change the perception of the area north of the station as a separate entity"*). This is a similar point to Mr Taylor's Design PoE which I addressed in section 3.0. As I have demonstrated in response to Mr Taylor, this was not the case as this wording pre-dates both the RSAF and the submission of the planning application that is the subject of this appeal.

Appendix 1: Response from Plymouth City Council

From: [Jackson, Grant](#)
To: [Worringham, Mark](#)
Subject: FW: Five year land supply - approach to urban uplift
Date: 04 October 2021 11:18:13

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

OFFICIAL

Hi Mark,

Happy to discuss if you want to give me a call, I am available all day today and between 9am and 3pm tomorrow. In short I totally agree with your interpretation/position which is consistent with our view. Think your appellant is being rather mischievous and misinterpreting the framework and guidance. More than happy to talk through the arguments/rebuttal if helpful?

Kind regards

Grant

Grant Jackson BA(Hons), M.Plan, MRTPI

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From: Planning Policy <planningpolicy@plymouth.gov.uk>

Sent: 01 October 2021 15:30

To: Jackson, Grant <Grant.Jackson@plymouth.gov.uk>

Subject: FW: Five year land supply - approach to urban uplift

OFFICIAL

Hi Grant

This is an email in relation to 5 year land supply calculations, can you respond?

Kind regards

Jonathan Helmn

Planning Officer

Strategic Planning and Infrastructure

Plymouth City Council
Ballard House
West Hoe Road
Plymouth
PL1 3BJ

T +441752306831

E jonathan.helmn@plymouth.gov.uk
www.plymouth.gov.uk

From: Worringham, Mark <Mark.Worringham@reading.gov.uk>

Sent: 01 October 2021 15:21

To: Planning Policy <planningpolicy@plymouth.gov.uk>

Subject: Five year land supply - approach to urban uplift

OFFICIAL

Dear Planning Policy

I am Planning Policy Team Leader at Reading Borough Council, and I have a query regarding your calculation of five-year housing land supply. It seems that Plymouth is in a very similar position to Reading in that your Local Plan was adopted in 2019 and you are also one of the 20 urban areas to which the 35% uplift in the standard methodology for housing need applies.

We are at appeal on a site at the moment, and the appellant's proofs of evidence are suggesting that, because November 2024 is five years from adoption of our Local Plan, when calculating five year supply, for part of 2024-25 and all of 2025-26, we should be applying our much higher standard methodology figure rather than our adopted Local Plan targets. This is not how I had been interpreting Planning Practice Guidance – I was just assuming that our Local Plan targets would apply across all of the 5 year supply until such time as the statutory review period was up or we reviewed our policies.

Is this something you have given any thought to, and, if so, what is your approach please?

Regards

Mark

Mark Worringham
Planning Policy Team Leader
Planning Section | Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Mobile: 07855 126084

Email: mark.worringham@reading.gov.uk

Please note that I am currently working at home until further notice. Please contact me by e-mail or on my mobile number, as my RBC landline number will not be answered.

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Appendix 2: Response from Coventry City Council

From: [Planning Policy](#)
To: [Worringham, Mark](#)
Subject: RE: Five year housing land supply - approach to urban uplift
Date: 05 October 2021 10:10:29
Attachments: [0.png](#)

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Hi Mark

We've had a look and yes, we would agree with Reading's interpretation of the guidance

Kind regards

Clare Eggington

Principal Town Planner (Planning Policy)
Coventry City Council
One Friargate
Coventry
CV1 2GN

Phone: 02476 972751

www.coventry.gov.uk

From: Worringham, Mark <Mark.Worringham@reading.gov.uk>
Sent: 01 October 2021 16:14
To: Planning Policy <Planningpolicy@coventry.gov.uk>
Subject: Five year housing land supply - approach to urban uplift

OFFICIAL

Dear Planning Policy Team

I am Planning Policy Team Leader at Reading Borough Council, and I have a query regarding your calculation of five-year housing land supply. It seems that Coventry is in a very similar position to Reading in that your Local Plan is adopted and less than 5 years old, and you are also one of the 20 urban areas to which the 35% uplift in the standard methodology for housing need applies. We are slightly behind you in that our Local Plan was adopted in 2019.

We are at appeal on a site at the moment, and the appellant's proofs of evidence are suggesting that, because November 2024 is five years from adoption of our Local Plan, when calculating five year supply, for part of 2024-25 and all of 2025-26, we should be applying our much higher standard methodology figure rather than our adopted Local Plan targets. This is not how I had been interpreting Planning Practice Guidance – I was just assuming that our Local Plan targets would apply across all of the 5 year supply until such time as the statutory review period was up or we reviewed our policies.

Is this something you have given any thought to, and, if so, what is your approach please?

Regards

Mark

Mark Worringham
Planning Policy Team Leader
Planning Section | Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Mobile: 07855 126084

Email: mark.worringham@reading.gov.uk

Please note that I am currently working at home until further notice. Please contact me by e-mail or on my mobile number, as my RBC landline number will not be answered.

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Appendix 3: Response from Leeds City Council

From: [Brook, Matthew](#)
To: [Worringham, Mark](#)
Subject: RE: Five year land supply - approach to urban uplift
Date: 05 October 2021 16:52:11
Attachments: [image002.png](#)

OFFICIAL

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Hi Mark,

Thank you for your email, which has just been forwarded to me.

My interpretation is that same as yours – and, I'd advance, the only one in line with PPG. The requirement figure for 5YHLS is the adopted Core Strategy (September 2019) and would be in use until it is either replaced as part of a local plan update with a new requirement or upon the adopted target becoming 5 years old in 2024 and no longer in use.

I'd say 'Paragraph: 005 Reference ID: 68-005-20190722' is unequivocal that *"Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year housing land supply figure where: the plan was adopted in the last 5 years"*.

I can understand why your appeal proof would recognise what the impact of the 35% uplift would be and you could (for illustrative purposes) calculate a 5YHLS position with the uplift applied in years 2024/25 and 2025/26. However, there is no requirement for you to do so as the 35% uplift is for consideration and inclusion as part of plan-making rather than decision-taking activities.

I hope that helps.

Many thanks.

Matthew Brook | Principal Planner
Policy and Plans Group | Data & Intelligence Team
City Development | Merrion House | 9th Floor East
Tel: 0113 37 87650 | Email: matthew.brook@leeds.gov.uk



From: Local Plan Leeds <localplan@leeds.gov.uk>
Sent: 05 October 2021 16:30
To: Brook, Matthew <Matthew.Brook@leeds.gov.uk>
Subject: FW: Five year land supply - approach to urban uplift

From: Worringham, Mark <Mark.Worringham@reading.gov.uk>
Sent: 01 October 2021 15:41
To: Leeds Local Plan Update <lp@leeds.gov.uk>
Subject: Five year land supply - approach to urban uplift

OFFICIAL

FAO Planning Policy – apologies if this has come through to the wrong team, please redirect as appropriate

I am Planning Policy Team Leader at Reading Borough Council, and I have a query regarding your calculation of five-year housing land supply. It seems that Leeds is in a very similar position to Reading in that your Core Strategy amendments were adopted in 2019 and you are also one of the 20 urban areas to which the 35% uplift in the standard methodology for housing need applies.

We are at appeal on a site at the moment, and the appellant's proofs of evidence are suggesting that, because November 2024 is five years from adoption of our Local Plan, when calculating five year supply, for part of 2024-25 and all of 2025-26, we should be applying our much higher standard methodology figure rather than our adopted Local Plan targets. This is not how I had been interpreting Planning Practice Guidance – I was just assuming that our Local Plan targets would apply across all of the 5 year supply until such time as the statutory review period was up or we reviewed our policies.

Is this something you have given any thought to, and, if so, what is your approach please?

Regards

Mark

Mark Worringham
Planning Policy Team Leader
Planning Section | Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Mobile: 07855 126084

Email: mark.worringham@reading.gov.uk

Please note that I am currently working at home until further notice. Please contact me by e-mail or on my mobile number, as my RBC landline number will not be answered.

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Appendix 4: Response from Hull City Council

From: [Cumberlin Chris](#)
To: [Worringham, Mark](#)
Cc: [Gray Roger](#); [Harrison Robert](#)
Subject: RE: Five year land supply - approach to urban uplift
Date: 05 October 2021 17:04:45

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Mark,

We would agree with your reading of Planning Practice Guidance and that use of your adopted Local Plan housing figure is the correct approach.

Background figures for Hull are:

- Local Plan 2016 to 2032 – Adopted November 2017. Housing Requirement 9,920 (620 PA x 16 years);
- Net delivery for first 5 years 4,024, a residual requirement 5,896 (11 Years) **536 per annum;**
- The 35% 'Cities' uplift in the standard methodology is applicable but by coincidence for 2021 it raises our minimum housing need figure to **536 per annum.**

So for Hull, use of the (residual) housing requirement of our plan period (the minimum housing need) wouldn't be seen as something for dispute in a local appeal situation, particularly since any plan review will potentially lead to a lower housing requirement than in the adopted LP.

Plus currently we have:

- Housing Delivery Test figures of 165% (2018), 194% (2019) and 241% for 2020;
- A 5-year supply of 5.9 years in our SHLAA 2021.

Hope this is helpful.

Regards,

Chris Cumberlin
Economic Development & Regeneration
Hull City Council
Floor 2, The Guildhall
Alfred Gelder Street
Kingston upon Hull
HU1 2AA
Tel: 01482 612386
Email: chris.cumberlin@hullcc.gov.uk
Web: www.hull.gov.uk

From: Gray Roger
Sent: 05 October 2021 10:48

To: Harrison Robert <Robert.Harrison@hullcc.gov.uk>; Cumberlin Chris <Chris.Cumberlin@hullcc.gov.uk>

Subject: FW: Five year land supply - approach to urban uplift

An interesting query from Reading Borough Council re interpretation of guidance and five year land supply. It was forwarded to me – could one of you respond please. Might be useful to get some insight to what they are doing etc.

Thanks

Roger

From: Development Control <Dev.Control@hullcc.gov.uk>

Sent: 05 October 2021 10:27

To: Gray Roger <Roger.Gray@hullcc.gov.uk>

Subject: FW: Five year land supply - approach to urban uplift

From: Worringham, Mark <Mark.Worringham@reading.gov.uk>

Sent: 01 October 2021 15:57

To: Development Control <Dev.Control@hullcc.gov.uk>

Subject: FW: Five year land supply - approach to urban uplift

You don't often get email from mark.worringham@reading.gov.uk. [Learn why this is important](#)

OFFICIAL

Please could you pass to the Planning Policy team, as I can't find alternative contact details?

Thanks

Mark Worringham

From: Worringham, Mark

Sent: 01 October 2021 15:53

To: 'planning.policy@hullcc.gov.uk' <planning.policy@hullcc.gov.uk>

Subject: Five year land supply - approach to urban uplift

Dear Planning Policy Team

I am Planning Policy Team Leader at Reading Borough Council, and I have a query regarding your calculation of five-year housing land supply. It seems that Hull in a very similar position to Reading in that your Local Plan is adopted and less than 5 years old, and you are also one of the 20 urban areas to which the 35% uplift in the standard methodology for housing need applies. We are slightly behind you in that our Local Plan was adopted in 2019.

We are at appeal on a site at the moment, and the appellant's proofs of evidence are suggesting

that, because November 2024 is five years from adoption of our Local Plan, when calculating five year supply, for part of 2024-25 and all of 2025-26, we should be applying our much higher standard methodology figure rather than our adopted Local Plan targets. This is not how I had been interpreting Planning Practice Guidance – I was just assuming that our Local Plan targets would apply across all of the 5 year supply until such time as the statutory review period was up or we reviewed our policies.

Is this something you have given any thought to, and, if so, what is your approach please?

Regards

Mark

Mark Worringham

Planning Policy Team Leader

Planning Section | Directorate of Economic Growth and Neighbourhood Services

Reading Borough Council

Civic Offices

Bridge Street

Reading

RG1 2LU

Mobile: 07855 126084

Email: mark.worringham@reading.gov.uk

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Appendix 5: Data on completed dwellings on small sites from Residential Commitments documents 2013-2020

Appendix 5A: Completed dwellings 2013-2014

READING BOROUGH COUNCIL - RESIDENTIAL COMMITMENTS 2014

Table 5 - Planning Permissions (Hard Commitments) Completed 2013-2014

	New Build	Demolition	Conversion Gain	Conversion Loss	Change of Use Gain	Change of Use Loss	Net Change
Reading Borough Total	381	92	46	23	51	2	361
By Ward							
Abbey	31	0	8	3	19	2	53
Battle	0	0	8	4	1	0	5
Caversham	0	0	7	3	3	0	7
Church	21	0	0	0	0	0	21
Katesgrove	82	0	4	2	21	0	105
Kentwood	2	0	2	1	0	0	3
Mapledurham	3	0	0	0	0	0	3
Minster	2	0	0	0	0	0	2
Norcot	145	87	2	1	0	0	59
Park	6	1	2	1	1	0	7
Peppard	8	0	2	1	0	0	9
Redlands	0	0	7	2	6	0	11
Southcote	1	1	0	0	0	0	0
Thames	1	1	0	0	0	0	0
Tilehurst	50	0	4	5	0	0	49
Whitley	29	2	0	0	0	0	27
By Development Plan Designation							
Central Reading	34	0	4	2	29	2	63
Smaller Centres	6	0	6	3	5	0	14
Town Centres Sub-Total	40	0	10	5	34	2	77
South Reading Total	114	2	2	1	2	0	115
Core Employment Areas Total	0	0	0	0	0	0	0
By Type							
Brownfield	373	92	42	22	51	2	350
Greenfield	8	0	4	1	0	0	11
By Size							
Large	224	87	0	0	0	0	137
Medium	101	0	0	0	9	0	110
Small	56	5	46	23	42	2	114

APPENDIX 5b: Completed dwellings 2014-2015

READING BOROUGH COUNCIL - RESIDENTIAL COMMITMENTS 2015

Table 5 - Planning Permissions (Hard Commitments) Completed 2014-2015

	New Build	Demolition	Conversion Gain	Conversion Loss	Change of Use Gain	Change of Use Loss	Net Change
Reading Borough Total	353	3	47	25	266	3	635
By Ward							
Abbey	15	0	17	8	152	0	176
Battle	34	0	14	6	5	0	47
Caversham	0	0	3	1	1	0	3
Church	0	0	0	0	0	0	0
Katesgrove	44	0	4	3	26	1	70
Kentwood	11	0	2	1	2	1	13
Mapledurham	2	1	0	0	0	0	1
Minster	51	1	2	1	16	0	67
Norcot	37	0	0	0	3	0	40
Park	3	0	0	3	3	1	2
Peppard	16	0	0	0	0	0	16
Redlands	4	0	1	0	49	0	54
Southcote	39	0	0	0	0	0	39
Thames	4	0	2	1	0	0	5
Tilehurst	10	1	0	0	9	0	18
Whitley	83	0	2	1	0	0	84
By Development Plan Designation							
Central Reading	15	0	11	7	150	0	169
Smaller Centres	0	0	2	1	21	0	22
Town Centres Sub-Total	15	0	13	8	171	0	191
South Reading Total	124	0	3	1	2	0	128
Core Employment Areas Total	0	0	0	0	0	0	0
By Type							
Brownfield	337	3	47	25	266	3	619
Greenfield	16	0	0	0	0	0	16
By Size							
Large	216	0	0	0	10	0	226
Medium	77	0	0	0	177	0	254
Small	60	3	47	25	79	3	155

Appendix 5C: Completed dwellings 2015-2016

READING BOROUGH COUNCIL - RESIDENTIAL COMMITMENTS 2016

Table 5 - Planning Permissions (Hard Commitments) Completed 2015-2016

	New Build	Demolition	Conversion Gain	Conversion Loss	Change of Use Gain	Change of Use Loss	Net Change
Reading Borough Total	508	69	47	17	301	19	751
By Ward							
Abbey	226	0	27	8	70	18	297
Battle	5	0	11	5	11	1	21
Caversham	14	0	2	1	0	0	15
Church	1	0	0	0	2	0	3
Katesgrove	0	0	2	1	173	0	174
Kentwood	10	0	0	0	0	0	10
Mapledurham	0	3	0	0	0	0	-3
Minster	29	0	0	0	0	0	29
Norcot	91	61	1	0	1	0	32
Park	4	4	2	1	0	0	1
Peppard	0	0	0	0	0	0	0
Redlands	0	0	0	0	24	0	24
Southcote	2	0	0	0	0	0	2
Thames	2	0	0	0	0	0	2
Tilehurst	8	0	2	1	20	0	29
Whitley	116	1	0	0	0	0	115
By Development Plan Designation							
Central Reading	226	0	12	4	233	17	450
Smaller Centres	12	0	9	3	4	0	22
Town Centres Sub-Total	238	0	21	7	237	17	472
South Reading Total	117	1	0	0	0	0	116
Core Employment Areas Total	0	0	0	0	0	0	0
By Type							
Brownfield	499	69	47	17	301	19	742
Greenfield	9	0	0	0	0	0	9
By Size							
Large	263	61	0	0	0	0	202
Medium	223	0	0	0	216	17	422
Small	22	8	47	17	85	2	127

Appendix 6: Adjustments to small site windfalls to account for non-C3/C4 forms of residential

Year completed	Application reference	Address	Description	Bedspace gained	Dwelling equivalent gained	Bedspace lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2013-14	120777	4 Granville Road	Demolish supported housing facility and replacement with nine apartments.	0	0	12 ²	6	-6
2013-14	130156	2 Western Elms Avenue	Side extensions and change of use from offices to two large HMOs.	14	2	0	0	+2
2013-14 Total	N/A	N/A	N/A	14	2	12	6	-4
2014-15	121733	27 Hamilton Road	Change of use of residential care to a 12 room bedsit HMO (Sui Generis)	12	3	15	8	-5
2014-15	130747	23-25 Whitley Street	Change of use of part ground floor, first and second floors to 10 bedroom HMO	10	1	0	0	+1
2014-15	140098	Arch Guest House, 92 Basingstoke Road	Proposed change of use from guest house to large house in multiple occupation with single storey rear extension	8	1	0	0	+1
2014-15	140266	18 Bulmershe Road	COU of ground floor of the property from two independent flats to add an additional five persons, to the existing small C4 HMO at first and second floor levels, to create a large Sui Generis HMO for 11 persons.	11	1	0	0	+1

¹ NB: Net change in the number of C3/C4 dwellinghouses is already taken into account within the figures. This column shows the net change from non-C3/C4 forms of accommodation only

² This has been estimated based on floorspace of similar supported housing facilities as no data was provided on existing bedspaces in the planning application

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2014-15	141549	189 Southampton Street	Certificate of Lawfulness Existing Use relating to a house in multiple occupation, 7 bedsits.	7	1	0	0	+1
2014-15 Total	N/A	N/A	N/A	48	7	15	8	-1
2015-16	141054	48 Watlington Street	Proposed conversion of 48 Watlington Street from HMO into 4 no. self contained flats.	0	0	7	1	-1
2015-16	141799	89 Whiteknights Road	Change of use of an existing licensed small HMO to a children's care home.	6	1	0	0	+1
2015-16	150309	221 Oxford Road	Change of use to 8-bedroom HMO (sui generis).	8	1	0	0	+1
2015-16	150447	178 Caversham Road	Change of use from C3 residential dwelling to 7-bed HMO, rear extensions	7	1	0	0	+1
2015-16	151013	149 London Road	Certificate of Lawfulness for existing use as 10 self contained flats at first and second floor level.	0	0	10	1	-1
2015-16 Total	N/A	N/A	N/A	21	3	17	2	+1
2016-17	140369	Jasmine House Nursing Home, 16-22 Westcote Road	Two single storey extensions to the rear of the property to provide for 6 additional resident bedrooms	6	3	0	0	+3
2016-17	150042	1 Lacewood Gardens	Change of use from C3 dwellinghouse to Sui Generis large HMO for ten persons with single storey side and rear extensions.	10	1	0	0	+1
2016-17	150592	217 Kentwood Hill	Change of use from single dwelling to a large HMO (sui generis).	6	1	0	0	+1

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2016-17	152256	58 Prospect Street, Caversham	Change of use from 6 bedroom HMO to 7 bedroom HMO	7	1	0	0	+1
2016-17	152298	46 Watlington Street	Conversion of HMO to 4 flats, rear extension and new chimney stacks (part- retrospective).	0	0	6	1	-1
2016-17	161477	29 Church Road, Earley	Retrospective change of use from dwellinghouse to 1 bed self-contained basement flat and change of use from dwellinghouse at ground, first and second floors to seven person large HMO.	7	2	0	0	+2
2016-17 Total	N/A	N/A	N/A	36	8	6	1	+7
2017-18	151171	29 Newcastle Road	Change of use to a 9 bedroom HMO with part single storey and part two storey side and rear extensions	9	1	0	0	+1
2017-18	152171	13 and 15 Craven Road	Change of use of existing building to form 2 no. 8 bedroom HMOs (sui generis).	16	2	0	0	+2
2017-18	160419	46 Queens Road	Alterations to convert into a residential HMO providing 9 no units with shared communal facilities	9	2	0	0	+2
2017-18	160765	172 Southampton Street	Change of use from C2 (Residential Institution) to Sui-Generis HMO	7	1	5	1	0
2017-18	161420	Helena House, Brownlow Road	Change of use from Sui Generis HMO to a mixed use comprising 4 x C1 serviced apartments and 9 x C3 residential flats, including partial demolition of existing building	0	0	28	7	-7

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2017-18	170710	126 Caversham Road	Change of use from a 6-bed HMO, C4 Use Class to a 7-bed HMO.	7	1	0	0	+1
2017-18	171677	1 Upper Redlands Road	Change of Use from small HMO to a large Sui Generis HMO comprising 8 bedrooms and one studio room	9	2	0	0	+2
2017-18 Total	N/A	N/A	N/A	57	9	33	8	+1
2018-19	152075	993 Oxford Road	COU from residential home for adults with severe learning difficulties into 6 flats.	0	0	6	3	-3
2018-19	160361	154 Southampton Street	Single-storey rear extension and change of use of a large sui generis HMO to five self-contained studio flats and two self-contained one-bedroom apartments.	0	0	7	1	-1
2018-19	170577	226 Wokingham Road	Change of use from physiotherapy clinic to Sui Generis HMO to include a single storey rear extension, car parking, bin and cycle storage.	9	1	0	0	+1
2018-19	171728	9 Craven Road	Change of use from dwelling house to 7 bedroom HMO	7	1	0	0	+1
2018-19	182020	25 Broomfield Road, Tilehurst	Retrospective planning permission for the change of use of a 6-bedroom HMO to a 7-bedroom HMO for a maximum of 7 occupants	7	1	0	0	+1
2018-19	182088	40 Anglefield Road, Caversham	Retrospective planning permission for the change of use of a 6-bedroom HMO to a 7-bedroom HMO for a maximum of 7 occupants.	7	1	0	0	+1

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2018-19	181885	26 Worcester Close	Retrospective change of use of a 6-bedroom C4 class HMO into a 7-bedroom Sui Generis HMO for a maximum of 7 occupants	7	1	0	0	+1
2018-19	182094	30a Gratwicke Road, Tilehurst	Retrospective planning permission for the change of use of a 6-bedroom HMO to a 7-bedroom HMO for a maximum of 7 professionals.	7	1	0	0	+1
2018-19	181879	3c Bulmershe Road	Certificate of lawfulness of existing use as a 7 bedroom Sui Generis large HMO	7	1	0	0	+1
2018-19	181248	240 Wokingham Road	Part retrospective change of use from C3 (residential dwellinghouse) to Sui Generis (as a 'larger HMO')	10	1	0	0	+1
2018-19	180407	11 Denmark Road	Change of use from 5 bedroom C4 HMO to a 7 bedroom sui generis HMO	7	1	0	0	+1
2018-19	181250	142 Tilehurst Road	Change of use from use class C3 (b) (housing for people with learning disabilities) to use class C2 (assisted residential)	5	1	0	0	+1
2018-19 Total	N/A	N/A	N/A	73	10	13	4	+6
2019-20	160753	Land at Hillside, Allcroft Road	Construction of an eight bedroom student housing unit as an extension to student housing block C.	8	1	0	0	+1

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2019-20	170625	Land at Hillside, Allcroft Road	Construction of a seven bedroom student housing unit, a Laundry and a Common Room as an extension to student housing block D.	7	1	0	0	+1
2019-20	180108	Connaught House, 116 Connaught Road	Change of use application to convert existing residential property containing 4.no 1 bed flats, into an 8 bed shared house for adults with learning difficulties (C2)	8	4	0	0	+4
2019-20	182052	38 Alexandra Road	Retrospective change of use from C3 dwelling house to 6 Bed C2 Assisted living use, with communal areas. With an onsite manager in a flat on the second floor and new part two storey and part single storey side extensions to create additional 3 x C2 rooms.	8	4	0	0	+4
2019-20	181728	14 Boston Avenue	Retrospective change of use from C3 residential dwellinghouse to an 8 bedroom sui generis HMO	8	1	0	0	+1
2019-20	190979	157 Northcourt Avenue	Retrospective application for the conversion of C4 HMO to a Sui-generis HMO for up to 7-persons.	7	1	0	0	+1
2019-20	190724	276 Kings Road	Internal alterations and retrospective change of use from small HMO (C4) to a large HMO (Sui Generis) comprising seven bedrooms	7	1	0	0	+1
2019-20	181515	9 West Hill	Proposed change of use from a C3 dwellinghouse to a 7 person large Sui Generis HMO	7	1	0	0	+1

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2019-20	191178	105 Northumberland Avenue	Conversion of dwellinghouse (use class C3) to 7 person HMO (use class Sui Generis)	7	1	0	0	+1
2019-20	190786	172 Caversham Road	Proposed conversion from C1 (Guest House) to Sui Generis HMO and minor building alterations.	7	1	0	0	+1
2019-20	190942	7 Christchurch Gardens	Certificate of lawfulness for the existing use as a 7 person HMO (Sui Generis)	7	1	0	0	+1
2019-20	190600	1015 Oxford Road	Retrospective planning permission for change of use to large HMO	7	1	0	0	+1
2019-20	172207	8 Shinfield Road	Demolition of the existing dwelling and the construction of a new detached dwelling to be used as a large sui generis HMO for a maximum of 14 persons.	10	1	0	0	+1
2019-20	170671	8 Bath Road	Part retrospective change of use from C3 dwelling to 7 bedroom large Sui Generis HMO, and single storey rear extension to accommodate 3 bedrooms to create a 10 bedroom, maximum 15 person HMO.	10	2	12	6	-4
2019-20 Total	N/A	N/A	N/A	108	21	12	6	+15
2020-21	180788	42 Shinfield Road	Demolition of the existing dwelling and the construction of a new detached dwelling to be used as a large sui generis HMO for a maximum of 14 persons.	14	2	0	0	+2

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2020-21	191703	35 London Road	Conversion from a C2A (secure residential institution) to a 6 bed, 6 person HMO (C4 use) with internal alterations	0	0	6	3	-3
2020-21	181372	66 Watlington Street	Conversion of an existing basement flat and 5 bedsit rooms to 4 x 1-bed residential flats and erection of a part-one, part-two storey rear extension	0	0	5	1	-1
2020-21	200797	2 Connaught Close	COU from two dwellings to a children's assisted living care home (C2)	7	4	0	0	+4
2020-21	200944	14 Norris Road	Certificate of Lawfulness for existing use as sui generis HMO for 7 persons	7	1	0	0	+1
2020-21	190498	40 Erleigh Road	Conversion of C4 HMO to a Sui-generis HMO (change from 6 bedrooms to 7 bedrooms)	7	1	0	0	+1
2020-21	200361	11 Upper Redlands Road	Certificate of Lawfulness for the existing use of the property as a 9 person Sui Generis HMO	9	1	0	0	+1
2020-21	200360	9 Upper Redlands Road	Certificate of Lawfulness for the existing use of the property as a 8 person / 8 bedroom Sui Generis HMO	8	1	0	0	+1
2020-21	200362	12 Christchurch Road	Certificate of Lawfulness for the existing use of the property as a 10 person/10 bedroom Sui Generis HMO	10	1	0	0	+1
2020-21	201152	11 Addington Road	Certificate of Lawfulness for existing use of 11 Addington Road as a 10 bedroom/ 10 person HMO (Sui Generis)	10	1	0	0	+1

Year completed	Application reference	Address	Description	Bedspaces gained	Dwelling equivalent gained	Bedspaces lost	Dwelling equivalent lost	Net change in dwelling equivalent ¹
2020-21	200363	50 Cressingham Road	Certificate of Lawfulness for the existing use of the property as a 9 person / 9 bedroom Sui Generis HMO	9	1	0	0	+1
2020-21 Total	N/A	N/A	N/A	81	13	11	4	+9

NB: Local Plan Appendix 1 paragraph A1.3 sets the basis for converting other forms of accommodation into a dwellings equivalent:

“The way that the different types of accommodation are converted into dwelling equivalents in the Housing Trajectory is set out below:

- Student accommodation: There is potential for new student accommodation to free up existing housing. Where there is a cluster of bedrooms with shared kitchen and living room facilities, this is considered to be equivalent to a single dwelling, as are studios which are entirely self-contained. More frequently, accommodation is in the form of study bedrooms with some shared facilities, and in these cases we assume that four bedrooms equates to one dwelling.*
- Houses in multiple occupation: The approach to HMOs is largely similar to that for student accommodation. Small C4 HMOs are already counted as ‘dwellings’ in the Council’s monitoring in any case. For larger ‘sui generis’ HMOs, it is considered that, where it is a cluster of bedrooms in a dwelling style with shared kitchen and living facilities, it is equivalent to a single dwelling. Where it comprises bedsits with shared toilet facilities, it is assumed that four bedsits equates to one dwelling.*

- *Residential care and other accommodation for older people: Some accommodation for older people, such as extra care housing, tends to count as a C3 dwelling anyway, where it is a wholly self-contained residential unit. In care accommodation with shared facilities, the assumption is that two new residential care spaces free up one new home.*
- *Serviced apartments (where authorised) are considered to fall within the C1 hotel use class and will not be counted against housing supply.”*

Appendix 7: Summary of changes to strategic sites (10 dwellings or more) between 1st April 2020 and 30th September 2021

Application ref	Site	Total dwellings assumed in 2019-20 HT	Lapse rate assumed in 2019-20 HT	Total dwellings assumed in 2019-20 HT (with lapse rates)	Dwellings permitted/ resolved to grant at end September 2021	Applicable lapse rate ³	Dwellings available for supply end September 2021 (with lapse rates)	Net change from 2019-20 HT
151407	Warwick House, 1 Warwick Road	10	10%	9	-	-	-	-9
162057, 210536	Alexander House, 205-207 Kings Road	56	10%	50	22	20%	18	-32
170251	City Wall House, 26 West Street	10	10%	9	-	-	-	-9
170326	Land between Weldale Street and Chatham Street	422	10%	380	422	0%	422	+42
171814	Former Cox and Wyman, Cardiff Road	96	10%	86	92 ⁴	0%	92	+6
180654	14 Arkwright Road	37	20%	30	-	-	-	-30
181074	33 Blagrove Street	28	20%	22	-	-	-	-22
181377	Norcot Community Centre, Lyndhurst Road	18	10%	16	18	0%	16	+2
181652, 191659	Former Reading Family Centre, North Street	47	10%	42	41	10%	37	-5
190465, 201537	Plot E, Station Hill	370	10%	333	415	0%	415	+82
190466, 201533	Plot F, Station Hill	168	10%	149	184	0%	184	+35
190602, 201043	Dukesbridge House, 23 Duke Street	77	20%	62	76	0%	76	+14
190835	199-207 Henley Road (dwelling equivalent used)	41	10%	37	41	0%	41	+4
191043	43 London Street	-	-	-	21	10%	19	+19

³ Assuming the following – 0% for sites under construction; 10% for sites with planning permission or resolution to grant; 20% for office prior approvals.

⁴ 4 homes already completed on site since 2019-20 Trajectory

Application ref	Site	Total dwellings assumed in 2019-20 HT	Lapse rate assumed in 2019-20 HT	Total dwellings assumed in 2019-20 HT (with lapse rates)	Dwellings permitted/ resolved to grant at end September 2021	Applicable lapse rate ³	Dwellings available for supply end September 2021 (with lapse rates)	Net change from 2019-20 HT
191221	Dukesbridge Chambers, 1 Duke Street	25	20%	20	25	0%	25	+5
192032	Station Hill North	-	-	-	750 (max)	10%	675 (max)	[+675, not included in total due to uncertainty]
200693	42 Portman Road	-	-	-	16	20%	13	+13
200122	Wensley Road	-	-	-	46	10%	41	+41
201135	Arthur Hill Pool, Kings Road	8	10%	7	15	10%	14	+7
201391	Land at 362 Oxford Road	13	20%	10	26	10%	23	+13
201420	45 Caversham Road	30 ⁵	20%	24	40	10%	36	+12
210306, 210320	1 Bennet Court, Bennet Road	-	-	-	49	20%	39	+39
210349	115 Chatham Street (resolution to grant)	20 ⁶	20%	16	54	10%	49	+33
210567	Great Brighams Mead, Vastern Road	-	-	-	110	20%	88	+88
211138	Rose Kiln Lane Court, Rose Kiln Lane	-	-	-	38	20%	30	+30
211177	Fountain House, Queens Walk	-	-	-	48	20%	38	+38
211261	Soane Point, 6-8 Market Place	0	20%	0	93	20%	74	+74
211263	2 Kings Road	-	-	-	12	20%	10	+10

⁵ As part of wider site CR12b

⁶ As part of wider site CR12c

Application ref	Site	Total dwellings assumed in 2019-20 HT	Lapse rate assumed in 2019-20 HT	Total dwellings assumed in 2019-20 HT (with lapse rates)	Dwellings permitted/ resolved to grant at end September 2021	Applicable lapse rate ³	Dwellings available for supply end September 2021 (with lapse rates)	Net change from 2019-20 HT
211312	11-12 Market Place	-	-	-	14	20%	11	+11
191416	Meadway Precinct, Honey End Lane (resolution to grant)	-	-	-	231	10%	208	+208
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A	+719

Appendix 8: Extract from the Reading Central Area Action Plan, adopted January 2009

- 6.9** In order for the station area to become a destination in its own right, it should contain a wide mix of uses across the area. This wide mix of uses will ensure that the station area becomes a vibrant central quarter, active at different times of the day. This will mean retail and leisure development, to help draw the station into the core of the centre, new residential development, which will require substantial improvements to the physical environment, and offices. The station area will be the main focus for new office development in the centre, to capitalise on its high accessibility by rail and other public transport. There is also potential for future community uses within the area, including police facilities and infrastructure. A Station Area Development Framework will be prepared for this area, to enable the benefits of the station development to have a knock-on effect on surrounding areas.
- 6.10** In terms of retail and leisure development, the Station/River area will be particularly significant in delivering the needs that have been identified through background research and in this document. A need for a maximum of 100,250 sq m of additional retail floorspace has been identified to 2016¹⁹, and the leisure facilities sought are set out in paragraph 5.15. A large proportion of these uses will need to be provided in the Station/River Major Opportunity Area, both north and south of the station.
- 6.11** The successful development of this area hinges on improved accessibility by public transport, and improved permeability for pedestrians and cyclists. In terms of permeability, improving links for pedestrians and cyclists through the centre, particularly in a north-south direction, is one of the key principles for the RCAAP, along with removing barriers to access within the centre. If visual links are also provided, this will help change the perception of the area north of the station as a separate entity. The station/river area can make a particularly significant contribution to implementing
- these principles, since the most significant barriers to movement are in this area, and the opportunity to implement these should be seized. Ensuring active frontages along these routes will assist these to become attractive links, as will the provision of new areas of open space. This is particularly important on the route between the shopping core, the station and the Thames.
- 6.12** The improvements to the station and the need for a new multi-modal interchange are key elements of the Council's transport strategy and Core Strategy, as is some form of mass rapid transit linked to park and ride. These developments are likely to have requirements in terms of land, and it should be ensured that development does not prejudice those improvements which are key to the delivery of Reading's overall transport and spatial strategy, including the vision for the centre. In addition, some new public car parking is likely to be required in the area, which, due to space constraints and changes in levels, may well in some cases take the form of undercroft car parking.
- 6.13** Parts of the area around the station are appropriate for well-designed tall buildings, in line with the Tall Buildings policy (RC13), and the area will be developed at a higher density even where there are no tall buildings. However, schemes in these areas should take account of the fact that there are areas of low-rise housing fringing the area, and this should be reflected in the design of schemes, both in terms of the effect on character of the area and on the amenity of residents. In addition, there are a number of significant listed buildings in or adjoining the Major Opportunity Area, south of the railway tracks, including the historic station building, as well as a conservation area close by. Development should respect the setting of these features and will need to be carefully scaled to avoid detriment to them.

¹⁹ Reading Retail and Leisure Study 2005

Appendix C

Reading: decision letter



Appeal Decision

Inquiry (Virtual) opened on 26 October 2021

Site visits made on 20 October and 13/14 December 2021

by A J Mageean BA(Hons), BPI, PhD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2022

Appeal Ref: APP/E0345/W/21/3276463

55 Vastern Road, Reading, RG1 8BU

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.

The appeal is made by Berkeley Homes (Oxford & Chiltern) Ltd against the decision of Reading Borough Council.

The application Ref 200188, dated 29 January 2020, was refused by notice dated 9 April 2021.

The development proposed is demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing structures and erection of a series of buildings ranging in height from 1 to 11 storeys, including residential dwellings (C3 use class) and retail floorspace (A3 use class), together with a new north-south pedestrian link, connecting Christchurch Bridge to Vastern Road at 55 Vastern Road, Reading, RG1 8BU in accordance with the terms of the application, Ref 200188, dated 29 January 2020, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The Inquiry sat virtually for 15 days between 26 October and 19 November 2021. It was closed in writing on 2 December 2021 following receipt of a completed Section 106 agreement (S106).
3. The description of development includes reference to the retail floorspace being in A3 Use Class. Under the 2020 revisions to the Use Classes Order, the new use class E brings together a number of the previous classes, including A3, into one single use class to allow for change of use without the need for planning permission. However, as the application was submitted prior to 1 September 2020, the Regulations set out that it falls to be determined by reference to A3 Use Class.
4. During the course of the planning application on-site affordable housing was introduced. However, as a result of a viability assessment, the Council and the appellant have agreed that the development cannot viably provide any affordable housing at this time. It is also agreed that the S106 should contain a deferred contributions mechanism. These provisions will be considered at the relevant point in my decision.

5. The appeal site forms part of an area allocated for development by the adopted Reading Borough Local Plan (the Local Plan). The whole site, as defined within Policy CR11g, formerly accommodated the local power station in Reading, and for much of the 20th Century contained substantial industrial built form. Various other uses have occupied different parts of the allocation area, but at the point of allocation the whole area was owned by Scottish and Southern Energy (SSE), with offices and high voltage electrical equipment remaining on site. Of the 1.24 ha allocated area, 0.48 ha containing the electrical equipment has remained in SSE ownership, with the remaining 0.76 ha forming the appeal site. The implications of the subdivision of the allocation will be considered in my decision.
6. An application to Historic England to consider Listing No 55 Vastern Road was made, and a Building Preservation Notice issued, immediately prior to the Inquiry opening. Whilst the outcome of this application is unknown, its implications are that for a period of six months the building is subject to the same protection as a listed building and any works to the building will require listed building consent (LBC). Therefore, in the event that the appeal is successful, this may be subject to securing LBC.

Main Issues

7. During the course of the Inquiry a series of Addendum Statements of Common Ground (SoCG) were issued. This was of assistance in narrowing the areas of dispute between the Council and the appellant. Specifically, the Third Addendum SoCG identified the fact that a revised option for access through the site to the towpath¹ could be achieved with a gradient of 1:21, as shown on plan 448.LAND.SK.101. As a result, the Highway Authority was satisfied that a suitable access connection to the towpath could be made for both pedestrians and cyclists. I considered that the amendments are minor in nature, such that the nature of the proposal would not be materially altered and that the acceptance of the amended plan would not prejudice the interests of interested parties. Therefore, the Council withdrew its objections relating to the absence of access to the towpath for cyclists.
8. The Fifth Addendum SoCG refers to noise matters, and specifically the treatment of the facades of Blocks B and C that would be affected by noise emanating from the SSE equipment. The appellant prepared detailed plans showing the glazing specifications and Mechanical Ventilation with Heat Recovery that could be used. The Council concluded that the mitigation measures proposed would be sufficient to minimise the impact of nearby noise pollution. As a result, the Reason for Refusal relating to the effect of the proposal on the living conditions of future residents would be overcome. The amendments made are minor, meaning that acceptance of the revised scheme would not prejudice the interests of interested parties. Therefore, subject to a condition specifying the revised glazing and ventilation details, I do not consider that it is necessary to consider this matter further.
9. The S106 provides a number of obligations which address the Council's seventh reason for refusing the planning application.
10. The remaining main issues addressed at the Inquiry were:

¹ Also referred to as the Thames Path

- The effect of the proposed development in design terms with particular reference to the quality and effectiveness of the proposed north-south link through the site and the setting and character of the River Thames and the Thames Path;
- The effect of the proposed development on 55 Vastern Road, a non-designated heritage asset;
- The effect of the proposed development on the natural environment with particular reference to marginal habitats and large canopy trees;
- Whether it has been demonstrated that the proposal would be part of a comprehensive approach to the development of the Riverside sub-area of the Station/River Major Opportunity Area; and,
- Other planning matters, including the benefits to be weighed in the planning balance.

Reasons

11. The first main issue refers to design and covers matters raised in relation to the effectiveness of the north-south link and the effect of the scheme on the Riverside. For clarity and convenience I have dealt with these under separate headings.

Design

North-south link

Policy context

12. The North-South link across the Station/River Major Opportunity Area (MOA) has been a long-standing policy priority for the Council. It is aimed at reconnecting the area north of the Station with the rest of the central area. The importance of such a link in helping to facilitate greater pedestrian and cycle permeability, and removing barriers to access, was set out in the Reading Central Area Action Plan (RCAAP), adopted in 2009, and earlier planning documents. This vision was captured in RCAAP Policy RC1, which was supplemented in 2010 by the adoption of the guidance in the Reading Station Area Framework (RSF).
13. Policy RC1 provisions were largely identical to those set out in current LP Policy CR11, requiring that development will help facilitate greater pedestrian and cycle permeability, particularly on the key movement corridors. Policy CR11 sets out that North-south links centred on the Station are of particular importance, and that development will front onto and provide visual interest to existing and future pedestrian routes and open spaces. Of specific relevance to current deliberations is the fact that Policy CR11v) refers to the requirement for *a direct landscaped link between the Station and the River Thames*.
14. The provisions for the area identified as CR11g, the Riverside sub-area, encompass the whole of the area formerly within SSE ownership. This sets out the more specific requirement that development should *continue the high-quality route including a green link from the north of the Station to the*

Christchurch Bridge. This is illustrated in the Strategy diagram at Figure 5.3 with the link travelling from the Station through the Riverside site and across the Bridge. The supporting text further sets out that achieving the north-south link is the main priority for the site, and this should be given substantial weight in development management. It seems reasonable to assume that the specific reference within this text to visual links helping to change the perception of the area north of the Station as a separate entity *if provided*, is of direct relevance to the priorities for the Riverside sub-area. The supporting text also confirms that the more detailed guidance contained in the RSAF continues to apply. Whilst somewhat dated, the RSAF remains of relevance as a guiding framework.

15. The RSAF refers to the particular significance of views along the direct north-south link between the Station and the Thames, *where there should be an unbroken line of sight*. This is illustrated by the suggested location of new views from the Station looking north and from the River looking south as they appear to indicate the position of the viewing corridor. The Tall Building Strategy (TBS), updated in 2018 following the completion of the Christchurch Bridge (the Bridge) in 2015, refers to the opportunities to create new lines of sight through the area identified by the RSAF, specifically from the Bridge southwards and from the northern Station entrance northwards. Therefore, this would *assist in (the) creation of the north-south link*.
16. Policy CR11 therefore sets out the need for a high-quality direct route through the site as part of the wider north-south link between the Station and the River, with the more specific detail in CR11g referring to the need to continue the link to the Bridge. These provisions focus on improving physical access across this area. Supplementary to this, guidance documents refer to visual links supporting the connectivity from the Centre to the area north of the Station.
17. In practical terms, views of the River itself from the Station are virtually impossible due to the lower level of the River and the inevitability that current and planned built form will create visual obstruction. In particular, the redevelopment of the allocated Aviva site directly north of the Station is likely to involve significant built form. That said the wider landscape setting of the River is apparent from the raised Station concourse. Of greater relevance are the more recent general references to the value of new visual links through the area, with the central Bridge mast providing a potential focal point.
18. Therefore, in determining whether the proposed link complies with Policy CR11, the focus must be on the quality of the route in terms of its a) directness, b) its legibility and attractiveness, including its width and the effectiveness of visual links, and c) its practical utility and safety for both pedestrians and cyclists.

Directness

19. I deal firstly with the directness of the route in terms of its physical alignment between the Station and the River, and more specifically the Bridge.
20. The National Design Guide (NGD) sets out that the layout of the routes and blocks of development are the starting components for good design. Further, the National Model Design Code (NMDC) refers to direct routes making walking and cycling more attractive. This in itself generates activity, thereby making streets feel safer and more attractive.

21. In this case the configuration of the appeal site to exclude the SSE equipment means that a straight link through the Riverside sub-area, as illustrated firstly in the RSAF Framework structure Figure 8.2 and LP Figure 5.3, cannot be delivered. Furthermore, the design principles set out in the Design and Access Statement (DAS) refer to the use of built form to provide a buffer to the retained SSE equipment. This addresses residential amenity matters but adds a further challenge to achieving a direct route through the site.
22. In addressing this challenge, the DAS also refers to the design principle of using buildings to deflect vistas and define the public route through the site. This suggests a means of addressing the restricted width of the central area and is justified with reference to the well-established design principle of 'closure', as advocated by Gordon Cullen. The basis of Cullen's principle is that the linear town system should be cut up into visually digestible and coherent amounts to retain the sense of progression. In some respects this is the antithesis of the approach set out in framework of policy and guidance for the Station MOA, where provisions for the strategic north-south link include the need to visually connect the relatively open northern areas to the high density mixed development in the Centre. Nonetheless, there is merit in considering the sense of a gradually revealing townscape, and the use of landmark elements, when creating a pedestrian scale environment, a point to which I return below.
23. Of greater relevance is the context provided by the morphology of the central streets. Central Reading exhibits a loose grid structure, though there is a high degree of distortion to this. Some main streets are reasonably straight and broadly parallel, notably Friar Street and Broad Street east to west, with loosely connecting streets running north to south. However, beyond this are many winding routes, in which forward views are often deflected by angled building frontages. The Policy CR2 requirement that development build on and respects the existing grid structure layout must be considered in this context.
24. The appeal scheme proposes a route with three changes in direction via the narrow central part of the site. It would include a switchback ramp arrangement for cyclists and wheelchair/pushchair users due to the higher level of the Bridge. I am aware that this route was regarded by the Council as being the best of those possible prior to engaging Mr Doyle as their design expert witness. However, at the Inquiry the directness of the appeal scheme route was compared with Mr Doyle's suggested alternative,² (referred to hereafter as 'the Council's alternative scheme'). This was described as a snaking or serpentine ramp designed to address the changing gradient, located within a direct street.
25. The Council's suggested alternative scheme does illustrate how a more direct path could be achieved. However, this and the other illustrative diagrams provided are not fully conceived. They do not address some fundamental site constraints. In particular, the suggestion that Block C should be removed ignores the issues associated with managing residential development alongside the retained SSE equipment. Rather, the appeal must focus on the acceptability of the appeal scheme as submitted to and refused by the Council in terms of policy and guidance.

² Illustrated primarily as a bird's eye sketch at Figure 34 of Mr Doyle's Proof of Evidence, with the plan of the serpentine ramp at Appendix RA of his Rebuttal Proof.

26. With respect to the acceptability of the switchback arrangement, Local Transport Note 1/20 (LTN 1/20) refers to cycle routes being 'direct' as one of five core principles. More specifically, *cycle routes must flow, feeling direct and logical....users should not feel as if they are having to double back on themselves, turn unnecessarily, or go the long way around.* The interpretation of this guidance depends on local circumstances, and the sense of directness overall, specifically in terms of being the shortest and fastest way of travelling from place to place, rather than detailed consideration of specific route features.
27. The switchback would require cyclists to undertake two turns of around 170 degrees, with a straight section of some 20-25m between. However, the degree of doubling back would be for a relatively short length, with the CGI illustrations indicating that visibility of the forward route would remain apparent whether travelling from north to south or vice versa. Therefore, the overall sense or feel would be of the forward journey, even for cyclists unfamiliar with the route.
28. Finally on directness, the Council's Local Cycling and Walking Infrastructure Plan (LCWIP) provides a Route Selection Tool as a means of assessing directness. This compares cycle/walking route distances with those of vehicular alternatives. Unsurprisingly the appeal scheme achieves a top score of 5 based on comparison with the alternative vehicular route between Vastern Road and Gosbrook Road: it would be 0.815km in comparison with 1.2km. The fact that the Council's suggested alternative scheme routes would be a little shorter than the appeal scheme is in itself of little consequence.
29. Therefore, I find that, when considering the site constraints, the requirement to provide a direct link would be met in practical terms. This would continue the north-south link, connecting with and complementing the existing loose grid framework.

Legibility and attractiveness for users

30. Visual links are an important element of a legible townscape and would greatly assist in improving the sense of connectivity across the MOA. The degree to which visual links between the Station and the River would be possible was the subject of much debate. The Council's suggested alternative scheme illustrates a route configuration in which a view through from the Station to the River could be achieved. However, the extent of built form envisaged on both the Aviva and appeal sites would mean that this would be restricted to a narrow sliver and, in all likelihood, would be obscured by intervening landscaping. Furthermore, this is predicated on the re-modelling of built form, including the removal of Block C.
31. Setting aside the implications of this loss in terms of the reduction in the quantum of development achievable on site, Block C would provide an acoustic screen to the SSE site. Its removal would require a barrier of around 25m in length and 6-9m in height. This could establish greater openness and an opportunity for the provision of more landscaping and seating in the central part of the site. However, the CGI image of an earlier iteration of the appeal scheme showing a 'green' wall at this point suggests that this would be a bland feature. More specifically, it would not provide an active frontage that engages with the street at lower levels, as required by Policy CR2.

32. The townscape implications of the use of buildings to deflect vistas along the route through the site are most apparent at this central point. In journeys from the south the angled end gable of the Coal Drop Building (Block EFG) would be a visible feature. When travelling from the north, the end gable of the Generator Building (Block D) would be prominent in views, followed by that of the Goods Office (Block C). However, the suggestion that these buildings would terminate forward vistas is an exaggeration of their effect. They would not occupy the whole of these forward views. Rather, some visibility of the onward route would be retained, becoming more prominent as users approach each of these points. This sense of an unfolding townscape would be supported by the varied form and elevational treatment of these buildings, and the presence of focal points at either end of the route, particularly the emerging view of the Bridge mast when travelling north. Whilst not being as clearly legible as a more direct route, this is an effective and reasonable response to the site constraints.
33. In these circumstances the fact that a straighter route would not require wayfinding measures is a moot point. As it stands, the use of tools such as public art works, changing surface and building materials along the route, in addition to signage to support the legibility of the route is entirely sensible. The Council suggests that visitors arriving at the Station and seeking directions to the River would require a detailed description of the appeal scheme route when compared with the Council's suggested alternative scheme. However, this underestimates the degree to which visual cues would assist with self-navigation. It also greatly exaggerates the possibility that the River landscape could be visible from anywhere below the Station concourse.
34. Turning to consider the width of the route through the site, the importance of the route as part of the wider travel network for pedestrians and cyclists has been well established in local policy and guidance. It is therefore reasonable to consider this strategic link as being quite high up in the movement hierarchy. The NMDC establishes that the width of the street, along with the height of buildings, relates to its place in the street hierarchy.
35. The proposed route would be 4m wide as it enters the site from the Bridge and through the switchbacks. It would reduce to around 3m for much of its remaining length towards Vastern Road. This would meet the required technical standards. Furthermore, CGI Image 1 illustrates that the straight stretch running alongside Block C would have some low-level landscaping running either side, along with the vehicular access route, and so would feel reasonably open, providing good intervisibility between users.
36. It has been suggested that there would be a visual 'pinch point' between the northern gable of the Goods Office and the southern gable of the Coal Drop Building. However, as noted above, views south from this point would gain a sense of space from the adjacent vehicular access and landscaping. From this point looking north, a greater degree of openness would be derived from the larger opening between the buildings fronting the River, with a view through to the Bridge mast and the openness of the Meadows beyond. Seen in this context, it is my view that the route would not appear unduly narrow or constrained at this point.
37. Beyond the site, the fact that other parts of the north-south route are of greater width indicates a response to their context rather than highlighting any

deficiency in the appeal scheme. For instance, the fact that the Bridge itself has a width of over 6m on its northern side, reducing to around 3.5m as it approaches the appeal site, indicates the need for cyclists to proceed with caution as they travel towards the central urban area. Other improvements made elsewhere on the north-south link incorporate elements of significantly greater width, for example the Station Road footways. However, the position of Station Road adjacent to Reading Station and its role as a focal point for bus travel, mean that greater capacity is required for it to function as part of the transport hub, rather than just a connecting link. Overall, therefore, my view is that the width of the route would be adequate and appropriate in its context, and therefore it would not have a restrictive or throttling effect on the overall north-south route.

38. Finally, in terms of legibility and attractiveness, it is agreed that this route would be set within a landscaped corridor. That said, the amount of soft landscaped space overall would be modest and somewhat fragmented, particularly in the central and southern sections of the site where urban characteristics would predominate. The extent of soft landscaping offered by the appeal proposals compared with the Council's suggested alternative scheme³ indicate that it may be possible to reconfigure the route to gain slightly more amenity space in a more useable arrangement. Nonetheless, given the significant space constraints, the landscaping provided by the appeal scheme would, in basic terms, meet the requirement for a 'green link' through the site.

39. Overall I find that the route would be legible and attractive for users.

Practical utility and safety matters

40. The question of whether the switchback configuration would be required to slow cyclists down is not clear cut. The guidance in LTN 1/20 refers to research which shows that cyclists alter their behaviour according to the density of pedestrian traffic so that, as pedestrian flows rise, cyclists tend to ride more slowly. Whilst it will rarely be necessary to provide physical calming features to slow cyclists down on shared use routes, the guidance notes that it may be necessary to encourage cyclists to reduce their speed at certain points, such as in areas of high localised pedestrian activity or where there are steep gradients. Where measures are required they can include horizontal deflection, though these should be used sparingly and only in response to site-specific problems that cannot be addressed in another way.

41. From the evidence before me and what I observed on site, it does not appear that cyclists currently travel at excessive speeds on the Bridge or its associated ramps. Therefore, the need for speed reduction measures is questionable. Nonetheless, the northern entrance to the appeal site from the Bridge would mark the transition from the open and less busy Christchurch Meadows to the area of greater activity associated with the approach to the urban centre. The route south into the site, after a slight rise over the towpath, would progress as a straight route, with cyclists likely to retain a degree of momentum from the descent off the Bridge. The first switchback would therefore appear to be located at a sensible and reasonable point to alert cyclists to this change in character and the need to proceed with greater caution.

³ As set out in the Sixth Addendum Statement of Common Ground.

42. The use of two switchbacks may not strictly be necessary from a safety perspective, noting that should there be a need for cyclists to respond to the increased level of pedestrian activity, they will generally do so without such measures. That said, the provision of such deflecting devices is in part a response to the various site challenges, not least the need to rise up to meet Bridge level.
43. On In practical terms there is no evidence before me that turns of 170 degrees would be difficult to execute on a bicycle, and I am satisfied that the correct turning circles would be provided for tandem bicycles or those with trailers.
44. The plans illustrate that the connection from the Bridge into the site would require an initial slight rise in height, of around 0.38m, to meet the top of the podium created by the ground level parking to Block D. The removal of the podium would, it is suggested, result in a modest reduction in the height from which the ramp would need to descend, with the serpentine ramp of the Council's alternative scheme being designed on this basis. Whilst that may be the case, this point is predicated on the assumptions that the quantum of development on site could be reduced and that the Highway Authority would accept further reductions in parking provision in this location. Such speculation does not assist with the task of assessing the scheme as currently proposed. For similar reasons it is not necessary to consider the safety, or otherwise, of the Council's suggested alternative scheme. Furthermore, as the Council's ramp design is presented as a proving drawing, this does not provide clear evidence that a more direct route which addresses the site challenges could be provided.
45. In addition to the switchbacks, two stairways would allow pedestrians to follow a more direct route. Rather than creating an unfair two-tier system that excludes some users, I believe that users would see this as providing flexible and practical access solutions. The specific criticism that there would be a blind spot where the staircase adjacent to the café joins the main route has not been raised elsewhere as a specific safety concern. Given the generous width of the route at this point and the fact that cyclists would be slowing down as they pass between Block D and the Café building towards the switchback, it is unlikely that this would be problematic. More generally, there is no evidence before me that this route would lead to conflict and collisions between different user groups.
46. I therefore find that practical utility and safety considerations have been appropriately addressed and that technical requirements have been met.

Conclusions on north-south link

47. Overall therefore, I find that the route responds to the need to balance competing space pressures, along with the practical and technical constraints associated with developing this site. It would deliver a strategic link for pedestrian and cycle access between the Bridge and the Station, specifically connecting the podium adjacent to the Bridge with Vastern Road. The minimum of 3m width would meet with relevant technical standards. It is now also agreed that the appeal scheme would provide a link for pedestrians and cyclists to both the Bridge and the River towpath.
48. I have found that compromises would have to be made to accommodate this important route within the challenges posed by this site. I have also

acknowledged that there may be other ways of accommodating a more generous and direct route, though with a lower quantum of development overall. However, I have found that the scheme before me meets the requirements of Policy CR11ii), CR11iii) and CR11g, in terms of offering a suitably direct, legible and visually attractive route, including effective visual links. I have also found that the route would be functionally acceptable in practical utility and safety terms, for both pedestrians and cyclists. Furthermore, the north-south link offered would assist in realising the RSAF vision of a route which connects the area north of the Station to the Centre. Overall, therefore, the appeal scheme would meet the policy requirement for the provision of a high-quality link, befitting the strategic importance of the north-south route.

49. The scheme would also comply with the relevant aspects of other policies, including Policy EN11 requiring the provision of accessible leisure and recreational opportunities, enhancing the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse; Policy CC7 which seeks the creation of a high quality public realm, including contributing to ease of movement and permeability, and legibility, creating safe and accessible environments that meet the needs of all; Policy CR2 which requires development to build on and respect the grid layout and contribute to enhanced ease of movement through and around the central area; Policy CR3 supporting public access to watercourses; Policy TR3 requiring that development should not be detrimental to the safety of users of the transport network, including pedestrians and cyclists; and Policy TR4 which expects development to improve access for cyclists, and to integrate cycling through the provision of new facilities.
50. In reaching these conclusions I have considered the observations of the Reading Cycle Campaign, specifically their comment that the development of this site *involves a once in a generation opportunity to provide a key active travel link for Reading*. The provision of this key link within the wider north-south route would be a notable benefit of the appeal scheme.

Riverside

51. Relevant policy and guidance provisions relate on the one hand to the development of the allocated site as part of the MOA and on the other to the protection of the River setting. In considering whether the appeal proposals would be in accordance with these provisions, my reasoning will focus firstly on whether the riverside development would provide a suitable gateway to the MOA, before turning to consider whether the scale and massing of Blocks D and E would be appropriate in the riverside setting. I will then consider the effect on the towpath, and whether a policy compliant setback from the Riverbank would be provided.

Gateway to the MOA

52. The RSAF guidance setting out the development framework for the MOA includes *area massing principles*. These indicate that the approach to building mass should be dramatic, with a new cluster of taller buildings forming a distinctive skyline for the Station Area. Benchmark heights, which may be modified upwards or downwards in appropriate circumstances, are suggested for each main building block. Illustrative proposals provide an indicative vision

that would comply with the RSAF guidance. The appeal site is also within a Preferred Tall Building Location, the Station Area Cluster, as set out in the TBS.

53. The RSAF recommended benchmark heights for the two blocks that cover the whole area of the CR11g allocated site are 6 storeys for the eastern block and 4 storeys for the western block. That said, a somewhat different arrangement is suggested in the RSAF illustrative proposals, which are provided as an aid to establishing the potential density and massing of development by presenting a possible scheme that would comply with the provisions of this Framework. These illustrative proposals suggest two prominent cylindrical buildings, some 10 to 12 storeys in height, adjacent to the River as a gateway to the site. They appear to 'puncture' the general dome massing pattern where the Bridge would adjoin the riverbank, suggesting that they would mark this important place. Behind this it appears that lower-level buildings, perhaps aligning with the benchmark heights, would run through the centre of the site.
54. Building heights within the appeal scheme would vary, being of greatest height at the River and Vastern Road frontages. More specifically, Block D would be 10 storeys at the River frontage, dropping to 6 storeys. Block E would be 8 storeys at the River frontage, dropping to four and three storeys. Whilst recognising that the appeal site has a smaller area than the allocated site, my view is that the approach to massing and storey height would, in general terms, reflect the parameters established by the RSAF illustrative proposal.
55. The point at which the gateway to the Station MOA is apparent would be determined by the relationship between the Bridge structure and Blocks D and E. The Bridge itself is a significant structure as it spans the wide point across the River and its mast is some 39m in height. As such it is a landmark feature and a navigational tool along this stretch of the River. Nonetheless, as it is a lightweight structure, its appearance is not striking in the context of significant built form in the vicinity of the River. The role of the Bridge as a gateway must be realistically considered, particularly with an awareness of the scale of further planned development in the MOA.
56. The presence of Blocks D and E would not undermine the role of the Bridge as a landmark in views along the River corridor, and from the Meadows, as it would continue to appear as a distinctive feature set against the openness of the River. On the approach to the appeal site across the Bridge, the lightness of this structure would start to appear subsumed by built form of the scale and mass proposed. Pushing back the frontage of Block D, as the Council suggests, would not significantly alter this situation as, when travelling across the Bridge the overall profile of built form along the River frontage would remain.
57. That said, my view is that the gateway function, the sense of there being a transition between distinctive areas or districts, would be achieved by the presence of Blocks D and E and the space between them. This gap would not have the degree of openness suggested in the RSAF illustrations, as the whole of the allocated site frontage is not available. Blocks D and E would also extend more deeply into the site than the relatively slender blocks of the RSAF illustration. Nonetheless the splayed gap between them would be sufficient to achieve a sense of spaciousness, softened through landscaping, to frame a welcoming entrance which would clearly mark the arrival into the MOA. There would also be a significant stepping down in building height through the centre of the site, highlighting the visual effectiveness of the taller buildings as a

gateway. Further, the development as a whole would be subordinate to the 'crown' around the Station, supporting the RSAF vision.

58. The DAS sets out that in design terms Block D would be a *grand brick-built power station inspired building*, taking cues from iconic Victorian power stations. Specific reference is made to the use of subtle brick details and large cathedral-esque apertures. The DAS therefore suggests that the so derived architectural precedent relates to mass/scale as well as detailing, not an unreasonable starting point given the former use of the site.
59. Block D presents a narrow frontage to the River with a deeper return into the site. As such, it exhibits the basic rectilinear plan form apparent in the turbine halls associated with riverside power stations. However, closer examination of typical height to width ratios of this typology indicates that the height of Block D would be too great in relation to its width to emulate the three-dimensional proportions of these structures. The suggestion that setting back Block D would create a slimmer tower-like structure which also features in this typology is in itself an imprecise comparator. Whilst it may be that this alteration would open up the River frontage, and be more reflective of the generous riverside spaces that can be associated with the typology, I must assess the scheme before me.
60. In general terms, the fact that the design rationale for Block D, and to a lesser degree Block E, draw on the former power station influence in terms of materials, detailing and fenestration as well as scale, is an appropriate response to the site history and context. My view is this would suitably represent the threshold point of the journey towards the urban centre.
61. Reference is made to built form of significant mass and height being present at bridging points over the River Thames and the River Kennet. These locations can to a large extent be distinguished from the appeal site in that they represent vehicular rather than pedestrian/cycle crossings. In particular, the more significant of these, Reading, Cavendish, Bridge Street and Forbury Road Bridges are major 3-4 lane vehicular thoroughfares. Others, such as the King Street and Duke Street Bridges, are over the modest width of canalised sections of the Kennet. The Gas Works Road Bridge is a modest inner urban route flanked by urban form of significant scale.
62. Other than the most generalised sense of these crossing points accommodating buildings of greater scale than their surrounds, there is little to be gained from this review. That said, some broad comparison of relevance can be made to the gateway function of Reading Bridge, which represents the transition between the open Meadow areas north of the River and the urban centre, marked by the gateway presence of Reading Bridge House and Clearwater Court.
63. Drawing these threads together, I find that the riverside frontage would reflect the parameters established by policy and guidance, and would provide an appropriate gateway to the MOA.

Riverside setting

64. The Council refers to *statement of environmental opportunity 4* relating to the Chilterns National Character Area, which sets out the need to design and locate development to maintain landscape character, and to adapt or remove existing

development where this would significantly strengthen landscape character. The more specific provisions of LP Policy CR4 refer to the need to add to or maintain the setting and character of the Thames. Policy EN11 sets out that development in the vicinity of watercourses should enhance the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse, and create a high-quality public realm.

65. The supporting text to Policy EN11 sets out that the River Thames and River Kennet are of different characters, with the Thames remaining largely natural, *although it meets the edge of the town centre on the south bank between Caversham and Reading Bridges*. The Kennet is regarded as being similarly rural in the southwest of the Borough but with *a stronger integration into the fabric of the town centre*, reflecting the fact that it is highly contained by built form and urban infrastructure as it passes through the urban centre. Therefore, development is required to recognise and build on these distinct characters.
66. I take from this policy approach a requirement for development to support the character of these waterway environments, though recognising that it is not necessarily possible or appropriate to do so where strongly urban influences are apparent. This point is reinforced by the supporting text to Policy CR3 which also refers to the need to respect the distinctive character of watercourses, recognising that *the Kennet generally runs through more urban higher density areas, whilst the Thames retains its sense of tranquillity*.
67. Policy EN13 refers to the requirement that development should not detract from the character or appearance of a Major Landscape Feature (MLF), one of which is the Thames Valley. The supporting text sets out that whilst Reading is primarily urban in character, it benefits from *a number of natural features that have remained largely undeveloped*. This urban context means that *the preservation of these features as a backdrop is of particular importance*. These provisions provide further support to the need for careful consideration of the landscape effects of riverside development, noting the need to enhance the character of the MLF for its own sake and as a distinctive setting for its wider urban context.
68. The character assessment associated with the TBS identifies the River as part of the King's Meadows character area. This is noted as having high sensitivity to tall buildings and is a well-maintained recreational resource providing open views. However, directly to the south, the Vastern Road character area is noted as being unexceptional and of low sensitivity and therefore an appropriate location for tall buildings, if located away from north and western boundaries. Accordingly, a balanced approach is required to reflect the planning needs of these adjacent areas.
69. The River Thames landscape between the Reading and Caversham Bridges is characterised by the large scale of the River itself and the presence of other natural features, such as the mature trees on Fry's Island and the open landscape of Christchurch Meadows. There is an overriding sense of generous spaciousness and verdancy, in which the winding course of the River, amid mature landscaping, does evoke some sense of rurality. That said, the extent to which it appears as a natural feature, and the sense of tranquillity, are both compromised by evidence of the proximity of the urban centre. This is both in terms of background noise and the presence of built form of significant mass

- set close to the southern towpath, with relatively limited tree cover. The fact that the southern bank forms an urban edge is therefore clearly apparent.
70. It is accepted that built form of substantial scale should come forward on the appeal site. This was recognised in the RSAF vision, which also set out that there should be an area of public space at the point at which the north-south spine meets the River, though it was noted that this would not be large in size due to space constraints.
71. The existing pattern of built form and riverside space along the southern side of the River between Caversham and Reading Bridges varies. To the east Reading Bridge House stands taller relative to the towpath than Block D as proposed, although Reading Bridge House is set over 4m further back from the riverbank. Clearwater Court is somewhat lower than Block D relative to the towpath, closer to Block E in height. However, notwithstanding the central space revealed by the opening between its two wings, Clearwater Court is of significant mass relative to the River, with its frontage being around 7.2m from the riverbank at its closest point.
72. Beyond this, other buildings are mostly of lesser height than proposed Blocks D and E relative to the towpath, though all but Lynmouth Court and Reading Bridge House occupy a significantly greater frontage width. Also, all but Norman Place and Reading Bridge House are positioned closer to the riverbank than Blocks D and E would be, thereby limiting the riverside space and the amount of landscape softening. In this context my view is that, whilst the relationship of Blocks D and E to the River frontage is not replicated along this stretch of River, there is sufficient variety of buildings of scale close to the riverbank, and amounts of riverside space, to accommodate this development without it appearing out of place. Further west, the extended frontage towards Caversham Bridge does allow for greater spaciousness relative to the River frontage, though this is further away from the spatial context of the MOA.
73. Looking more specifically at the visual effects of the appeal scheme, the Townscape and Visual Impact Assessment (TVIA) View P6A represents a photomontage of the oblique view gained from Reading Bridge. Block D and to a lesser degree Block E would appear as significant additions to the River frontage, particularly given the contrast with the existing void. In this view Block D can be seen to extend back deeply into the site, though the appearance of this bulky structure would be softened by the poplar trees to the east and the frontage planting, the articulation of the frontages and the gap between the buildings, as well as the significant amount of glazing and the top storey setbacks which do suggest a lightness of structure.
74. The addition of significant built form would mean that there would, nonetheless, be an urbanising effect on this view, and views from adjacent areas of the Meadows. This was to a large extent anticipated by the RSAF vision. The depth of Block D would have greater presence than the slender structure illustrated in the RSAF, though not disproportionately so, and these structures are shown at least as close to the River, perhaps closer. Further, the tall building development envisaged within the TBS Station Area Cluster suggests that, in views from Reading Bridge towards the Station, there would be an awareness of the rising skyline in close proximity to the appeal site.
75. In views from the west of the appeal site, the wire frame diagram at CD1.68 showing the development as a backdrop to Lynmouth Road also illustrates that

significant built form would extend deeply into the site. It suggests built form above benchmark heights would extend further back into the site than appears in the RSAF illustrative proposal, though quickly dropping to below benchmark height at the Coal Drop Building. Moreover, in views in and around the River, visibility of the western side of the development would be greatly restricted by existing buildings and the presence of Fry's Island. In views further west from Caversham Bridge (view P3), the appeal scheme would appear against the backdrop of existing buildings and emerging central development.

76. In both landscape and visual terms the presence of Blocks D and E would be significant additions which would be at odds with the requirement that the River should retain a natural character. However, I have noted the urbanising influences present along this stretch of the River. Whilst no major changes to the riverside itself are planned, the fact is that further policy-led change to the southern backdrop of the River landscape is inevitable. In these circumstances my view is that riverside development of this form and scale would not be disproportionate. Furthermore, the high-quality design, a contemporary interpretation of the architectural history of the site, would result in an enhancement of this stretch of the River, noting also the opening up of and planting along the riverside frontage.

Other considerations

77. The Thames Path is an important route, along which the appeal site currently presents a blank and unattractive frontage, with the perforated metal screens alongside the Bridge ramp appearing to enclose this space. The increased set back from the River would introduce a moderate opening-up of the space, softened by landscaping. Where the development would front onto the towpath, the appellant's illustrative view indicates that the closest element would be the grills associated with ground level car parking. Whilst not as 'active' as the presence of ground floor living accommodation, this would be supplemented by the large windows and overlooking balconies to the first floor accommodation. Pedestrian and cycle traffic across the Bridge connection over the towpath would also be visible. These features would all support the sense of there being activity close by, and natural surveillance of this route.
78. Overall therefore, the scheme would meet the requirements of both Policy CR3 for development adjacent to watercourses to enhance their appearance and provide active elevations, and Policy CR11iii) requiring development to front onto and provide visual interest to pedestrian routes and open spaces.
79. Policy CR11g requires that development be set back at least 10m from the top of the bank of the River. This is also reflected in the Policy EN11 requirement that development should be at least 10m back from the watercourse wherever practicable. The stepped frontages of Blocks D and E would mean that the degree of setback is not consistent. The appellant's evidence illustrates that the area where the set back is in excess of 10m is 63.68m². The area where the setback is below 10m is 2.21m², representing a small incursion. Whilst these requirements were not in place at the time the RSAF was produced, as things stand this would represent a minor breach of Policy CR11g.

Conclusion on Riverside

80. This analysis has demonstrated the tensions between the policy objectives of realising the vision for the redevelopment of the MOA, specifically achieving the integration of the CR11g Riverside area with the Centre, whilst at the same time protecting and enhancing the character of the River as a MLF.
81. The RSAF vision, and its policy grounding in CR11, establish the principle of significant development across the site as part of the ambition of extending the Centre northwards towards the River, with the site having an important gateway role. The design response before me has sought to realise this aspiration by responding to the history and character of the area and presenting a visually distinctive and attractive frontage to the River, and a gateway into the site. The setback from the riverbank, the creation of accessible riverside space, as well as planting along this frontage, would assist the integration with and enhancement of the River environment. This scheme would represent significantly more than a basic improvement of a utilitarian void.
82. Overall, therefore, I find that the proposal would have an acceptable effect on the setting and character of the River Thames and the Thames Path. In this respect it would meet the requirements of Policies CC7 and CR2 in relation to high design quality and well-designed public spaces. In terms of the effect on River character, I have also found that the development would meet the general requirements of Policies CR3, CR4, EN11 and EN13 as set out above.
83. More specifically, it would also meet the provisions of Policy CR11 v) in terms of the requirement to provide additional areas of open space where possible. The supporting text to Policy CR11 refers to the more detailed guidance relating to developing the MOA set out in the RSAF. The RSAF makes reference to variations in benchmark heights being subject to a test of 'exceptionality', considering whether this can be justified in terms of realising urban design or other major planning benefits, or whether it has been demonstrated that potential impacts can be mitigated. My view is that the benchmark heights are useful as a reference point. That said, the height variation shown in the RSAF illustrative proposals supports a conclusion that the appeal scheme is within reasonable parameters, respecting the vision set out in this guidance. Moreover, the resulting design is acceptable in Policy terms. It would also meet the aspirations set out in the National Planning Policy Framework (the Framework) paragraph 126 for high quality, beautiful and sustainable buildings and places.
84. Finally, I have identified a minor breach in relation to the requirements of Policy's CR11g and EN11 that development be set back a minimum of 10m from the watercourse. I will return to this matter in the overall balance.

Heritage Asset - Locally Listed Building

85. The locally listed building (LLB) would be demolished as part of the appeal development. What follows is an assessment of the significance of the LLB, followed by a review of the heritage implications of the appeal scheme.

Significance

86. The LLB is a modest two-storey building fronting onto Vastern Road. It is the last remaining element of the Reading Power Plant, an early electrical power generating station. The site as a whole represented an example of the industrialisation of UK regional towns. The LLB dates from around 1903 and formed the main site office, including carriage entrance. The main electrical works were located to the rear, adjacent to the River. The adjoining two- and three- storey building extending along the rest of the Vastern Road frontage appears to be of similar vintage, though is not historically associated with the electrical works.
87. Whilst the local listing of buildings is a relatively new concept, the principles of selection should be based on the Historic England listing criteria relating to evidential, historic, aesthetic and communal values. The LLB has been assessed on this basis.
88. It is agreed that the building is associated with the local architectural firm Albury and Brown. Further, it is reasonable to suppose that the building was designed by Frederick William Albury, a prominent Reading architect of the Edwardian period, designer of a number of prominent Reading buildings, and a Fellow of the RIBA. He was also a Director on the Board of the Reading Electrical Power Company. In this sense the building's connection with a prominent local figure of that period is of interest. However, with the exception of references to two buildings in Oxford, there is limited evidence of Albury's influence beyond Reading. Therefore, this aspect of historic interest is of little more than local value.
89. The built development on the site as a whole was an example of early industrial architecture and, as the last remaining visible element of this, the LLB is of historical significance locally. 'Completeness' is usually of overriding importance in assessing the significance of such infrastructure sites for statutory listing purposes, and only the most important power stations are listable. It therefore follows that, as only a fragment of the electric power station remains, it can attract limited significance in this regard.
90. It is agreed that the design and finish of the Vastern Road frontage is of high quality, befitting a building of some civic importance. Nonetheless there is little in the visible built fabric to demonstrably link the building to its functional origins. Whilst the carriage entrance is an unusual feature, this could relate to a number of commercial uses. Furthermore, as a last surviving remnant of the electric works, it is now not possible to appreciate the context for its development as part of the edge of town industrialisation of Reading. The buildings historic interest is somewhat undermined by this fact.
91. The aesthetic interest of the building is derived in the main from the Vastern Road frontage, particularly in terms of its detailed design, the use of high quality materials, and the high standard of workmanship represented. It reflects the eclectic fashion of the time, combining decorative stonework elements with distinctive red brick to give the building an appearance of some grandeur beyond its modest size. This is compromised by unsympathetic alterations, particularly the replacement of the door in the bay with a window and the use of upvc window frames. The archway is also boarded up, though this can be seen internally, with the original Edwardian timber frame windows in the front room looking onto the carriageway.

92. Internally, the building retains some historic features typical of the period. However, its plan form has been altered in places, and the original staircase and chimneypieces lost. Overall, the interior does not have any appreciable heritage value.
93. Therefore, the building does have historic significance in its associations with the arrival of electricity in Reading, the importance of which was recognised by the involvement of Albury as a prominent local architect. Some heritage interest also comes from the aesthetic value of the front elevation as the 'public face' of the electric works. In reaching an overall view on significance I have had regard to the Council's application for the LLB to be statutorily listed. This was initiated as a result of an awareness of the implications of planning permission being granted, rather than any material change in the Council's assessment of significance.
94. There is no evidence before me of the building being particularly rare or unique, other than in local terms, nor is there evidence of it meeting the statutory listing criteria for a building of this nature. Therefore, these values are of local heritage interest and are not of any greater level of significance or standing than is represented by the local list. It follows that I can only afford this heritage asset low level, modest significance overall.

Heritage implications of appeal scheme

95. Policy EN1 seeks to protect heritage assets, including those on the local list. Policy EN4 refers specifically to locally important heritage assets, requiring development to conserve architectural, archaeological or historic significance. Planning permission resulting in harm or loss may be granted *only where it can be demonstrated that the benefits of development significantly outweigh the asset's significance*. The Framework paragraph 203 states that the effect of a proposal on the significance of a non-designated heritage asset should be taken into account in determining the application, and that in doing so *a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*. Therefore, in requiring benefits to *significantly* outweigh significance, Policy EN4 sets a slightly more onerous test than the *balanced judgement* required by the Framework.
96. Policy CR11 provisions for the River/Station MOA forms the wider context for considering whether the loss of the LLB can be justified. There is clearly a tension between the retention of the LLB and the high-density development of the site envisaged by the LP. Nonetheless, the appeal scheme would result in the total loss of this non-designated heritage asset. In considering whether the justification provided would be at least commensurate with this harm, it is relevant to review the options for the reuse and retention of the LLB.
97. Based on the information before the Inquiry, the parties agreed that technically it would be possible to retain the existing structure, either through its reuse or the retention of its façade. Looking firstly at the principle of re-using of the building as part of the appeal scheme, its peripheral location means that it would not be desirable or practical for the LLB to function as a main site entrance. More specifically, it would be most logical and practical for the main circulation core of Block B to be positioned centrally, as in the appeal proposal.

Therefore, even if the LLB were to be used for some communal purpose such as an internal hallway or bicycle entrance, as it would be located some distance from the primary circulation core, it would be unlikely to be used by residents. Its practical utility would therefore be limited.

98. Various options around façade retention have been considered. As a starting point it is widely acknowledged that this approach inevitably results in various levels of harm to the ability to appreciate the heritage interest and significance of buildings. If in this case it were to simply involve the front façade of the LLB being set against the backdrop of the taller building, it would appear incongruous as it would be detached from any other reference point. The example of façade retention at the Great Expectations Public House is not comparable as this is set within a street of frontages of similar scale, with rebuilding at a lower level to the rear. This structure therefore retains a significant presence in the street scene in its own right.
99. It was also suggested that the two-storey façade of the LLB could be retained, including some of the depth of its current structure, with the frontage of the new building rising up from this, extending some design elements. More specifically it was suggested that greater visual integration could be achieved if the development were to be stepped down towards the LLB, so that there would only be a further two storeys above it. This would be of a similar scale to the western side of Block B on the Vastern Road frontage. However, once again, with this approach there would be little relating the building to its context, or to tie it to its functional origins. There would also be implications in terms of a reduction in the number of dwellings that could be provided, a point to be considered as part of the overall balance.
100. Contrasting elevational materials and design elements are proposed throughout the appeal scheme to reflect the site's history. This includes the use of blue brick bands to define the first two storeys of the Block B Vastern Road frontage, seeking to achieve articulation of and visual interest for people passing this frontage. This simple design feature does not in itself indicate that, in visual terms, a successful integration of the LLB could be achieved.
101. Setting aside concerns about heritage impacts and design integration, options to retain the LLB, whether the façade alone or some/all of the building, would entail extensive and delicate engineering operations. This would be necessary to stabilise the historic fabric through some sort of internal or external support structure, as well as other internal alterations to enable its adaptation. This would inevitably cause harm to and loss of historic fabric. Consideration must also be given to whether such a response would be proportionate to the level of significance of the LLB.
102. The LLB was not identified specifically as a townscape receptor within the appellant's TVIA, meaning that the effects of the development on it were not specifically considered within this document. Also, the DAS contains some factual inaccuracies and errors relating to the LLB. Nonetheless, the presence of the LLB did directly inform the DAS, supported by the assessment of significance set out in the appellant's Heritage Statement. Overall, the

appellant gives proportionate and reasonable consideration to the implications of development and options for LLB.

103. It is agreed that the appeal scheme seeks to respond to the historic context by including design cues taken from the LLB. This would be, for example, through the use of blue brick quoining, contrasting red brick details, stone string courses and heads, and also a nod to the ground level decorative archway. This would represent a modest and straightforward interpretation of design elements of the LLB and other predecessor buildings. It would seek to reflect distinctive elements rather than represent them specifically as some sort of pastiche design. In this sense it would comply with that part of Policy EN4 which requires that *replacement buildings should draw upon heritage elements of the previous design, incorporating historical qualities that made the previous building significant*.

104. My attention has been drawn to a recently dismissed appeal relating to the proposed demolition of a locally listed building at 71-73 Caversham Road, known as Dowson's Maltings. This structure occupies a prominent corner position and, whilst much altered, is of significant scale. It also connects visually with more modestly scaled development in the surrounding streets. It appears to have been a Victorian warehouse constructed for use as maltings, with brewing being important to Reading at that time. The Inspector found that the original use as maltings could be appreciated and that there was a sense of architectural cohesion with the surrounding area. As these functional and visual connections are not present in relation to the current LLB, a distinction in terms of the level of heritage significance present can be drawn. Furthermore, unlike the appeal site, the Dowson's Malting site is not part of the area allocated for comprehensive development.

Conclusion on LLB

105. As the appeal development would result in the total loss of a LLB there would be conflict with Policies EN1 and EN4, which seek to protect and conserve non-designated heritage assets. These policies allow for consideration of whether there would be clear and convincing justification for such loss, usually in the form of public benefits, and whether such benefits outweigh, or significantly outweigh, significance. There would also be conflict with Policy CR3v. which refers to the need to conserve and enhance the historic environment of the centre and the significance of heritage assets.

106. As a starting point I have concluded that the LLB can be afforded no more than a low level and modest degree of significance overall. Set against this the policy provisions for the development of the MOA are of relevance and, within this context, the implications of reuse and retention options must be considered. I have found that the options considered would themselves cause harm to the heritage significance of the LLB through loss of fabric and ability to appreciate its original form. Further, the effective integration of remaining elements with the appeal development would raise considerable practical challenges. Overall, my view is that the appellant's approach to using the site's industrial heritage to inform the design of the appeal buildings would be an appropriate and proportionate response to these circumstances.

107. In order to make the heritage balance it is necessary to consider the public benefits of the scheme. I will return to this in the concluding section.

108. The third main issue considered at the Inquiry refers to the effect of the proposed development on the natural environment with, particular reference to marginal habitats and large canopy trees. For clarity and convenience I have dealt with these matters under separate headings.

Natural environment

Marginal habitats

109. The River Thames is an important wildlife corridor, qualifying as a Habitat of Principal Importance for the purpose of conserving biodiversity. This relates in part to the marginal vegetation and other riparian habitats that form part of the river system. Marginal vegetation (MV) is herbaceous vegetation located at or just below water level on the margins of watercourses, as distinct from other bankside vegetation. Overall, the parties agree that, in terms of its ecological value, the River and its habitats are of Borough importance.

110. Whilst precise details of the overall extent of marginal habitat (MH) within Reading Borough were not presented to the Inquiry, in the vicinity of the urban area of Reading its presence is patchy. The MV introduced at the time of the construction of the Bridge in 2015 was in the form of pre-planted coir rolls positioned along the south riverbank between the bridge ramps, and partly adjacent to the appeal site. A narrow strip of wildflower grassland was also planted along the bank, which is currently an area of uncut grassland into which some of the semi-aquatic vegetation has grown. It is agreed that this area of MV, referred to as MVA1, now amounts to 70m² of MV (15m² in the coir rolls and 55m² on the riverbank). A further length of coir roll was installed to the south-east of the eastern bridge ramp, referred to as MVA2. There is no suggestion that MVA2 would be affected by the development.

111. As a starting point it is agreed that the 'Ellenberg indicator values' give the MV species present a light value of 7, described as *plants generally in well-lit places, but also occurring in partial shade*. This describes a range of possibilities in terms of shade tolerance, or intolerance. Beyond this, the cases of the main parties present greatly differing viewpoints and conclusions in terms of the shading effects of the appeal scheme on MVA1, the implications of the mitigation hierarchy and any compensation requirements. I review each in turn below.

Impact of shading on MV

112. I viewed MV at a range of waterside locations on my site visit in mid-December. Whilst the evidence on this point is not conclusive, it did appear that some species of MV were growing in heavily shaded conditions, even during winter months. This included the shade cast by a line of Leyland Cypress trees adjacent to the Kennet and Avon Canal. The shaded MV was less vigorous in comparison with close by areas that are not overtopped by the tree canopies. Nonetheless the species present looked reasonably healthy along most of this stretch. It appeared that a visible gap in MV related to a

wildfowl grazing point, judging by the presence of feathers, and not to a particular gap in tree cover. The other locations referred to by the parties adjacent to the River at Hills Meadow Park and Kings Meadow Park are shaded by deciduous trees adjacent to the riverbank. This also indicated that some species of MV can and do grow in heavily shaded situations. Where MV was absent, it appeared that other factors were at play, such as disturbance by walkers and anglers.

113. Turning to consider the current condition of MVA1, this area of MV has established with varying success. The appellants' sunlight assessment provides an overview of the number of sunlight hours across this section of the River between March and September. When existing sunlight exposure is compared with the MV present, it does appear that the established central section is located where exposure is generally between a minimum of 4-5 hours and over 6 hours (and up to almost 14 hours) over the main growing season. The areas where MV has failed relate to the eastern and western extents where exposure is much less than this, generally less than 2 hours.
114. Looking specifically at the eastern end, shading is caused by the descending ramp and the poplar trees to the south. This has created a highly enclosed environment, exacerbated in recent times by the growth of scrub and tall ruderal plants on the immediately adjacent bankside. At the opposite western end of MVA1, the final 2m of coir roll have also failed to establish. This is close to the point where the Bridge reaches the bank, generating additional shading from the Bridge itself and the descending stairs, as well as scrub and tall ruderal vegetation which also appears on the bank around this point. Of note is the fact that this area does not appear to have been managed, meaning that damaged coir rolls have not been repaired, and also that competing tall ruderal and scrub vegetation has established over a significant area of the bankside. Without management, it is likely that tall ruderal and scrub vegetation would spread further.
115. It therefore appears that the parts of MVA1 that have not established have been placed in challenging situations with restricted access to light and the presence of competing vegetation. Observations from the other MV locations suggest that some species of MV can grow in heavy shade. However, as shade is cast by trees, they do not replicate the shading cast by solid built form. They do not, therefore, provide a direct comparison with the effects of shading from the appeal scheme. On this point it is relevant that Building Research Establishment (BRE) guidance on sunlight calculations indicates that whether trees should be included depends on the type of shade they produce, and that normally they need not be included, partly because the dappled shade of a tree is more pleasant than the deep shade of a building.
116. With the appeal scheme in place a significant proportion of MVA1 would see a reduction in daily sunlight exposure during the growing season. This would amount to a reduction from over 6 hours (and up to almost 14 hours), to around 2-4 hours. The appellant agrees that there would be some impact on MV leading to a slight reduction in vigour and a loss of small areas of MH already struggling to establish. The Environment Agency's (EA) assessment is

that the development would be *likely to reduce the vigour of this planting and may result in the loss of some species*. This is at odds with the Council's conclusion that MVA1 would be likely to fail in its entirety.

117. The Dawson and Haslam paper referred to by the Council does not particularly assist with this analysis as it refers in the main to the shading effects of MV itself in terms of aquatic plant control. Submerged aquatic vegetation is distinct from the emergent nature of MV. The paper promotes the control of vigorous aquatic plants occupying central river and therefore less shaded positions by using the half-shade created by bankside planting. Whilst still referring to aquatic plant growth, of relevance is the reference made to the complexities involved in predicting growing conditions, noting situations in which aquatic growth has been appreciable even where there has been full shade. This is due to the presence of general skylight.
118. The evidence before me is not conclusive on this point. Nonetheless, the nature of the shade caused by the evergreen trees adjacent to the Kennet and Avon Canal does strongly suggest that some species of MV can tolerate a high degree of shade, perhaps due to the continued presence of general skylight.
119. I therefore conclude that the development proposed would be most likely to result in reduced vigour to MVA1, and a reduction in the extent to which it would spread further, though there is nothing before me to indicate that this area would be likely to fail completely. That said, the fact that tall ruderal and scrub vegetation has colonised the more shaded parts of the bankside suggests that, with the additional shade caused by the development, this would be likely to spread more rapidly, posing further challenge to the vigour and extent of the MV. As such, a greater than modest effect on the extent and health of MVA1 cannot be ruled out.
120. The Framework paragraph 180a) refers to situations where there is significant harm to biodiversity resulting from a development. In determining whether significant harm would be likely in this case, the 'precautionary principle' is to be considered. The glossary to the Guidelines for Ecological Impact Assessment (EcIA) sets out that the precautionary principle means *that the absence of complete information should not preclude precautionary action to mitigate the risk of significant harm to the environment*. The Council relies on the specific, and perhaps more cautious, descriptor within the EcIA that *in cases of reasonable doubt, where it is not possible to robustly justify a conclusion of no significant effect, a significant effect should be assumed*.
121. Assistance with the practical application of the principle is derived from two legal judgements. The general proposition set out in the Kenyon judgement⁴ is that the principle will only apply if there is *a reasonable doubt in the mind of the primary decision-maker* (§66), meaning that it does not apply simply because someone else takes a different view. The other legal authority relates to a fracking case,⁵ in which it was found that the existence of scientific doubt or dispute did not necessarily require the engagement of a precautionary

⁴ R (Kenyon) v SSHCLG [2020] EWCA Civ 302

⁵ Preston New Road Action Group v SSCLG [2018] EWCA Civ 9

approach. I take from this that the precautionary approach should be engaged where there can be reasonable doubt about the effects of the development, specifically in terms of whether the appeal proposal would have a significant impact on MVA1.

122. On the basis of the evidence before me, including what I was able to see on site, it is most likely that there would be some moderate harm to MVA1 in terms of lost vigour. However, a significantly harmful effect, which would be of Borough significance, cannot be ruled out.

Implications of the mitigation hierarchy

123. A precautionary approach means that it is necessary to apply the mitigation hierarchy. As set out in paragraph 180a) of the Framework and section B of Policy EN12, the mitigation hierarchy seeks firstly to avoid impacts, then to minimise them, then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.
124. Considering firstly whether harm could be avoided or minimised, the Council's case is that even if Block D were to be set back to reduce the level of overshadowing, a significant quantum of housing could be delivered on this site. Further, this is presented in the context of the Council being on course to deliver housing in excess of the required figures over the development plan period. On the other hand, the appellant refers to the importance of maximising housing delivery in this highly sustainable location, as well as harm in terms of the loss of enclosure and definition in townscape terms if Blocks D and E were to be set back/reduced in height. Setting aside design matters, my view is that given that the site is allocated for 250-370 dwellings, it is reasonable to expect that its development would involve comprehensive site coverage and relatively high buildings, making the avoidance of impact challenging.
125. On-site measures to rehabilitate or restore biodiversity would not be appropriate, noting the specific nature and high distinctiveness of MH. Therefore, in these circumstances, in considering whether harm could be adequately compensated for, Policy EN12 sets out that the provision of off-site compensation shall be calculated in accordance with nationally or locally recognised guidance and metrics.

Adequacy of off-site compensation

126. The appellant's position is that the condition of the MV overall would not change. Nonetheless, as a precautionary measure, the appellant proposes the replacement of 8m of coir roll at the eastern end of MVA1, and at MVA2 the addition of a 53m length of new coir roll and a 53m length of brushwood roll into which MV would grow. The total area would be 34.2m² of new MV.
127. The parties have applied a combination of the DEFRA 2.0 and DEFRA 3.0 Biodiversity Metric (the Metric), a practical tool used to measure gains and losses of biodiversity in England. It has been used to assess the biodiversity value of the existing MVA1 in terms of habitat units (HU), the effect of the change in terms of those HU, and the value of the proposed compensation.

The Metric involves some subjective evaluation and comes with a 'health warning' indicating that its outputs should not be considered as absolute values but provide a proxy for the relative biodiversity worth of a site pre- and post-intervention. The greatly varying conclusions of the parties on the outcomes of the Metric indicate that subjective evaluation relates to both the data inputs and the interpretation of value elements.

128. As a starting point the parties agree that the pre-intervention condition of the MV should be assessed on the basis of the closest category habitat type in the Metric: wetland-reedbeds. However, the initial and most significant discrepancy between the respective positions of the parties relates to the fact that the Council's calculations assume that there would be a significant effect on the total quantity of 0.007 ha of MV adjacent to the site. In contrast the appellant has included the MV in the coir rolls only (0.0015 ha), excluding the MV on the bank (0.0055 ha), suggesting that there is no evidence of a significant impact on this area. However, the appellant's sunlight exposure study shows that there would be a reduction in sunlight reaching the MV on the bankside area from generally over 5 hours per day to around 2-4 hours per day in March and September. For the remaining spring and summer months the reduction would be from over 6 hours (and up to almost 14 hours per day) to around 2-5 hours per day for most of this area. Therefore, the change in environmental conditions would be likely to have some effect on the growth of bankside MV.
129. It may well be the case that post-development, the bankside area could continue to meet 5 out of 6 of the Metric core condition criteria for wetland habitats. However, as the appellant notes, it is appropriate to consider other non-listed criteria that would affect the condition of MV. My view is therefore that the effect on bankside MV should be considered as part of the overall assessment of the effect of the development on MV. That said, the weight that should be attached to harm to this area is moderated by the fact that, as noted above, the future resilience of this area of MV in its current circumstances is uncertain.
130. The Council's Metric calculations are based on an assessment of the full area of MV, that is 0.007 ha, and appear to set out all necessary factors, whereas the appellant's figures are less transparent. I have therefore considered the component elements of the Council's calculations alongside the appellant's critique and suggestion of alternatives, as a basis for reaching a view on the adequacy of the compensation proposed.
131. The Council has assessed the value of this wetland area in terms of HU based on it being either in 'good' or 'moderate' condition. It appears that the area relating to the coir rolls fulfils all 6 of the Metric's core condition assessment criteria, meaning that it could be considered to fall within the 'good' condition category. That said, the existing heavy shading from the Bridge and ramps greatly limits the ecological functionality value of this area, and the Bridge is an unnatural physical obstruction to the wildlife using the MV. Whilst this is not listed as a criterion, it has clearly affected the establishment and condition of the MV. As such, in line with the principles set out in the Metric user guide

which highlights the need to apply ecological principles and consider local conditions alongside the Metric outputs, my view is that the 'moderate' condition category is more appropriate for assessing this MV.

132. As the bankside vegetation does not meet the non-negotiable condition criteria requiring that the water table is at or near the surface throughout the year, its current condition can be no greater than moderate. On this basis the Council gives a pre-intervention value to MVA1 of 0.10 HU.
133. The post-intervention effect of development on MVA1 in terms of HU is then calculated. I have established that it is most likely that the MV would survive in poor condition, rather than not surviving, post-development. In these circumstances the Council sets out that MVA1 would have a value of 0.05 HU, reflecting a loss of 0.05 HU.
134. Turning to the value of the off-site compensation in terms of HU, the starting point is to consider the value of the river habitat pre-development. The appellant suggests that deducting a figure for the value in HU represented by the area of river in which compensation planting will take place is a significant error, with reference to a point in the Metric guidance which specifically excludes coir rolls from in-water encroachment calculations. However, this part of the methodology applies only to linear habitat biodiversity calculations and not the area habitat biodiversity calculations used by the experts in this case. Such a deduction is therefore appropriate.
135. Whilst the River is a distinct habitat in Reading, there is no specific habitat type for rivers in the Metric. The nearest classifications are either 'lakes-artificial lake or pond' (lake/pond) or 'lakes-reservoir' (reservoir). The lake/pond type relates to an enclosed artificial standing water body and falls into a low distinctiveness category. The reservoir type refers to an artificial water body for water supply/irrigation, falling into the medium distinctiveness category.
136. In considering the most appropriate classification, this is an impoverished section of the River Thames, lacking significant natural vegetation, experiencing high levels of boat traffic/moorings and adversely affected by large numbers of wildfowl. This is reflected by the fact that the EA designate this part of the River as a Heavily Modified Water Body for navigation, recreation and flood protection reasons, and have classified it as having Moderate Ecological Potential in 2016, failing for invertebrates and phosphates. Nonetheless, it appears that the EA classification correlates most closely with the 'medium' distinctiveness category reservoir habitat type, rather than the low distinctiveness category of enclosed artificial standing water.
137. At this point the Council's calculations assume that 20m² of new MV would be created, whereas it has subsequently been agreed that an additional 34.2m² of MV would be created at MVA2. Therefore, the assessed value of the river area lost to the new MV as 0.02 HU is an underestimate. However, the fact that the Council also gives a post-intervention value to the new MV of 0.02m², effectively suggesting that the intervention would have zero benefit in habitat

terms is, it seems, a further indication of the challenge of applying the Metric. I understand that some of the issues here relate to the relatively small habitat areas involved and the fact that figures in the model are rounded.

138. The overall outcome of the Council's application of the Metric is the suggestion that compensatory habitat of between 80m² (based on an additional 0.04 HU) and 542m² (based on an additional 0.13 HU) would be required. In contrast the appellants calculations, based on the smaller area of MV within the coir rolls,⁶ suggest that the additional 34.2m² of MV would be appropriate compensation for the 15m² coir roll MV. This is based on the Metric giving existing MV twice the value of new areas.
139. The disparity between the party's calculations means that a clear conclusion on the adequacy of the compensation proposed in numerical terms is not possible. It suggests that a degree of pragmatism is required. The principles and rules guiding the Metric's biodiversity assessments state that losses of habitat are to be compensated for on a 'like for like' or 'like for better' basis, particularly for high distinctiveness habitats. In this case the future health and stability of this unmanaged area without the development in place is uncertain given the challenging circumstances, particularly the presence of competing vegetation. On this basis I have noted that less than full weight should be attached to possible harm to the bankside MV. Further, with the development in place it would be unlikely that MVA1 would disappear. In these circumstances I do not consider that an area greater than the current total size of MVA1, as suggested by the Council, to be necessary.
140. Set against this, the adequacy of the appellant's proposed 34m² of MH must be considered. Of relevance is the fact that in this location the River is more open and with a shallower depth than at MVA1, giving greater potential for the MV to thrive. Also, brushwood bundles would be placed alongside the new coir rolls acting as a buffer to boat wash and the effects of wildfowl, thereby increasing its resilience. Further, the greater width of coir rolls would offer a more sustainable long-term option for enhancing biodiversity compared with the existing single width coir roll. Finally, and perhaps most significantly, the provisions of the S106 set out that this area would be managed in perpetuity, in accordance with an agreed Ecological Works Scheme. The Council questions the additionality of the MV proposed at MVA2, observing that where the existing fence has collapsed the MV has extended into the river. However, I have highlighted the consequences of not managing new areas of MH in this environment. In this sense the potential biodiversity benefits offered by the appellants proposal to enhance MV provision are of considerable weight.

Conclusion on marginal habitats

141. I therefore find that, noting both the condition of existing MV and the quality of the compensation proposed, any harmful effects caused by the proposed development would be adequately addressed. The proposal would therefore comply with the requirements of Policy EN11 in relation to the protection and

⁶ Using, as far as possible, comparable inputs to the Council, these calculations suggest that the existing MV has a value of 0.0207 HU (in moderate condition), reducing to 0.0104 HU (poor). The loss of river would be 0.0079 HU (lake/pond), and the new MV would provide 0.0326 HU (good condition).

enhancement of Reading's waterspaces, so that they can continue to contribute to local and regional biodiversity and ecology. The provision of off-site compensation would also meet the requirements of Policy EN12 in demonstrating that there would be no net loss of biodiversity. Whilst the requirement to calculate off-site compensation using recognised metrics has proved challenging, overall I have found that the compensation proposed would be a proportionate and reasonable response to this situation. Similarly, in the terms of the Framework paragraph 180a), I find that, on the basis that harm cannot be avoided, there would be adequate compensation.

Large canopy trees

142. It is agreed that the overall quantity of tree cover proposed is appropriate. However, the disagreement relates specifically to the type of riverside trees proposed and the fact that only one of the riverside trees would have a large canopy. Linked to this is also the question of whether there would be sufficient space within the riverside buffer for a sustainable long-term relationship between the riverside buildings and further large canopy trees at this part of the site. The matters to be considered relate to the extent of tree cover in terms of biodiversity and climatic considerations, and the landscape and visual implications of the scheme both in terms of its setting and the quality of riverside public realm created by the appeal scheme.
143. The latter point is closely connected to urban design considerations relating to Riverside Development, as considered earlier in my decision. In this section I focus on the nature of the tree cover that should be provided and also the sites general landscape setting.
144. An early iteration of the appeal scheme included a selection of broadleaved wide canopy trees (in the mature form) along the River frontage. Such trees are defined as 'large canopy' (LC), meaning that they would ultimately become large trees (20m+ in height) with a broad spreading canopy. However, the Council's concerns regarding the potential for overshadowing and future conflict with the appeal buildings resulted in the substitution of several of the LC trees with more fastigate varieties. Such cultivars are naturally tall and upright with branches more or less parallel with the main stem, thereby providing a narrower crown spread. The response was suggested to maintain a sustainable long-term relationship between the riverside buildings and trees.
145. Policy EN14 sets out the importance of improving tree cover within the Borough to maintain and enhance the character and appearance of the area in which a site is located, thereby supporting biodiversity and contributing to measures to reduce carbon and adapt to climate change. No reference is made to LC trees within the Policy, though the supporting text sets out the need to use appropriate LC trees, reflecting the fact that environmental improvements in terms of biodiversity and climate adaptation are achieved more effectively by LC trees. In simple terms, the larger the canopy spread of the tree the greater the support provided to wildlife, the greater the carbon capture and other climatic benefits, particularly in terms of summer shading and improvement in air quality.

146. The adopted Sustainable Design and Construction SPD reiterates the beneficial effects of, and preference for, LC trees. Similarly, the adopted Tree Strategy sets out the importance of planting LC species wherever feasible, targeting priority areas for tree planting based on factors such as canopy cover and air pollution. In these respects, the appeal site is located in both a 'low canopy cover' ward, where the aim is to secure immediate improvement, and a designated Air Quality Management Area (AQMA). As most of the trees proposed are not LC varieties, the contribution to improvements in canopy cover and AQMA objectives would be less than optimal.
147. The Framework paragraph 131 also sets out the importance of tree planting, along with the requirement to ensure that *the right trees are planted in the right places*. This practical concern is with ensuring that proposed trees can be successfully integrated to achieve their optimum size without concerns about future conflict with built form or other infrastructure. Of particular relevance in this regard is the requirement in Policy EN11 that development be set back at least 10m from watercourses wherever practicable, and the site-specific requirement in Policy CR11g that development be set back at least 10m from the top of the riverbank. Notwithstanding the fact that this is a minimum requirement, it has more or less been met by the appeal scheme and slightly exceeded in places. However, it remains that this area would not be of sufficient width to accommodate a line of LC trees. The appellant's suggested compromise is therefore a reflection of this constraint.
148. Turning to the implications for landscape and visual character, I have considered policy provisions relating to the protection of the River environs as part of the Riverside Development section. With reference to Policies EN11, EN13 and CR3 I found a requirement for development to support the natural character of waterway environments, though recognising that it is not necessarily possible to do so where strongly urban influences are apparent.
149. The River Thames is a MLF, to be protected for its own sake and as a distinctive setting for its wider urban context. I have recognised that this area is characterised by an overriding sense of generous spaciousness and greenery. That said, the fact that the southern riverbank forms an urban edge is apparent, with built form of significant mass set close to the southern towpath with relatively limited tree cover. It is also accepted that built form of substantial scale should come forward on the appeal site.
150. The RSAF vision sets out that an area of high-quality public realm would also be accommodated here, where the north-south spine meets the River, though notes that this would not be large in size due to space constraints. The degree to which it was envisaged that this area would be able to accommodate significant tree canopies adjacent to the River is therefore uncertain.
151. In practical terms the 10m set back could accommodate trees which, whilst with relatively modest canopies, would be of significant mature height and could provide a degree of softening of this frontage. The central tree, an oak, and therefore a LC variety would, when mature, further assist in softening and would also provide a focal point along the river frontage. Therefore my view is that, in the context of the development envisaged for this area, the trees

proposed would represent a reasonable response to the setting. They would follow the principle that the right trees should be planted in the right places, and would also enhance the landscape provision along the southern riverbank.

152. Drawing these threads together, there are tensions between the need on the one hand to secure the high-density development of the site, and on the other the aim to deliver LC trees and protect and enhance the character of the MLF. In terms of tree types, the riverside canopy cover proposed would be less than optimal in terms of delivering environmental benefits. The proposal would not fully comply with the requirements of Policy EN11 and CR11g for development to be set back a minimum of 10m from the River. Nonetheless, the appeal scheme would represent a minor technical breach of this requirement, with the fact remaining that even if a strict 10m set back were to be observed, it would not be of sufficient width to support LC trees.
153. The tree types selected could be accommodated without future conflict, a principle supported by the Tree Strategy and the Framework paragraph 131. I have also found that the scheme would relate reasonably well to the landscape character of the south bank of the River, reflecting its proximity to the urban centre and securing some landscape improvements. It would therefore comply with the relevant provisions of Policies EN11, EN13 and EN14. It would also comply with the provisions of Policies CC7, CR2 and CR4 in relation to the provision of green infrastructure and landscaping, and adding to the setting and character of the Thames.
154. Overall, this is a compromise position in which a high-density scheme would be accommodated with some softening of the frontage and some environmental benefits. Nonetheless, the appeal scheme does offer broad compliance with policy and guidance.

Comprehensive development

155. In past discussions about the development of the CR11g Riverside area the site owner, SSE, have indicated their intention that the entire site would be comprehensively redeveloped. Past feasibility studies illustrate various approaches to development, including retaining and encapsulating electricity transmission equipment below new buildings. Representations were made to the Council in 2017 and 2018 seeking to secure alterations to the emerging LP. This related to a suggested extension of the tall building cluster to include the site and a request that the 10m riverside setback be relaxed to 5m. These representations indicated that such alterations would allow maximisation of potential riverside development, presumably by allowing taller buildings closer to the River. Further, the riverside frontage development would generate the high values required to support the relocation of the central electricity transformers, thereby opening up this part of the site for the desired central pedestrian/cycle link.
156. It appears that the failure of these representations to result in amendments to the LP led to the conclusion that moving the substations and transformers within the site or to another location was financially unviable. As a result, the part of the site no longer required for operations was sold on. Evidence to the Inquiry indicates that SSE have no plans to relocate their equipment, with the

strategic requirement for the substations and transformers *highly unlikely to change in the short or long-term*.

157. Whilst ideally the development of Policy CR11 sub-areas should be undertaken comprehensively, it is recognised that some parts may be developed to different timescales. It is agreed that the responsibility falls to the appellant to provide sufficient information to demonstrate that the appeal scheme is part of a comprehensive approach to the development of the sub-area. Policy CR11viii) requires that such an approach should not prevent neighbouring sites from fulfilling the aspirations of this Policy for the Station/River MOA and Central Reading. Specifically, the supporting text sets out that *it is vital that there is clear regard for the rest of the sub-area and that planning applications are accompanied by information that addresses how the development will relate to the potential or planned development of neighbouring sites*. Further, Policy CR2f. requires development to be designed with consideration of adjacent development sites. It should not prevent or cause unreasonable burdens on the future development of those sites.
158. It would be unreasonable to expect a fully developed scheme setting out the height and form of buildings and detailing parking and open space provision. Nonetheless, my view is that, given the unique nature of the site and the unusual central configuration of its two parts, some sense of visual and functional integration and complementarity should be apparent.
159. The sketch plan provided with the appellant's DAS shows the approximate locations and footprints of four development blocks, two as linear blocks against the eastern boundary and two internal blocks abutting the appeal scheme Blocks C and D. Parking courts and broad indications of landscaping are shown separating the buildings, with a link from Vastern Road to the towpath and also a connection between the two sites. In reviewing the scheme, Design South East welcomed this consideration of how the appeal scheme would relate to the remainder of the site. Nonetheless, it was left to the Council to assess the *possible future relationship as part of their consideration of this scheme and their aspirations for the wider site long term*.
160. The sketch plan presents some cause for concern relating to the possible future development of the adjoining site. The appeal site commands much of the River frontage, with the remaining 19m constrained by the presence of the mature poplar trees to the east. Block D is positioned in order to maximise the benefits of this aspect, being as close as possible to the eastern site boundary and River, with windows and balconies on its eastern elevation up to 10 stories. This would mean that the remaining narrow river frontage of the SSE site, an area attracting premium development values, would be effectively blighted. This outcome is suggested in the DAS sketch plan. The appellant's position is that the open frontage would allow views through to the River from three of the blocks. This may be so, but these views would be highly restricted.
161. The suggested movement patterns indicate a duplication of the north-south link, with the nature of the central connection between the two sites not being clear. It would be unlikely that the tight gap between Blocks C and D could function effectively as a vehicular/emergency access route, suggesting that a further vehicular access point would be required from the Vastern Road frontage. The appellant has suggested that alterations could address such concerns. However, without further clarity about the nature of such

modifications, it remains doubtful that effective and efficient internal and external circulation patterns could be achieved. Whilst permeability is to be supported, particularly on north-south links, practical uncertainties undermine any suggested benefit in this regard.

162. The sketch plan suggests that the built coverage of the site would be around 30%, suggesting an inefficient use of the site, noting the Housing and Economic Land Availability Assessment aspiration for 43% coverage on sites such as this. Whilst the appellant again suggests that alterations to the layout could perhaps address this point, there is little evidence of how significant increases in built coverage could be achieved and the use of available space optimised. There are other matters of concern about the development potential of the remaining site area, such as the small footprints and the limited aspects of two of the blocks.
163. I have already referred to the considerable constraints and challenges of developing the appeal site in view of its relationship with the remaining part of the CR11g site. In particular, the management of the retained transformer equipment has visual and acoustic implications, as well as other technical constraints. In this regard buildings cannot be placed within 2m of the boundary of the central part of the site. There is also a requirement for a 3m high 'blast wall' around the central part of the scheme. This would be created along the boundary to the south of Block D, east of Block C and the northernmost element of Block B. It does appear that this would be the most efficient way of managing these ongoing constraints. The resulting blank walls without fenestration would relate to those elevations directly facing the central transformers. The fact that this would result in an unusable 2m gap between buildings appears difficult to resolve.
164. That said, it is possible that the resolution of this and other matters could be achieved through reviewing the configuration or omission of some elements of the appeal scheme. For example, it may be possible to accommodate a block of around 13m width on the frontage of the SSE site, though this would require the omission of either some of the northern extent of Block D, or at least some of the windows and balconies on its eastern elevation.
165. Addressing these concerns would have townscape implications. For example, it may not be desirable in townscape terms for there to be a significant reduction to the pattern of fenestration on the eastern elevation of Block D, given its visual prominence. It is also inevitable that such changes would result in some loss of dwelling yield on the appeal site.
166. Nonetheless, I consider it appropriate to address the concerns highlighted to provide some assurance that the development potential for the remaining site would not be unduly impeded. Further matters relate to the fact that the development of the remaining SSE site presents challenges in terms of managing the removal or integration of the remaining transformer equipment, and the presence of both the line of mature poplar trees and the existing offices to the east. Proper consideration of these points would support the principle that the whole of the allocated area should have the potential to come forward as envisaged by Policy CR11.
167. I have noted that SSE have clearly stated that they do not envisage the site coming forward for development any time soon. Nor do they envisage the appeal scheme jeopardising the future development of the remaining site area.

However, it is not clear from the correspondence provided that specific consideration has been given to the remaining site challenges. I note particularly that earlier representations made much of the abnormal costs involved in relocating electricity infrastructure, and therefore the need for development value to be maximised. Furthermore, whilst no specific evidence was presented on this point, in the current climate it is reasonable to speculate on the likelihood of changes in the way electricity is delivered in the future, leading to questions about the longevity of the current infrastructure. Such considerations have not been addressed, directly or indirectly.

168. I therefore conclude that it has not been demonstrated that the proposal would be part of a comprehensive approach to the development of the Riverside sub-area of the MOA. In particular, concerns regarding the viability of development on the remaining part of the site, the effectiveness of movement patterns within and between the sites and the efficiency of the use of the remaining site area have been identified. In these regards there would be conflict with the requirements of Policies CR11viii) and CR2f., as set out above.

Other Matters

Matters raised by the Rule 6 and interested parties

169. Whilst they do not form matters of dispute between the Council and the appellant, I have had careful regard to the range of other considerations raised by the Rule 6 Party and other interested groups and individuals during the course of the Inquiry. Some are addressed elsewhere in my decision. My thoughts on others are set out here.
170. The appeal site is highly accessible brownfield land. There is general acceptance that the allocated area, and the wider MOA, will contribute towards providing a high-density mix of uses. Of specific relevance is the fact that the Framework paragraph 191 sets out the need to make efficient use of such underused land. In this context the quantum of development sought falls within the general parameters set by Policy CR11g. The indicative potential for the allocated area is between 250 and 370 dwellings, which on a proportionate basis suggests that a range of between 152 and 226 dwellings would be appropriate on the appeal site. At 209 dwellings the appeal scheme would be at the higher end of this spectrum, though would be within acceptable parameters, providing other relevant policy requirements are met.
171. The suggestion that the remaining central portion of the allocated site could potentially accommodate taller buildings is not unreasonable, noting that it is set away from the River and the sensitive residential areas to the west. However, this would not in itself undermine the merits of the appeal scheme. On this point the supporting text to Policy CR11 states that whilst indicative capacity figures are included, actual development capacity can vary significantly on high density town centre sites, providing that high-quality well-designed development can be achieved.
172. The appeal scheme has sought to respond to the proximity of the site to the residential streets to the west by positioning buildings of lower height in the most sensitive locations. Specifically the parts of Blocks C and B positioned parallel to Lynmouth Road, would comprise three to four storey elements. Policy CC8 seeks to safeguard the living conditions of the residents of existing properties in terms of privacy, overbearing development and outlook. It sets

out that a minimum back-to-back distance of 20m is usually appropriate, although circumstances on individual sites may enable dwellings to be closer without a detrimental effect on privacy. In this case, whilst the relationship would be back-to-front, the fact that this distance would be between 25 and 29m suggests that this would be sufficient to ensure that privacy would be protected. Most balconies on this Block B and Block C elevation would be set further away from the Lynmouth Road properties.

173. Some overlooking of the rear gardens of the Lynmouth Road properties would be possible. However, it is unrealistic to expect total privacy within inner urban environments such as this. For example, several of the Lynmouth Road properties have accommodation within their roof spaces, enabling greater overlooking of adjacent rear gardens than previously. That said, whilst deciduous trees on the site boundary would not block views year-round, their presence would soften views and provide a sense of screening and separation.
174. There would be less of a gap between the southernmost Lynmouth Road property and Block A, though as Block A would be of two storeys adjoining the rear garden area any harm in this regard would be limited. The close relationship between Block FG and the northern end of Lynmouth Road would be managed by the absence of windows above ground floor at the southern end of this Block.
175. The presence of higher-level development in Blocks A, B, D and E may suggest that overlooking would occur. However, intervisibility would be greatly restricted by the fact that these blocks would be set back some distance from the windowed elevations and gardens, and also by the acute angles of view.
176. In spatial terms the contrast between the currently open car park occupying most of the appeal site and the appearance of the appeal scheme would be stark, noting particularly the heights reached by elements of Blocks D and B, and to a lesser extent Blocks A and E. Nonetheless, there would be much less of a contrast between the heights of those elements most closely adjacent to existing residential areas, so that a sense of moderated scaling up would be achieved. In this context my view is that the appeal scheme would not appear unduly overbearing.
177. Similarly, the appeal scheme would result in loss of light to existing properties which currently benefit from the large degree of openness on the appeal site. Amendments made to the scheme post-submission have sought to improve daylight and sunlight provision. Lynmouth Court would be the most affected by the proposals. Some windows would see their vertical sky component obstructed to below 27%, though the fact that some of the rooms have less affected windows on other elevations would be a mitigating factor. The overall loss of sunlight would be largely within the BRE guidelines.
178. There would also be some loss of daylight for rear windows and garden areas of even numbered properties on Lynmouth Road. Light loss would be managed by the lower heights of buildings both in the centre of the site and relating to those portions of Blocks FG and Block A closest to the Lynmouth Road properties. Whilst light loss effects can be generally characterised as minor adverse, this would not be unreasonable in this urban context. Residents of existing properties further away from the appeal site, such as Thames Court, may experience some light loss, though this would be within BRE guidelines.

179. Reference is also made to intrusive levels of artificial light impacting on the living conditions of existing residents. Should this scheme be acceptable in other regards, details of external lighting could be required by condition so that its effects would be managed. Overall, I find that the appeal scheme would not have any unacceptably detrimental impacts on the living environment of the occupiers of existing residential properties.
180. I have also considered the points raised about the overshadowing of the River and Meadows, and the suggestion that the mast of the Bridge can be used as a proxy in this regard. However, in comparison with the mast, the riverside blocks would be both notably lower and set back further south. Whilst it is possible that during the winter months the long shadows cast by riverside blocks could reach across to the Meadows, it is unlikely that they would extend across the entirety of this area. I have addressed the implications of shading for River habitats and there is nothing further before me to suggest harm in terms of shading.
181. The management of the trees planted close to the boundary with the Lynmouth Road properties could be linked to an appropriate landscape management condition to avoid damage to properties. This would enable matters such as the height difference between the site and the rear gardens of these properties, measured on site to be a little over 1m, to be managed using appropriate barriers.
182. Reference is made to concerns about the opportunity for crime created by the access road adjacent to the rear of the Lynmouth Road properties. However, the presence of trees along with densely planted hedgerow would provide a defensible boundary and buffer between the shared boundary and the parallel parking spaces/roadway on the appeal site.
183. Given the limited car ownership envisaged, residents of the new development would be likely to make use of home deliveries. The traffic forecasts relating to servicing and delivery vehicles has used an industry standard TRICs assessment. This is based on data gained from a range of similar residential developments, all with parking ratios of less than one space per unit. This suggests that on average there would be around 19 servicing and delivery trips daily, around two to three vehicles per hour. The site would provide several locations for deliveries. Therefore, even if a number were to coincide, it is unlikely that this would have any material impacts on surrounding roads. Whilst the closure of the local supermarket could have some effect on home delivery levels, the assessment data suggests that this would be within acceptable parameters. Further, parking controls would be put in place to ensure that residents of the development would be unable to park on surrounding streets. Therefore the appeal scheme would be unlikely to lead to traffic congestion locally.
184. The appeal scheme has been designed to accord with local and national policy in relation to flooding and surface water drainage. Specifically, it would introduce soft landscaping, permeable paving materials and underground rainwater storage. This would enable improvements in surface water management and associated impacts on the gardens of adjacent properties. The measures incorporated could be required via planning condition.
185. Development on this scale would inevitably lead to increased demand for and pressure on local facilities and services. There is nothing before me to indicate

that the scheme would have undesirable impacts in this regard. Further, proximity to a major public transport hub, along with the proposed improvements to walking and cycling provision, would assist in supporting access to a wide range of services and facilities via sustainable travel choices.

186. The evidence before me indicates that the appellant has sought to respond to many of the matters raised by interested parties as the scheme has evolved. Given the close proximity of neighbouring properties it is inevitable that concerns remain. Overall I find that the points raised have been adequately addressed.

Housing land supply

187. It is a matter of common ground that the Council can demonstrate a supply of housing land in excess of five years. This is based on the objectively assessed housing need examined as part of the LP, adopted in November 2019. The resulting housing requirement remains current for a period of five years, or longer if reviewed and found not to require updating. In circumstances other than this housing land supply must be calculated using the standard method set out in the Planning Practice Guidance (PPG).
188. These circumstances are at least several years away. There is therefore no policy basis for applying the standard method to the current situation. As such, these provisions are of limited relevance to the determination of this appeal.
189. The fact that much housing land supply comes from previously developed land means that many sites are in existing use, or there are other competing uses, so that there is uncertainty about anticipated delivery in terms of both quantum and timing than, say, greenfield sites. Such uncertainty and change is managed by setting lapse rates at various levels, only removing these when development starts on site. As a result, changes to site specific supply have meant that, at the time of the Inquiry, the Council was on course to deliver some 1,275 dwellings above the LP requirement over the plan period to 2036.
190. That said, the direction of travel is that pressure to deliver housing will continue. The Government priority of significantly boosting the supply of housing (Framework paragraph 60) is supported by LP Policy H1 which sets the housing requirement at a minimum level, that is *at least an additional 15,847 homes*. Whilst there may be speculation around the impacts of Brexit, and a greater prevalence of working from home following Covid, there is nothing before me to indicate any change in this overriding priority.
191. It may well be that at this point in time the appeal site does not need to be developed for the Council to meet its housing requirement figures. Nonetheless, it has the potential to accommodate a significant number of much needed new homes in a highly sustainable location, with associated environmental benefits. Whether or not the appeal scheme is required to meet the totality of supply across the wider plan period, it remains that securing a policy compliant housing scheme is of benefit to supply right now. Therefore this consideration should be afforded significant weight.

Planning Obligations

192. The submitted S106 sets out a range of obligations. These include:

- An affordable housing deferred contribution mechanism. This is considered further below.
- Various highways/ transport related works stemming from LP Policies TR1, TR3, TR5, CC9 and CR11 relating to the improvement of transport infrastructure. These include:
 - Provision of a new north-south link connecting Vastern Road to the Bridge and associated infrastructure/signage
 - Provision of a new direct link from the site onto the towpath
 - Footway improvements and an upgraded site entrance onto Lynmouth Road
 - A contribution of £200,000 towards a new crossing on Vastern Road
 - Provision of transport mitigation measures to include:
 - Residential Travel Plan
 - An on-site car club
- A contribution of £100,000 towards improving existing open space or providing new open space and leisure facilities, linked to the requirement of LP Policy EN9 to make provision for open space based on the needs of the development.
- An employment and skills financial contribution of £46,487.50 which would be used to fund employment, skills and training initiatives. This is in line with the provisions of LP Policy CC9 relating to securing infrastructure.
- A carbon offsetting contribution relating to the provisions of LP Policy H5c which expects major new build residential development to achieve zero carbon homes standards. A minimum a 35% improvement over Building Regulations standards is required, with the remainder secured as a financial contribution to offsetting, as is the case here.
- The requirement for off-site ecological mitigation in line with the requirements of Policy EN12. This was considered in relation to the effect of the appeal scheme on marginal habitats.

193. These provisions were addressed in evidence and by the CIL Compliance Statement submitted by the Council. This sets out the basis of the obligations in respect of policy and guidance. There is no dispute regarding these obligations, which address key elements of the scheme. The contributions are directly related to the proposal and are necessary to make the development acceptable in planning terms. The obligations meet the tests set out at paragraph 57 of the Framework and in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

194. Some of the provisions, including the open space contribution, the employment and skills contribution, the carbon offsetting contribution and the off-site ecological mitigation, are designed to mitigate the impact of the

proposal. These elements therefore do not provide benefits in favour of the appeal proposals. However, others can be viewed as benefits and are considered as part of the planning balance.

195. With reference to the affordable housing deferred contributions mechanism, LP Policy H3 sets out that *on sites of 10 or more dwellings, 30% of the total dwellings will be in the form of affordable housing. However, in all cases where proposals fall short of the policy target as a result of viability considerations... the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.* More specifically, the Council's adopted Affordable Housing Supplementary Planning Document (2021)(SPD) sets out that *where a reduced contribution to affordable housing was agreed at application stage, a mechanism should be included within the S106 agreement that ensures that a proportion of increased profits are secured for affordable housing.* A formula for the calculation of the deferred contribution is set out in the SPD.

196. At application stage the scheme proposed 20.57% affordable units. However, based on the submission of a viability assessment by the appellant, and the Council's review of this document, I agree that the development cannot viably support the provision of affordable housing at this point in time. It is also agreed that the S106 should contain a deferred contributions mechanism, so that if the viability of the scheme improves at a future point an appropriate contribution can be sought. This would be directed towards schemes aimed at meeting housing needs within the Borough. I agree that any affordable housing contribution achieved in this way would be directly related to the development and would be fairly related in scale and kind.

Planning balance and conclusion

197. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 establish a statutory presumption in favour of the Development Plan which must be observed. The vision for the development of the allocated area as part of the extension of central Reading northwards has been in place for some 20 years. The challenge of delivering this vision on the appeal site has highlighted the need to address and reconcile tensions between policy and guidance relating to the unique location of the site between the urban core and the River.

198. The proposal would comply with key elements of the planning policy framework for the Borough, and for the site. Specifically, the principle of residential-led mixed use development of this inner urban site as part of the expansion of the core of the town centre northwards is firmly established in the LP. The establishment of a connection to the major north-south movement corridor would support a strategic planning objective. In these regards this highly accessible location is ideally suited to the proposed high-density development with low car dependency. Further, the high-quality design which reflects the history of the site, has regard to its riverside setting, and connects key elements of the MOA with the rest of central Reading, would make a significant contribution to the overall environmental improvement of this area. The scheme would also provide a suitable response to the natural environment, with any harmful effects on MV addressed by an appropriate level of mitigation.

199. Whilst there is a high degree of compliance with policy requirements, I have identified conflict in relation to the loss of the LLB and with provisions relating to the requirement to demonstrate that the proposal would be part of a comprehensive approach to the development of the Station/River MOA. I have also found technical conflict with the policy requirement for development to be set back 10m from the riverbank. I will consider the weight to be given to these harms before turning to the benefits of the appeal scheme.
200. The loss of the LLB must be considered against the requirements of Policy EN1 that the loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits. The Policy EN4 test is that benefits should significantly outweigh significance. I concluded that the LLB can be afforded no more than a low level and modest degree of significance. I also found that, in the context of the site allocation, the approach to using the site's industrial heritage to inform the design of the appeal buildings would be an appropriate response. It may be possible to deliver the benefits of this development whilst in some way retaining the LLB. However, I have addressed the practical challenges of reuse/retention in my reasoning. Furthermore, I must consider the appeal scheme as presented.
201. I have considered the current application for listing this building. If this were to succeed, then the legal requirement that special regard must be had to preserving its special interest would apply. Further, the Framework sets out that great weight must be given to the conservation of designated heritage assets, and that any harm requires clear and convincing justification. In these circumstances I give the loss of the LLB significant weight.
202. I turn next to the requirement to demonstrate that the proposal would be part of a comprehensive approach to the development of this sub-area, as set out in Policies CR11viii) and CR2f. The specific concerns identified include the viability of development on the remaining part of the site and the effectiveness of movement patterns within and between the sites. There is considerable uncertainty over the future of the remaining part of the allocated area, with the owners suggesting that it is not likely to come forward in the short or long term. This does raise questions about whether development on the appeal site should be predicated on ensuring the feasibility of development options on this site. I raise this point noting also that any changes to accommodate a comprehensive scheme would be likely to lead to a reduction in the quantum of development on the appeal site. Current viability matters have already led to the withdrawal of on-site affordable housing, highlighting the challenge of achieving an economically robust scheme overall.
203. More generally, I have also had regard to the fact that the appeal scheme would secure the development of a substantial portion of the Riverside allocation, a site of great importance as a link between the town centre, the River, the Meadows and beyond. The challenges of designing a policy-compliant scheme in terms of transport links, providing a high-density mixed-use scheme that responds to the River setting and adjacent residential areas, whilst also managing the presence of the adjacent SSE equipment and achieving the highest quality of design, has been considerable. Nonetheless, I must give this policy conflict significant weight.
204. Finally, I consider the breach of policy provisions relating to the requirement that development be set back at least 10m from the River to be a minor

matter, noting that in net terms this requirement would be achieved. I therefore give this conflict modest weight.

205. Set against these harms, the appeal scheme would deliver a significant amount of new housing on part of an allocated brownfield site in a highly sustainable location. At the present time the site, and the quantum of housing proposed, may not be needed for the Council to meet its LP housing requirement figures. Nonetheless, the housing requirement is set at a minimum level. In the context of the importance of boosting the delivery of homes nationally, housing supply considerations must attract significant beneficial weight.
206. The scheme would deliver a key section of the north-south pedestrian and cycle link, connecting the Bridge and River towpath with the Station. It would provide an important link supporting the Council's aspirations for this key movement corridor, enabling sustainable and healthy travel choices. The opening up of the riverside area and provision of a café would support the attractiveness of this route. The continuation of this north-south link is a policy requirement. Nonetheless, this has been a policy objective for some 20 years, with the supporting text to Policy CR11g setting out that achieving the north-south link is the main priority for the site and should be given substantial weight in development management. Further, given the evident challenges of achieving a viable route through the site, my view is that securing the delivery of this important piece of infrastructure would be a benefit attracting significant weight.
207. There is dispute as to the extent to which financial contributions towards the provision of a pedestrian/cycle crossing facility over Vastern Road would be a benefit. Nonetheless, as this would support connectivity across the wider north-south sustainable travel corridor, it should be afforded beneficial weight in the balance.
208. There would be wider social, economic and environmental benefits associated with urban development of this nature, though collectively such generic benefits attract no more than moderate weight. Other considerations, such as biodiversity net gain, the employment and skills contribution, the open space/leisure contribution, the carbon off-setting contribution and the provision of flood protection measures would mitigate against the effects of the development on social, economic and environmental infrastructure. They are therefore required to make the development acceptable in planning terms and do not attract beneficial weight.
209. The scheme would not be able to viably support affordable housing. A deferred contributions mechanism would be secured via the S106 and could convey additional benefits, though I cannot give this weight at this stage.
210. Turning to the final balance, on the one hand I have identified harms which carry weight against the appeal proposal. Set against this are a number of public benefits which carry beneficial weight that is demonstrably above policy compliance. When seen in the context of the significant benefits associated with managing the regeneration of the site as a whole, my view is that the policy harms identified would be clearly outweighed.
211. Section 38(6) requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. In this

case whilst I have identified a high degree of policy compliance, there remains conflict with some provisions of the development plan. However, the beneficial elements identified represent material considerations which indicate that a decision which does not fully accord with the development plan may be taken.

212. For the reasons set out above I conclude that the appeal should succeed.

A J Mageean

INSPECTOR

Conditions

213. I have considered the conditions put forward by the main parties against the relevant advice within the Framework and PPG. I have amended the wording of some conditions as necessary so that they meet the relevant tests.
214. In addition to the standard time limit condition, a condition specifying the approved plans provides certainty (Condition 2). Condition 3 relating to materials is required in the interests of visual amenity and ensuring that the new development responds positively to the local context and character.
215. Conditions relating to a Construction Method Statement (Condition 4), hours of construction/demolition (Condition 20) and burning waste on site (Condition 21) are required to protect the amenity of the neighbouring residents and local land uses, the character of the area, highway safety and air quality.
216. Conditions relating to land contamination (Condition 5), remediation (Conditions 6, 7 and 8), and land gas (Condition 10) are required to ensure that the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas. Condition 9 relating to groundworks is required to protect the water environment.
217. Condition 12 relating to crime prevention is necessary to ensure that the development can be safely accessed by intended users, to protect the amenity of future occupiers and in the interests of protecting the character and appearance of the buildings and wider area.
218. Conditions requiring development to be carried out in accordance with the submitted flood risk assessment (Condition 13) and the completion of a sustainable drainage scheme (Condition 14) are required to reduce the risk of/prevent flooding on site or elsewhere.
219. Conditions relating to the operation of mechanical plant (Condition 16) and the odour assessment of the café (Condition 17) are required to safeguard the amenity of the occupiers of adjoining properties and the environment of the area generally. Conditions restricting the café hours of deliveries/waste collection (Condition 18) and hours of opening/operation (Condition 19) are required to protect local residents from unreasonable disturbance. Condition 15 relating to bins stores is required to ensure sufficient provision is made for the storage and collection of refuse and in the interests of visual amenity.

Condition 47 referring to the glazing and ventilation provision in Block B is required to safeguard the living conditions of future occupants from noise and disturbance

220. Conditions relating to the recording of details of the locally listed building (Condition 22) and requiring a contract for completion of the redevelopment of the site to be secured prior to demolition works (Condition 23) are necessary in the interests of recording this non-designated heritage asset and ensuring that it is not lost unnecessarily. Condition 11 refers to archaeological field investigations and is necessary to ensure the preservation of heritage assets present on site in a manner appropriate to their significance.
221. Condition 24 relating to the dwelling mix is required to ensure that the development meets the identified housing needs of different groups.
222. Condition 25 referring to active window displays in the non-residential unit is required in the interests of a vibrant and attractive streetscene and improving active surveillance. Condition 26 requiring details of photovoltaics is necessary to secure measures to adapt to climate change, in the interests of visual amenity and to protect local context and character.
223. Condition 27 requires the details of at least 11 wheelchair adaptable units to be provided and is necessary to ensure both a suitable standard of accommodation for future occupiers and that the internal layout of the building is able to respond to the changing accessibility requirements of future occupiers. Condition 42 requiring the details and ongoing provision of a DDA compliant route to accessible parking bays is necessary to ensure adequate provision that meets the needs of future occupiers.
224. Conditions requiring details of hard and soft landscaping (Condition 28), the submission of a landscape management plan (Condition 30) and an arboricultural method statement (Condition 31) are necessary to ensure the protection and enhancement of the local environment and its ongoing maintenance and management. Conditions requiring details of boundary treatments (Condition 29) and details of external lighting (Condition 32) are necessary to protect the privacy of adjoining and future occupiers and to ensure the enhancement of the local environment. Condition 33 requiring details of privacy screens and their permanent retention for some Block D and E units is necessary to safeguard the living conditions of the occupiers of adjoining residential units.
225. Condition 34 requiring details of on-site public art is necessary to enhance the appearance of the development and provide visual interest.
226. Condition 35 requiring the provision of parking spaces prior to occupation is necessary to meet the needs of residents, and to reduce the likelihood of highway safety issues associated with on street parking. Conditions requiring the provision of vehicular access (Condition 36) and visibility splays (Condition 37) prior to the occupation of dwellings are necessary in the interests of highway safety. Condition 38 refers to the provision of cycle parking facilities prior to occupation and is required to support sustainable travel choices. Condition 48 requiring details of the towpath connection is necessary to ensure that a suitable access connection to the towpath is made for both pedestrians and cyclists, thereby supporting sustainable travel choices.

227. Conditions requiring details of postal addresses to ensure that future residents are not eligible for parking permits (Condition 39) and requiring details of parking restrictions to be provided to prospective occupiers (Condition 40) are necessary in the interests of managing parking levels and to ensure that the development does not harm the amenities of the occupiers of neighbouring residential properties by adding to the high levels of on-street car-parking in the area. Condition 49 referring to a car parking management plan is required to support the safety and convenience of all highway users.
228. Condition 41 requiring the provision of an electric vehicle charging scheme is necessary in the interests of environmentally sustainable transport.
229. Conditions referring to biodiversity enhancements (Condition 43) and the need to demonstrate a net biodiversity gain of at least 10% (Condition 44) are required to ensure compliance with relevant policy and legislation. Condition 45 requiring details of internal and external lighting relates to nature conservation objectives and is necessary to manage the impact of light pollution from artificial light on the natural environment. Condition 46 relating to a construction environmental management plan is required to minimise impacts on biodiversity.

APPEARANCES

FOR THE APPELLANT:

Timothy Corner QC assisted by Alex Shattock, they called:

David Taylor BA(Hons) DipArch ARB RIBA	Design Director, Berkeley Homes
Patrick Clark BA, MA Lsc Arch, CMLI	Associate Landscape Planner, Barton Willmore
Scott Witchalls MSc, MCILT, MIHT	Director of Transport and Infrastructure, Stantec
James Weeks MA, IHBC	Director, Built Heritage Consultancy
John Barnes BSc, PGDip	Director/Owner, eb7
Iain Corbyn MA (Oxon) MSc CEnv MCIEEM	Managing Director, Ecoconsult Ltd
Kim Cohen BSc, MCD, MRTPI	Planning Partner, Barton Willmore

FOR THE LOCAL PLANNING AUTHORITY:

David Lintott assisted by Ruchi Parekh, they called:

Michael Doyle BA(Hons), DipUD, DipTP, MRTPI	Principal, Doyle Design
Darren Cook	Transport Development Control Manager, Reading Borough Council
Bruce Edgar IHBC, MPhil, ICOMOS (UK), MPIA, BArch	Conservation and Urban Design Officer, Reading Borough Council
Christopher Rumbold	Corporate Asset Management Team Leader, Reading Borough Council
Mark Worringham BA (Hons) MSc MRTPI	Planning Policy Team Leader, Reading Borough Council
Giles Sutton BSc (Hons) MSc CEnv MCIEEM	Owner/Director GS Ecology Ltd
Sarah Hanson BSc, ABC L4 Dip Arb, MARborA	Natural Environment Officer, Reading Borough Council
Jonathan Markwell BSc (Hons) MSc LRTPI	Principal Planning Officer, Reading Borough Council

FOR THE THAMES PATH RESIDENTS ASSOCIATION:

Sebouh Sarafian BSc CIMA

INQUIRY DOCUMENTS

- 1 Letter regarding SSE Local Plan Representations
- 2 Representation by SSE to Draft Local Plan June 2017
- 3 Representation by SSE to Pre-Submission Draft Local Plan January 2018
- 4 Appellant Opening Submissions
- 5 Council Opening Submissions
- 6 CD 143: Designing for walking, cycling and horse-riding
- 7 Photographic evidence illustrating width restrictions on NCN Route 5
- 8 Erratum to Mr Cooks Rebuttal Proof of Evidence
- 9 Representation by Krys Jankowski
- 10 Local Cycling and Walking Infrastructure Plan (LCWIP) 2019
- 11 Mr Bruce Heritage SoC/PoE erratum
- 12 Appeal decision APP/E0345/W/20/3263270
- 13 Representation against statutory listing of 55 Vastern Road from Built Heritage Consultancy
- 14 Representation to the Inquiry from SSE
- 15 Agenda for Heritage round table discussion
- 16 Third Addendum Statement of Common Ground: Transport
- 17 Fourth Addendum Statement of Common Ground: Ecology
- 18 Fifth Addendum Statement of Common Ground: Noise
- 19 Agenda for Housing Land Supply round table discussion
- 20 Agenda for Rule 6 Party and interested parties round table discussion
- 21 Representation by Sahil Atreja
- 22 Photographic evidence from Iain Corbyn (08/11/21)
- 23 Updated planning conditions
- 24 Draft Section 106 Agreement
- 25 Section 106 Agreement Comparison
- 26 Revisions to suggested conditions 14 and 39
- 27 Location plan for marginal habitat photographs
- 28 Rule 6 Party Closing Statement
- 29 Section 106 agreement 19 November 2021
- 30 S106 Annexure 1 – Plan 1 Site Boundary Plan
- 31 S106 Annexure 2 – Plan 2 Highway Improvement Plan
- 32 S106 Annexure 3 – Plan 3 North-South Link Plan
- 33 S106 Annexure 4 – Plan 4 Ecological Works Plan
- 34 S106 Annexure 5 – Framework Travel Plan
- 35 S106 Annexure 6 – Viability Assessment
- 36 S106 Annexure 7 – Plan 5 Parks plus Play Areas map of Reading
- 37 S106 Annexure 8 – Plan 6 Christchurch Café Plan
- 38 Sixth Addendum Statement of Common Ground
- 39 Council Closing Submissions
- 40 Appellant Closing Submissions
- 41 Appellant Additional Legal Authorities
- 42 Section 106 Agreement Part 1 of 2 Signed 1 December 2021
- 43 Section 106 Agreement Part 2 of 2 Signed 1 December 2021

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

448.PL.SP.003 Existing Block Plan, as received 04/02/2020
RT3190463P0001 Existing Ground Floor Plan, as received 04/02/2020
RT3190463P0002 Existing First Floor Plan, as received 04/02/2020
RT3190463P0003 Existing Second Floor Plan, as received 04/02/2020
RT3190463P0004 Rev A South, East and North 1 Elevations, as received 05/03/2020
RT3190463P0005 North 2 and West Elevations, as received 04/02/2020
RT3190463P0006 Street Scene South and West, as received 04/02/2020
RT3190463P0007 Street Scene North, as received 04/02/2020
448.PL.SL.001 Rev B Site Location Plan Application Boundary, as received 10/06/2020
448.PL.A.100 Rev B Block A _Ground - Third Floor, as received 01/06/2020
448.PL.A.101 Rev B Block A _Fourth - Roof Floor, as received 01/06/2020
448.PL.A.200 Rev B Block A _Elevations, as received 01/06/2020
448.PL.A.300 Rev B Block A _Section A-A, B-B and C-C, as received 01/06/2020
448.PL.BC.100 Rev D Block BC _Ground Floor Plan, as received 12/11/2020
448.PL.BC.200 Rev D Block B and C _Southwest Elevation, as received 05/11/2021
448.PL.BC.201 Rev D Block B and C _Southeast Elevation, as received 05/11/2021
448.PL.BC.202 Rev E Block B and C _Northeast Elevation, as received 05/11/2021
448.PL.BC.203 Rev D Block B and C _Northwest Elevation, as received 05/11/2021
448.PL.BC.300 Rev D Block BC _Section A-A and B-B, as received 05/11/2021
448.PL.BC.301 Rev D Block BC _Section C-C, as received 05/11/2021
448.PL.D.100 Rev C Block D _Ground Floor Plan, as received 10/12/2020
448.PL.D.101 Rev C Block D _First Floor Plan, as received 10/12/2020
448.PL.D.102 Rev B Block D _Second Floor Plan, as received 10/12/2020
448.PL.D.103 Rev B Block D _Third Floor Plan, as received 10/12/2020
448.PL.D.104 Rev B Block D _Fourth Floor Plan, as received 10/12/2020
448.PL.D.105 Rev B Block D _Fifth Floor Plan, as received 10/12/2020
448.PL.D.106 Rev B Block D _Sixth Floor Plan, as received 10/12/2020
448.PL.D.107 Rev B Block D _Seventh Floor Plan, as received 10/12/2020
448.PL.D.108 Rev B Block D _Eighth Floor Plan, as received 10/12/2020
448.PL.D.109 Rev B Block D _Ninth Floor Plan, as received 10/12/2020
448.PL.D.110 Rev B Block D _Roof Floor, as received 10/12/2020
448.PL.D.200 Rev C Block D _Southeast Elevation, as received 10/12/2020
448.PL.D.201 Rev C Block D _Northeast and Southwest Elevation, as received 10/12/2020
448.PL.D.202 Rev B Block D _Northwest Elevation, as received 10/12/2020
448.PL.D.203 Rev A Block D _Southwest Elevation, as received 10/12/2020
448.PL.D.300 Rev B Block D _Section A-A and B-B, as received 10/12/2020

448.PL.EFG.100 Rev A Block EFG_Ground Floor Plan, as received 01/06/2020
448.PL.EFG.101 Rev A Block EFG_First Floor Plan, as received 01/06/2020
448.PL.EFG.102 Rev A Block EFG_Second Floor Plan, as received 01/06/2020
448.PL.EFG.103 Rev A Block EFG_Third Floor Plan, as received 01/06/2020
448.PL.EFG.104 Rev A Block EFG_Fourth Floor Plan, as received 01/06/2020
448.PL.EFG.105 Rev A Block EFG_Fifth Floor Plan, as received 01/06/2020
448.PL.EFG.106 Rev A Block EFG_Sixth Floor Plan, as received 01/06/2020
448.PL.EFG.107 Rev A Block EFG_Seventh Floor Plan, as received 01/06/2020
448.PL.EFG.108 Rev A Block EFG_Roof Plan, as received 01/06/2020
448.PL.EFG.200 Rev B Block E_Southeast and Southwest Elevation, as received 01/06/2020
448.PL.EFG.201 Rev B Block E_Northwest and Northeast Elevation, as received 01/06/2020
448.PL.EFG.202 Rev C Block FG_Southwest, Southeast and Northwest Elevation, as received 01/06/2020
448.PL.EFG.300 Rev B Block EFG_Section A-A, B-B and C-C, as received 01/06/2020
448.PL.H.100 Rev A Cafe_Floor Plans, as received 28/02/2020
448.PL.H.200 Rev A Cafe_Elevations, as received 28/02/2020
448.PL.200 Rev A Context Site Elevation_River Front, as received 28/02/2020
448.PL.201 Rev A Context Site Elevation_Vastern Road, as received 28/02/2020
448.PL.202 Rev A Context Site Elevation_Street Section, as received 28/02/2020
448.PL.203 Context Site Elevation_Street Section, as received 28/02/2020
448.PL.204 Context Site Elevation_Lynmouth Road, as received 28/02/2020
448.PL.SS.300 Rev A Site Sections_Section A-A, E-E, as received 28/02/2020
448.PL.SS.301 Rev A Site Sections_Section B-B, C-C, D-D, as received 28/02/2020
448.PL.SL.002 Rev E Illustrative Masterplan, as received 07/10/2020
448.PL.SL.003 Enclosure Plan, as received 28/02/2020
448.300.LAND.001 Christchurch Bridge Connection Section, as received 28/02/2020
448.LAND.SK.101 Towpath Access – 1:21, as received 05/11/2021
448.PL.BC.V.100 Block B and C– Glazing and Ventilation Plans– MVHR Proposal, as received 05/11/2021
448.PL.BC.V.101 Block B and C – First Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.102 Block B and C – Second Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.103 Block B and C – Third Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.104 Block B and C – Fourth Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.105 Block B and C – Fifth Floor Plan – MVHR Proposal, as received 05/11/2021
448.PL.BC.V.106 Block B and C – Sixth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.107 Block B and C – Seventh Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.108 Block B and C – Eighth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.109 Block B and C – Ninth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.110 Block B and C – Tenth Floor Plan – MVHR Proposal, as received 05/11/2021

448.PL.BC.V.111 Block B and C – Roof Plan – MVHR Proposal, as received 05/11/2021

3. No development [excluding demolition] shall commence beyond foundation level of the relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D – The Generator / The Turbine Hall; (e) Block E – Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café) until a schedule of the materials to be used in the construction of the external surfaces of the relevant building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site of a minimum 1m² each - approved details to then be retained on site and available for inspection throughout the duration of the construction of the development) specifying the brickwork, mortar, joint profile and bond. The development shall be carried out and thereafter maintained in accordance with the details approved.
4. No development shall commence on site, including any works of demolition, until a site-specific Demolition and Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:
 - a) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
 - b) Provisions to be made for the control of noise coming from the site during demolition and construction;
 - c) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements;
 - d) Details of parking arrangements for site operatives and visitors;
 - e) Location on site for storage of plant and materials used in constructing the development;
 - f) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
 - g) Identification of any footpath closures or road closures needed during construction;
 - h) Required wheel washing facilities on site;
 - i) A scheme for recycling waste resulting from the construction works.
 - j) Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period.

5. No development shall commence on site [excluding demolition and any preparatory works necessary to complete characterisation of site contamination] until an assessment of the nature and extent of contamination has been submitted to and been approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 - a) a survey of the extent, scale and nature of contamination;
 - b) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems, and
 - archaeological sites and ancient monuments.
6. No development shall commence on site [excluding demolition and any preparatory works necessary to complete characterisation of site contamination] until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
7. The approved remediation scheme under Condition 6 shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority prior to the first occupation of relevant proposed building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G; (h) Café).
8. In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site and the contamination reported in writing to the Local Planning Authority.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme,

together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

The measures in the approved remediation scheme shall be implemented in accordance with the approved timetable. Halted works shall not be recommenced until the measures identified in the approved remediation scheme have been completed and a validation report has been submitted to and been approved in writing by the Local Planning Authority.

9. No development shall commence on site [excluding demolition and any preparatory works necessary to inform de-watering and foundation details] until such time as a scheme to:

- a) secure de-watering of the site
- b) specify the form of foundations has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details.

10. Land gas:

- a) Site investigation: No development shall take place until a detailed land gas site investigation has been carried out by a competent person to fully and effectively characterise the nature and extent of land gas and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then proceed in strict accordance with the measures approved.
- b) Remediation scheme to be submitted: No development shall take place until a scheme showing how the development is to be protected against the possibility of land gas has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the development is first occupied and those measures incorporated into the development shall thereafter be retained.
- c) Implementation of Approved Remediation Scheme: The land gas remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to any part of the accommodation hereby approved is occupied.

11. No development, other than demolition to ground level and excluding the breaking up and removal of floor slabs, foundations and other below ground obstructions, shall take place within the application area until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy (if required) which will be submitted to and approved in writing by the Local Planning Authority. The provision of the approved

mitigation strategy will be completed prior to the commencement of the development.

12. Prior to commencement of works above slab level, written details of the security strategy shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Block F - The Coal Drop Building; (g) Block G) and the approved details shall be retained and maintained as such thereafter.
13. The development shall be carried out in accordance with the submitted Flood Risk Assessment dated January 2020 (by Peter Brett Associates /Stantec Project Ref: 47500/4001) and the following mitigation measures it details:
 - Finished floor levels within the residential accommodations of Blocks A-G shall be set no lower than 38.60m above Ordnance Datum (AOD); and,
 - Compensatory storage shall be provided in accordance with plan 47500/4001/003 Flood Storage Analysis at Appendix E of the Flood Risk Assessment.These design proposals take account of potential future flood alleviation work. These mitigation measures shall be fully implemented prior to occupation in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
14. Prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall;) (e) Block E - Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G) of the development hereby permitted, the sustainable drainage scheme for the site shall be completed in accordance with the submitted and approved details within the Proposed Drainage Strategy (by Peter Brett Associates/Stantec Doc Ref R0001 Rev A dated 22/01/2020, as received 04/02/2020). The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
15. Prior to the first occupation of any residential / commercial unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; f) Block F - The Coal Drop Building; (g) Block G; (h) Café) details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to the first occupation of the relevant building and shall not be used for any purpose other than bin storage at all times thereafter.

16. No mechanical plant associated with the development shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) from any plant associated with the development as measured at a point 1m external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1m external to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to at least the same standard.
17. Prior to the first use of the café premises an odour assessment shall be carried out and a detailed scheme for odour mitigation to include scaled plans, odour control specifications and a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018 guidance when assessing potential odours and selecting appropriate odour control methods. The development shall be carried out and maintained thereafter in accordance with the approved scheme.
18. Deliveries and/or waste collection to the café premises shall only take place between the following hours: 0700 - 2100 hours Mondays to Saturdays and 0900 - 1900 hours on Sundays and Bank or Statutory Holidays.
19. The café premises shall only be open for customers between 0600-2200 hours Mondays to Saturdays and 0800 - 2000 hours on Sundays and Bank or Statutory Holidays.
20. Construction, demolition or associated deliveries shall only take place between 0800 - 1800 hours Mondays to Fridays, and 0800 - 1300 hours on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays.
21. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.
22. Prior to its demolition, details of the recording of the former entrance lodge building at 55 Vastern Road, following as a minimum the Level 2 guidance set out in "Understanding Historic Buildings, A Guide to Good Practice" (Historic England 2016) (or any document which supersedes this document), shall be submitted to and approved in writing by the Local Planning Authority.

23. The demolition works in relation to the locally listed building hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made, as confirmed in details to be submitted to and approved in writing by the Local Planning Authority prior to any demolition works commencing.
24. No change to the unit mix (61 x 1-bedroom units, 136 x 2-bedroom units and 12 x 3-bedroom units) shall be made to the development hereby permitted.
25. Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), the non-residential unit hereby approved shall retain 'active window displays' along the length of the frontages, without the installation of window vinyls, roller shutters, or similar which would obscure visibility between the public realm and the unit during the unit's operating hours.
26. Prior to the first occupation of any residential unit within the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block D - The Turbine Hall) full details of the proposed roof mounted Photovoltaics shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a [roof] plan showing the location and position of the Photovoltaics, their dimensions, manufactures specification, and ongoing maintenance arrangements. The approved Photovoltaics shall thereafter be installed in accordance with these approved details and maintained in good working order to the satisfaction of the Local Planning Authority.
27. Prior to the first occupation of any residential unit hereby approved, details of at least 11 wheelchair adaptable units (as per Part M of Building Regulations) shall be submitted to and approved in writing by the Local Planning Authority. The wheelchair adaptable residential units shall remain wheelchair adaptable residential units thereafter.
28. No development shall commence on site (barring demolition works) until a comprehensive scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - a) Proposed finished ground and floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas;
 - b) Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);
 - c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;

- d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting; and,
- e) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

- 29. Prior to first occupation of the development hereby approved, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. Where appropriate the boundary treatment shall include the provision of mammal gaps. The boundary treatment shall be implemented in accordance with the approved plan before any part of the development hereby approved is occupied and retained as such thereafter.
- 30. Prior to the commencement of the development (barring demolition) a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall thereafter be carried out in accordance with the approved details and for the period specified.
- 31. No development shall commence on site (including demolition or preparatory works) until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings, both within and adjacent to the site, has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.
- 32. Prior to first occupation or the use first commenced, full details of all external lighting to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the lights, specifications, height, luminance; lens shape/beam pattern and orientation, any hoods/shades, and an isolux contour map to show light spill levels (down to 2 lux if operating between 23:00 - 07:00, or down to 10 lux if operating only between 07:00 - 23:00) and showing

neighbouring buildings. The details shall demonstrate that light levels will not exceed the relevant guidance lux levels specified in the Institute of Lighting Professionals: Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and shall also demonstrate how glare will be controlled. The approved scheme shall thereafter be installed before first occupation of the buildings or use commenced and the external lighting shall thereafter be maintained and operated in accordance with the approved details.

33. Prior to the first occupation of the residential units at (a) 8th floor level at Block D – The Turbine Hall and (b) 6th floor level at Block E – Christchurch Wharf, details of privacy screens (to include the location and position of the screens, their dimensions, design and manufactures specification, and ongoing maintenance arrangements) shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens will be installed before the first occupation of the relevant residential units hereby approved and shall be permanently maintained as such.
34. Prior to the first occupation of any residential unit hereby approved, details of a scheme providing on-site public art (including a sculpture on the north-south route through the site) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed before the first occupation of any residential unit within Block B (The Goods Warehouse fronting Vastern Road) and shall thereafter be maintained in accordance with the approved details.
35. No dwelling within the relevant building ((a) Block B The Goods Warehouse; (b) Block C The Goods Office; (c) Block D The Turbine Hall / The Generator) hereby permitted shall be occupied until all of the relevant vehicle parking space(s): (a) 12 vehicle parking spaces on 448.PL.BC.100 Rev D Block BC_Ground Floor Plan, as received 12/11/2020; (b) 12 externally located vehicle spaces on 448.PL.SL.003 Enclosure Plan, as received 28/02/2020; (c) 26 vehicle parking spaces on 448.PL.D.100 Rev C Block D_Ground Floor Plan, as received 10/12/2020) have been provided in accordance with the plans hereby approved. The spaces shall be kept available for parking at all times thereafter.
36. No dwelling/building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.
37. No building shall be occupied until all the visibility splays shown on the approved drawings 47500/5500/001 and 47500/5500/007 as received 10/06/2020 have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m above the carriageway level and maintained as such.
38. No dwelling/building hereby permitted shall be occupied until the bicycle parking facility for that dwelling/building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

39. Prior to works above slab level of the development hereby permitted the Local Planning Authority shall be provided with the property's full postal address to allow the Council to exclude the property(s) from the list of those eligible for residents parking permits. The notification shall be sent to the Local Planning Authority quoting the application reference specified on this Notice.
40. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.
41. Prior to the first occupation of any residential unit within the relevant building ((a) Block B The Goods Warehouse; (b) Block D The Turbine Hall / The Generator) details of an electric vehicle charging Scheme comprising a layout plan and detailed specification for a minimum of (a) 2 charging points and (b) 4 charging points serving the relevant buildings shall be submitted to and approved in writing by the Local Planning Authority.
No dwelling within the relevant building shall be first occupied until the Scheme for that building has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.
42. No development (barring demolition) shall commence on site until a plan showing a dedicated DDA compliant pedestrian route to and from the accessible parking bays located along the west of the spine road is submitted to and been approved in writing by the Local Planning Authority. This pedestrian route shall be provided in full accordance with the approved details prior to first occupation and thereafter kept free of obstruction and retained in accordance with the approved details at all times.
43. No development (barring demolition) shall commence on site until full details (including maintenance details and schedules) of an on-site biodiversity enhancement scheme, to include a suite of integral bird and bat boxes, tiles and bricks on the new buildings, is submitted to and approved in writing by the Local Planning Authority. The scheme is to include a programme for implementation and ongoing maintenance. The biodiversity enhancement scheme shall thereafter be implemented and adhered to in accordance with agreed programme.
44. No development (barring demolition) hereby permitted shall commence until a Biodiversity Impact Assessment Calculation using the DEFRA 3 Metric (or its successor) based on the landscaping plans submitted under Condition 28 and the offsetting scheme detailed in the legal agreement or unilateral undertaking hereby agreed, demonstrating a

net gain of at least 10% in biodiversity units, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

45. Prior to commencement of the development (barring demolition) a report detailing the internal (from windows facing the river) and external lighting scheme and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
- a) A layout plan with beam orientation
 - b) A schedule of equipment
 - c) Measures to avoid glare
 - d) An isolux contour map showing light spillage to 1 lux.

The internal lighting (from windows facing the river) shall thereafter be implemented in accordance with the approved details prior to the first occupation of the relevant building ((a) Block A - The Railway Warehouse; (b) Block B - The Goods Warehouse; (c) Block C - The Goods Office; (d) Block D - The Generator / The Turbine Hall; (e) Block E - Christchurch Wharf; (f) Café).

The external lighting shall thereafter be implemented in accordance with the approved details prior to the first occupation of any residential unit within Block D - The Generator / The Turbine Hall or Block E - Christchurch Wharf, and maintained as such thereafter.

46. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP:Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
47. Prior to the first occupation of the relevant residential unit(s) within Block B - The Goods Warehouse all glazing and ventilation details shown on the following approved plans shall have been provided in full:

448.PL.BC.V.100 Block B and C – Glazing and Ventilation Plans – MVHR Proposal

448.PL.BC.V.101 Block B and C – First Floor Plan – MVHR Proposal

448.PL.BC.V.102 Block B and C – Second Floor Plan – MVHR Proposal

448.PL.BC.V.103 Block B and C – Third Floor Plan – MVHR Proposal

448.PL.BC.V.104 Block B and C – Fourth Floor Plan – MVHR Proposal

448.PL.BC.V.105 Block B and C – Fifth Floor Plan – MVHR Proposal

448.PL.BC.V.106 Block B and C – Sixth Floor Plan – MVHR Proposal

448.PL.BC.V.107 Block B and C – Seventh Floor Plan – MVHR Proposal

448.PL.BC.V.108 Block B and C – Eighth Floor Plan – MVHR Proposal

448.PL.BC.V.109 Block B and C – Ninth Floor Plan – MVHR Proposal

448.PL.BC.V.110 Block B and C – Tenth Floor Plan – MVHR Proposal

448.PL.BC.V.111 Block B and C – Roof Plan – MVHR Proposal

The provided glazing and ventilation details shall be retained and maintained as such thereafter.

48. Prior to the first occupation of any residential unit within Block E - Christchurch Wharf or Block F - The Coal Drop Building the towpath access leading to the River shall be completed in accordance with approved plan 448.LAND.SK.101 Towpath Access – 1:21. The towpath access shall thereafter be retained and maintained as such thereafter.
49. Prior to first occupation of the development hereby approved, a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include full details of how the allocation of the car parking spaces for residents will be distributed and details of the proposed on-site parking enforcement to restrict overspill parking and obstructive servicing operations. Thereafter the approved CPMP shall be implemented in full and for the lifetime of the development.

Appendix D

Local Plan Section 1 examination: representations by Strutt and Parker



North Essex Section 1 Local Plan Examination

Implications of the 2018-based subnational household projections

Prepared on behalf Bloor Homes

October 2020

Client Name:	Bloor Homes
Type of Report:	Local Plan Examination Representation
Prepared by:	Sam Hollingworth MRTPI
Approved by:	Richard Clews (Senior Associate Director)
Date:	October 2020

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1.0 Introduction and Background

- 1.1 The North Essex Section 1 Local Plan (eLP) is being prepared jointly by Braintree District, Colchester Borough and Tendring District Councils (the North Essex Authorities or NEAs) and addresses strategic issues such as total housing requirements and Garden Communities. Each of the NEAs' emerging Local Plans comprises two parts, with each authorities' respective Section 2 Local Plan providing local and detailed sites-specific allocations and policies.
- 1.2 This submission to the eLP examination is made on behalf of Bloor Homes, and in response to the Inspector's invitation of 9 September 2020 (document reference IED026) to comment on the implications of the release of the 2018-based subnational household projections (SNHP).
- 1.3 The eLP was submitted for examination on 9 October 2017.
- 1.4 As a Local Plan submitted for examination prior to 24 January 2019, the eLP is being examined in relation to the National Planning Policy Framework (NPPF) 2012, as opposed to current national policy, as per the transitional arrangements set out in the NPPF. The transitional arrangements in the NPPF were intended to ensure that Local Authorities which were at an advanced stage in the preparation of new Local Plans prior to the publication of the revised NPPF in July 2018 could still progress such Local Plans quickly to adoption, and did not have to revert to a much earlier stage in the process in the event that their emerging Local Plan conflicted with new national policy being introduced. Given it is now over two years since the eLP was submitted, with the process having begun significantly protracted due to the need for defects identified in the eLP to be cured, its examination against the NPPF 2012 is somewhat anomalous.
- 1.5 The eLP proposes the following housing targets in dwellings per annum (dpa) for each of the NEAs:

Braintree:	716
Colchester:	920
Tendring:	550

- 1.6 The NPPF 2012 was clear that evidence underpinning plans needs to be relevant and up-to-date (paragraph 31). The accompanying PPG in relation to housing and economic development needs assessment stated that:

“Wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued”
(Paragraph: 016 Reference ID: 2a-016-20150227)

- 1.7 As such, and in practice, it does not automatically follow that the housing figures proposed in the eLP are rendered out-of-date by the release of additional data or publication of additional evidence. However, there is the potential for new evidence / data to emerge which does render the proposed housing figures unsound and requiring modifications, if such evidence / data constitutes a ‘meaningful change’. ‘Meaningful change’ was defined in neither the NPPF 2012 nor the accompanying PPG.
- 1.8 Initial hearing sessions on the Section 1 Local Plan took place in January 2018; and further hearing sessions in January 2020 to consider additional work that had been undertaken to address concerns identified in 2018.
- 1.9 Additional January 2020 hearing sessions included consideration of the proposed Garden Communities, as well as whether there had been any meaningful change in the housing requirement position since 2018.
- 1.10 On 15 May 2020 the Section 1 Local Plan Examination Inspector wrote to the Councils and concluded that:
- The eLP proposed spatial strategy was *not* soundly based, by virtue of two of the three proposed Garden Communities being considered unsound. However, the Inspector concluded that, in short, the Tendring / Colchester Borders Garden Community was sound. In addition, if the unsound Colchester / Braintree Borders and West of Braintree GC proposals are removed from the Plan, the Plan is capable of being made sound.

- There had been no meaningful change in the housing situation since the Inspector had previously stated that the proposed figures were soundly based. However, the Examination Inspector caveated his most recent findings in respect of the housing requirements, stating that consideration will need to be given to any implications of the 2018-based subnational household projections (SNHP) for the soundness of the housing requirement figures in the plan, if they were published prior to conclusion of the examination.
- 1.11 The Councils have resolved to progress the Section 1 Local Plan, with the deletion of the two Garden Communities found to be unsound.
- 1.12 The examination of the Section 1 Local Plan has yet to conclude. In the meantime and since the Inspector's letter of 15 May 2020., the 2018-based SNHP have been released
- 1.13 The Section 1 Local Plan Examination Inspector subsequently wrote to the Councils and asked for their view on the implications of the release of the 2018-based SNHP. The Councils provided an initial response, in which they have suggested that these projections may justify a reduction in Braintree's housing requirement (examination document NEA/018).
- 1.14 The Examination Inspector has now invited other participants for their views on the implications of the 2018-based SNHP.
- 1.15 The key issue is therefore considered to be whether the 2018-based SNHP suggest a 'meaningful change' in the housing needs position of the NEAs.
- 1.16 In addition, we also consider it is appropriate to review whether there are other factors which may suggest a meaningful change in housing needs, particularly in relation to Tendring District, where the proposed approach to determining housing requirement is based on an alternative to official projections.
- 1.17 The submission is structured as follows:
- Section 2 considers the approach to determining the housing figures currently proposed in the eLP, and whether the 2018-based projections have implications for how the housing requirements of Braintree and Colchester were calculated.

- Section 3 considers the situation in respect of Tendring, where official projections were not used to calculate the proposed housing requirement.
- Section 4 considers any other material changes since the issue of the NEAs' housing requirements were last considered through the eLP examination, looking in particular at whether there have been any changes in market signals.
- Section 5 provides an overview and conclusion.

2.0 The 2018-based SNHP and Implications for the eLP

Approach to determining current housing figures in the eLP

- 2.1. The principle evidence base document on which the Section 1 Local Plan proposed housing requirements are predicated is the Braintree, Chelmsford, Colchester, Tendring Objectively Assessed Housing Need Study (November 2016 update) (EB/018) ('the OAHNS 2016').
- 2.2. The OAHNS 2016 considered it appropriate to utilise SNHP to determine the demographic starting point for both Braintree and Colchester Borough, for the purposes of calculating the respective authorities' housing requirements. The most recent SNHP available to the OAHNS (2016) were the 2014-based projections. These projections estimated the number of households for Braintree District and Colchester Borough as follows:

Area	Number of projected households (2014-based) 2013-2037		
	2013	2037	Increase
Braintree	62,368	76,907	14,539
Colchester	73,593	93,525	19,932
Total	135,961	170,432	34,471

Table 1 – 2014-based SNHP: 2013-2037

- 2.3. Utilising these, and considering the period 2013 to 2037, the OAHNS (2016) concluded that the demographic starting point for calculating for housing requirements was 623 and 866 dwellings per annum for Braintree District and Colchester Borough, respectively.

Updated Projections

- 2.4. It is relevant to note that this is not the first time that updated, official projections have been released since the eLP was submitted for examination. The 2016-based SNHP were released in 2018, and showed the following projected growth in households in Braintree and Colchester:

Area	Number of projected households (2016-based) 2013-2037		
	2013	2037	Increase
Braintree	61,946	73,626	11,680
Colchester	73,227	96,205	22,978
Total	135,173	169,831	34,658

Table 2 – 2016-based SNHP: 2013-2037

- 2.5. Comparing this with the 2014-based projections, which were the latest available to the OAHNS (2016), Braintree saw a reduced increase in the number of projected households, and Colchester a greater increase.
- 2.6. It is important to note that there were recognised concerns with the use of the 2016-based subnational household projections to calculate housing requirements.
- 2.7. The criticism of the 2016-based projections was they used just two points (2001 and 2011) to project headship rates up to 2021, after which they are assumed this to be constant (previous projections drew upon data going back to 1971). The period 2001 – 2011 of course saw very low levels of housebuilding, and a dramatic worsening of affordability. This resulted in a substantial increase in concealed families, and an increasing number of young adults not leaving their parents' home. As such, there were significant concerns that this suppressed the household formation rates used in the 2016-based SNHP, particularly within the 25-44 age cohort, resulting in the projections understating actual need. If housing delivery were to be based on projections calculated in this way, there would be a danger that these projections based on concealed households and adults remaining living with parents would, in effect, become a self-fulfilling prophecy.
- 2.8. The ONS acknowledged these concerns at Point 5 of its Methodology used to produce household projections for England: 2016-based, at which it stated:

“There was a view that only using the 2001 and 2011 Censuses would result in a downward trend in household formation for the younger age groups, which in turn would downplay the need for housing for younger people”.

- 2.9. Issues with the 2016-based projections understating the extent of household growth resulted in the Government confirming¹ they should not be used to calculate housing requirements through the Standard Method which now forms part of current national policy².
- 2.10. .As such, assuming no change in the actual position since the 2014-based projections, one would have expected the 2016-based SNHP to have shown reduced projected growth in households in both Colchester and Braintree.
- 2.11. Braintree's 2016-based projections did indeed show a reduced growth in households, as expected. Conversely, Colchester's 2016-based projections actually showed an *increase* in the projected household growth, despite the acknowledged issues with such projections which resulted in them underestimating actual household growth and "downplaying" need for housing for younger people in particular.
- 2.12. The 2018-based SNHP have now been released. These project increases in the number of households in Braintree and Colchester as follows:

Area	Number of projected households (2018-based) 2013-2037		
	2013	2037	Increase
Braintree	61,945	70,516	8,571
Colchester	73,226	93,596	20,370
Total	135,171	164,112	28,941

Table 3 – 2018-based SNHP: 2013 – 2037

- 2.13. A comparison between the increase in household growth projected by the 2014-based, 2016-based and 2018-based SNHP is provided below:

Area	Projected increase in households 2013-2037		
	2014-based	2016-based	2018-based
Braintree	14,539	11,680	8,571
Colchester	19,932	22,978	20,370
Total	34,471	34,658	28,941

Table 4 – Comparison in levels of growth projected by SNHPs

¹ PPG paragraph: 015 Reference ID: 2a-015-20190220

² NPPF paragraph 60.

- 2.14. As with the 2016-based SNHP, it is necessary to consider the methodology used to produce the 2018-based SNHP before drawing any conclusions as to what they may mean for housing needs.
- 2.15. As with the 2016-based SNHP, the 2018-based SNHP again used only two points (2001 and 2011) to project headship rates up to 2021, after which they are assumed this to be constant. As such, they are subject to the same concerns that rendered the 2016-based SNHP unsuitable for use in estimating future housing needs. Notably, current Government guidance remains that the 2014-based SNHP be used in the Standard Method for calculating local housing need.
- 2.16. In addition, the 2018-based SNHP only consider a two-year period (2016-2018) to determine internal migration trends. Clearly, there is a substantial risk that such a short period may not represent longer term or future trends. Projections of internal migration based on such a short period of time are also much more likely to be impacted by one-off events or particular conditions in place at a particularly point, which are unlikely to be repeated and / or policy intervention should seek to avoid reoccurring.
- 2.17. In respect of this last point and Braintree, notably the Council reports that between 2016 and 2018, only 782 net additional dwellings were delivered in the District – an average of just 391 dwellings per annum (dpa), and well below the current local housing need (as per the Standard Method) of 857 dpa. As acknowledged in a meeting of Braintree District Council on 27 July 2020, the lack of housing development in the District between 2016 and 2018 may have resulted in reduced migration into the District. Indeed, the Report to the North Essex Authorities provided by Stantec (NEA018a) demonstrates that when a longer term migration trend is applied to 2018-based SNHP Braintree District, the projected household growth increases substantially.
- 2.18. Turning to Colchester, the Borough saw relatively high levels of housing delivery during 2016-2018 (averaging 980 dpa), albeit still less than the local housing need as suggested by the Standard Method. It is not known whether there are any other factors that suggest that the two-year period of 2016 to 2018 may have resulted in atypical internal migration during that period, but the 2018-based 10-year migration trend variant SNHP shows a slight increase in projected growth compared to the 2018-based (two-year migration trend) SNHP.

- 2.19. Applying a longer term migration trend period to the 2018-based SNHP does not of course resolve the other key concern with the 2016 and 2018-based projections for either Braintree or Colchester – that they underestimate housing growth and downplay the need for housing for younger people in particular.
- 2.20. In addition, as the Stantec Report to the North Essex Authorities notes:

“The main reason why the 2018 projections are lower than the 2014 ones appears to be that in the first five years of the plan period housing delivery has been too low to accommodate the projected growth” (Paragraph 4.13)

And:

“The assessed housing need from 2013 onwards was correct. The reason why that need appears to have gone down is that it has not been met – a self-fulfilling prophecy”. (Paragraph 4.14)

- 2.21. As such, even if one were to ignore the concerns relevant to the 2016 and 2018-based SNHP which are applicable across the country, there are specific localised concerns that are also relevant here.

Implications for the eLP

- 2.22. The 2018-based SNHP are not appropriate for establishing a housing requirement in a Local Plan. They are subject to the same concerns as the 2016-based SNHP, which led to the Government expressly confirming these should not be used to calculate local housing need, as well as the added concern regarding the short term migration trend period they rely upon.
- 2.23. In addition, and of relevance to the issue of the use of the 2018-based projections in the eLP specifically, the Councils’ consultants suggest that the main reason why the 2018-based SNHP show a smaller growth in households is due to insufficient housing delivery during the early years of the plan period.
- 2.24. In light of the above, it would evidently be unjustified to reduce the eLP’s proposed housing requirement for Braintree on the basis of the 2018-SNHP. To do so would

result in actual housing needs going unmet, and ensuing social and economic harm to the District and its communities.

- 2.25. In respect of Colchester, it is notable that despite all of the aforementioned concerns that result in the 2016 and 2018-based SNHP underestimating growth in households, that both of these sets of official projections actually suggest a *greater* increase in household growth.
- 2.26. There is nothing to suggest that Colchester is immune from the issues that resulted in the 2016 and 2018-based SNHP underestimating growth.
- 2.27. The proportion of Colchester's population in the 25-44 age cohort (those whose housing needs are considered most likely to have been underestimated by recent projections) is entirely typical. As at the Census 2011 it is 27.3% – almost precisely the national average (27.4%).
- 2.28. Colchester worsening of house affordability between 2001 and 2011 is also typical of the nation as a whole. The Borough's ratio of median house price to median gross annual workplace-based earnings rose from 4.72 to 7.26 during this period, compared to the national average increase of 4.42 to 6.73. Concerns at the national level that the worsening of affordability between the two points taken by the 2016 and 2018-based SNHP to determine household formation rates appear to be very much applicable to Colchester.
- 2.29. In summary, there is nothing to suggest that the Borough's characteristics differed so greatly from those of the nation as a whole, as to mean that the 2016 and 2018-based SNHP would not have underestimated the scale of growth in housing need.
- 2.30. Therefore, the fact that the 2016 based and 2018-based SNHP show an *increase* in household growth in Colchester despite the aforementioned, does beg the question as to why. The logical answer is that the Borough's future housing needs are significantly greater than the 2014-based SNHP projections used to inform the eLP suggested.

Tendring District

- 2.31. As noted above, the approach to determining Tendring District's housing requirement for the purposes of the eLP has entailed an unorthodox approach in which use of the official projections to determine the demographic starting point have been rejected in favour of an alternative approach.
- 2.32. It is therefore necessary to consider whether any new data relevant to how Tendring's housing requirement has been calculated has become available since which would suggest a meaningful change in the housing position.
- 2.33. The OAHNS 2016 explains that in light of concerns in respect of errors in Tendring's official projections as a result of unattributable population change (UPC), the demographic starting point of 480 dpa was chosen as:
- "It was the highest average level of new homes achieved over a recent five-year period (2004-09)"* (paragraph 1.4 of Tendring: Note, appended to the OAHNS (2016))
- 2.34. If one assumes this is a robust approach to identifying a demographic starting point, then it is still necessary to consider whether the data used as part of this is the most up-to-date, i.e. does 480 dpa still represent the highest average level of new homes delivered over a recent five-year period.
- 2.35. Firstly, it is highly questionable whether 2004-2009 can be considered to represent a 'recent' five-year period.
- 2.36. Secondly, and in any case, 480 dpa is no longer the highest average number of new homes delivered within a recent five-year period.
- 2.37. Between 2014 and 2019, completions in Tendring averaged 530 dpa.
- 2.38. Between 2015 and 2020, completions in the Tendring averaged 633 dpa.
- 2.39. It is unclear why this latest data has not been utilised, given it represents the highest average annual housing delivery over a recent five-year period, and applied to the methodology set out in the OAHNS 2016. It may be the case that there are reasons

why, but this is not clear from the evidence provided to the eLP examination that we have seen.

- 2.40. An increase in a demographic starting point from 480 dpa to 633 dpa clearly has potential to constitute a meaningful change to the housing needs position, unless other evidence suggests a significantly reduced market signals adjustment than suggested by the OAHNS 2016, which would redress the balance.

3.0 Market Signals

- 3.1. The PPG3 which accompanied the 2012 NPPF stated that housing numbers suggested by the demographic starting points were required to be adjusted to reflect market signals / indicators of the balance between the demand and supply of housing.

Relevant market indicators include:

- Land prices
- House prices
- Cost of private renting
- Affordability
- Rates of development
- Overcrowding

- 3.2. OAHNS 2016 suggested that evidence available to at the time warranted the following uplifts for each of the NEAs in response to market signals.

Area	Market signal adjustment
Braintree	15%
Colchester	0%
Tendring	15%

Table 5: Market signal adjustments suggested by the OAHNS 2016

- 3.3. The issue of whether changes in market signals since the OAHNS 2016 was prepared was considered through further examination hearing sessions in January 2020, following which the Examination Inspector concluded that such changes did not result in a meaningful change to the housing needs position.
- 3.4. Since the issue was last considered as part of the examination of the eLP, further evidence in respect of market signals has become available has the potential to be of relevance in relation to the soundness of the proposed housing requirements.
- 3.5. One key question is: is the decision to apply zero market signal uplift to Colchester's housing requirement still sound?

³ Paragraph: 020 Reference ID: 2a-020-20140306

House Prices

- 3.6. The latest house price data available to the OAHNS (2016) was for Q1 2016. The last time the issue was explored in detail through the eLP examination, latest data available on house prices was for Q4 of 2018. Since that time, mean house prices in Braintree, and Colchester remain significantly above the national average. The mean price in Tendring at a greater rate than the national average, whereas for Braintree and Colchester changes are at a similar level to the national average.
- 3.7. The chart below shows the indexed link increase in house prices in the NEAs and compared to the national average, with 100 the average house price at Q1 2016 and using data from ONS House Price Statistics for Small Areas (dataset 12)

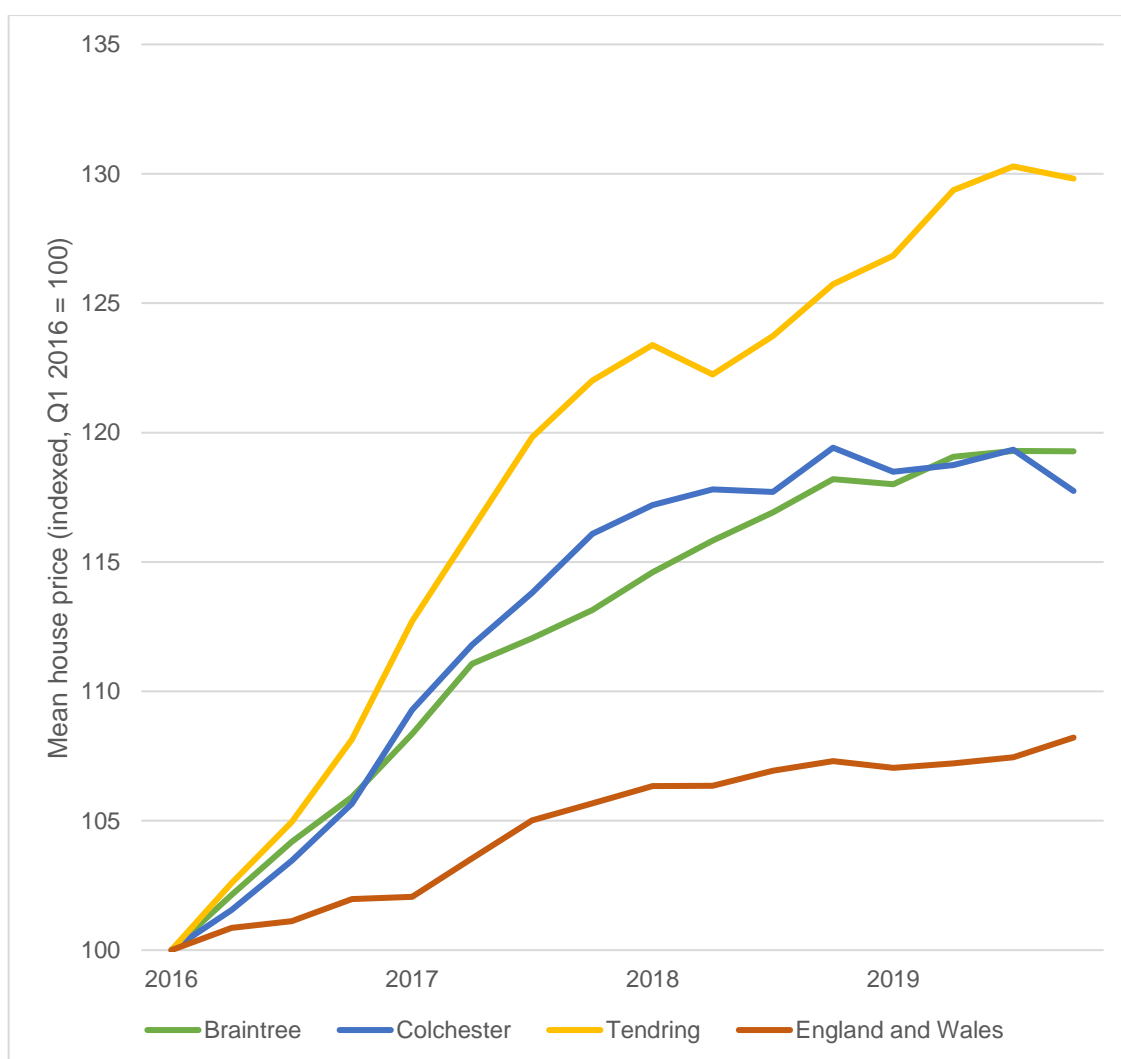


Figure 1 – Mean house price change 2016 – 2019 (indexed)

- 3.8. The table below shows change in house prices between Q1 of 2016 (latest available data for OAHNS 2016), Q4 of 2018 (latest available when issued previously considered through EiP) and Q4 of 2019 (latest data available).

Area	Mean house price (£)		
	Q1 2016	Q4 2018	Q4 2019
Braintree	265,870	314,722	317,107
Colchester	247,150	295,313	291,062
Tendring	200,020	250,008	259,737
England and Wales	277,206	297,241	299,990

Table 6 – Mean house prices

Cost of Private Renting

- 3.9. In respect of the private rental market, the OAHNS (2016) was able to draw upon data for May 2016 (as set out within Table 5.2 of the study. These are understood to be mean averages). VOA data sets for April 2018 to March 2019 were available the last time the issue was considered through the eLP examination. The ONS has subsequently published data sets for April 2019 to March 2020. Average (mean) private monthly rents for these different periods are shown for the NEAs, as well as England and Wales, below.

Area	Mean private monthly rent (£)		
	2015-2016	2018-2019	2019-2020
Braintree	773	814	837
Colchester	728	813	817
Tendring	640	728	742
England and Wales	820	858	843

Table 7 – Mean private monthly rents

- 3.10. From the above data, it is evident that the mean private rental costs of accommodation in all three NEAs remains below the national average. However, whilst the average rental price has dropped for the country a whole in the last year, all three NEAs have seen an increase. The change in mean monthly rental prices since data used by the OAHNS 2016 is illustrated below, and demonstrates that the increase seen in the

NEAs since the study which informed the eLP is significantly greater than at the national level.

Area	% increase in mean private monthly rent 2015-2020
Braintree	8.3%
Colchester	12.2%
Tendring	15.9%
England and Wales	2.8%

Table 8 - % mean private rent increase 2015 – 2020

- 3.11. Mean averages can be distorted by by extreme values (outliers) within the data set which may be atypical. As such, there is merit in considering the median averages also. The OAHNS (2016) study did not use median rents for 2015-2016, but these are considered below, in addition to more recent data.

Area	Median private monthly rent (£)		
	2015-2016	2018-2019	2019-2020
Braintree	725	775	795
Colchester	680	750	775
Tendring	625	700	725
England and Wales	650	695	700

Table 9 – Median private monthly rent

- 3.12. At the national level, median rental prices have experienced only a nominal increase. However, all of the NEAs have seen a much more pronounced increase in median rental prices. The below table shows the increase in the median rental prices since the data available to the OAHNS 2016 was published.

Area	% increase in median private monthly rent 2015-2020
Braintree	9.7%
Colchester	14.0%
Tendring	16.0%
England and Wales	7.7%

Table 10 – % increase in media private monthly rent 2015 - 2020

Affordability

- 3.13. The most recent affordability ratios utilised in the OAHNS (2016) were for 2015. ONS data shows a significant worsening of affordability since, with the ratio of median house price to median gross annual workplace-based earnings having increased considerably within the NEAs since 2015.
- 3.14. Since the issue was last considered as part of the examination of the eLP, affordability has improved slightly in all three NEAs. However, both Tendring and Colchester's improvement was less than the national average. Overall, since data available to the OAHNS 2016, affordability has worsened in all three NEAs by a significantly greater degree than experienced nationally. The change in affordability ratio over this period is set out below.

Area	Affordability ratio (median house price to median workplace-based earnings)				
	2015	2016	2017	2018	2019
Braintree	8.23	8.59	9.50	10.26	10.25
Colchester	8.36	8.70	8.99	9.58	9.54
Tendring	6.87	7.99	9.08	9.00	8.72
England and Wales	7.37	7.59	7.77	7.85	7.70

Table 11 – Affordability ratios for Braintree, Colchester, Tendring, and England and Wales 2015-2018

Housing Delivery

- 3.14. The relevant PPG states that Local Planning Authorities should:

“Increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability” (Paragraph: 020 Reference ID: 2a-020-20140306)

- 3.16. The plan period of the eLP runs from 2013. In recent years, both Colchester and Tendring have achieved higher rates of residential development than proposed in the eLP. As such, empirical evidence is now available as to whether the proposed housing figures do in fact improve affordability.

- 3.17. In Tendring, the net additional dwellings delivered have exceeded the figure proposed in the eLP in each and every one of the last four years. Over this period, the following delivery rates were achieved:

Year	Net dwelling completions
2016/17	658
2017/18	565
2018/19	915
2019/20	784

Table 12 – Net dwelling completions in Tendring

- 3.18. In respect of Colchester, the record of achieving a greater deliver rate goes back even further. The Council report that it has delivered more than 920 in each and every year since 2014/15, with the exception of in 2016/17 when it was just 8 dwellings short of the proposed eLP target. The Council reports the following dwelling completion rates over this period:

Year	Net dwelling completions
2014/15:	943
2015/16:	1,149
2016/17:	912
2017/18:	1,048
2018/19:	1,165

Table 13 – Net dwelling completions in Colchester (NB no published figures for 2019/20 identified)

- 3.19. Where delivery rates are sufficient to result in an improvement in affordability, as the PPG requires, it is appreciated that there will be a slight delay before market signals indicate such an improvement. However, the market does respond relatively quickly, and certainly well within four to six years.
- 3.20. As such, if Colchester and Tendring's housing targets were sufficient to see an improvement in affordability in these areas, market signals should have indicated this by now.

- 3.21. However, they have not. Market signals do not indicate that more homes have been proved in recent years than required. On the contrary, they are indicative of an insufficient provision of housing.

Summary

- 3.22. The OAHNS 2016 concluded that uplifts to the housing requirements of Braintree and Tendring should be applied to account for market signals available to the study at the time. It also concluded that no market signal uplift was required in respect of Colchester.
- 3.23. The issue of whether changes in market signals since the OAHNS 2016 was prepared was considered through further examination hearing sessions in January 2020, following which the Examination Inspector concluded that such changes did not result in a meaningful change to the housing needs position.
- 3.24. Further data and evidence that has become available since suggests that if 15% uplifts were appropriate for Braintree and Tendring in 2016, a greater market signals uplift may now be appropriate.
- 3.25. In respect of Colchester, we consider that it is simply no longer feasible to suggest that no uplift to account for market signals is required. Not only do the market signals increasingly point to the need for such uplift, but the proposed housing figures in the eLP have, in effect, been subject to 'real world' testing and have failed to improve affordability in the Borough. In such circumstances, we consider that it would be irrational to conclude that no market signal uplift was justified.

4.0 Overview and conclusion

- 4.1 Once one considers the methodology used to generate the 2018-based SNHP, it is clear that they cannot be used to justify a reduction in a housing requirement that has been calculated using the more robust 2014-based SNHP. Accordingly, a reduction to the number of homes proposed to be delivered by the eLP in Braintree would not be justified.
- 4.2 All things being equal, we would expect both the 2016 and the 2018-based SNHP to show a reduction in the projected increase in households in Colchester compared to the 2014-based SNHP. On the contrary, both sets of projections suggest a greater increase. Given the 2016 and 2018-based SNHP take an approach which is acknowledged as being likely to result in housing needs being underestimated, the fact they still show an increased level of household growth to the projections used by the OAHNS 2016 suggests a greater demographic starting point is now necessary to ensure housing requirements reflect the latest evidence.
- 4.3 In respect of Tendring, the official projections did not form part of the OAHNS 2016's calculation of its need, and as such the 2018-based SNHP are of limited direct relevance. But looking at the latest evidence that is relevant to how Tendring's requirement was calculated, and if one assumes the methodology for calculating the demographic starting point is sound, logically it is still necessary to apply the latest data to it. This would result in a demographic starting point of 633 dpa.
- 4.4 A further year's worth of evidence and data in relation to house prices, rental costs, affordability, and housing delivery has become available since the issue of the eLP's proposed housing requirement was last considered through the examination. In our view, these cast doubts as to whether a 15% market signals uplift is sufficient for Braintree or Tendring, given changes since the OAHNS 2016 recommended this uplift.
- 4.5 We appreciate there is not an precise, objective way to determine the extent of the uplift that should be provided having regard to market signals (at least not under the NPPF and PPG the eLP is being examined against). However, in our view it is unequivocally the case that failure to apply a market signals uplift for Colchester can no longer be considered justified. Not only do the market signals themselves clearly indicate some degree of uplift is necessary, but the figures proposed in the eLP for the

Borough have been subject to 'real world' testing and have not delivered the necessary outcomes. In this instance, we consider that it would simply be irrational to not apply a market signals uplift. Based on the uplift deemed suitable for Braitree and Tendring by the OAHNS 2016, we consider a minimum of a 15% uplift should be applied to Colchester.