



TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 78

**APPEAL BY AVIVA LIFE & PENSIONS UK Ltd AGAINST THE FAILURE OF
READING BOROUGH COUNCIL TO DETERMINE WITHIN THE PRESCRIBED
PERIOD A PLANNING APPLICATION FOR**

Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. A demolition phase and phased redevelopment (each phase being an independent act of development) comprising a flexible mix of the following uses: Residential (Class C3 and including PRS); Offices (Use Class B1(a); development in Use Classes A1, A2, A3 (retail), A4 (public house), A5 (take away), D1 and D2 (community and leisure); car parking; provision of new plant and renewable energy equipment; creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; provision of attenuation infrastructure; engineering operations.

AT

Vastern Court, Reading, RG1 8AL

INSPECTORATE REFERENCE: APP/E0345/W/21/3289748

READING BOROUGH COUNCIL REFERENCE: 200328/FUL

**PROOF OF EVIDENCE OF
STEPHEN JUPP BA(Hons), LL.M, MRTPI
ON BEHALF OF READING BOROUGH COUNCIL**

Date: March 2022

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Qualifications, Experience and Declaration

This Proof of Evidence has been prepared by Stephen Jupp MRTPI. I am a self-employed planning consultant instructed by Reading Borough Council to act on their behalf in connection with the planning issues arising from this appeal.

I am a member of the Royal Town Planning Institute. I hold an Upper Second Bachelor of Arts (Honours) Degree in Town and Country Planning and a Master of Laws with Merit in Environmental Law.

I have been employed for some 34 years in Town and Country Planning. I have been a self-employed planning consultant since April 2000. Previously, I was employed at Chichester District Council and Havant Borough Council.

I handle planning policy and development control issues on a daily basis. I have extensive experience in dealing with such issues at planning application stage. I have also given planning evidence in the High Court and at public inquiries and hearings for both local authorities and developers.

I have been involved in the scheme since January 2022 and am familiar with the appeal site, its surroundings, and its context within the Borough. I am familiar with planning policies at local and national level which are relevant to the consideration of this appeal.

Although I act on behalf of the Council, I understand my professional duty is to assist the Inspector by providing evidence which is true and has been prepared and is given in accordance with guidance produced by the Royal Town Planning Institute. In this regard I can confirm that the opinions expressed are my true and professional opinions.

1.0 INTRODUCTION AND SCOPE OF EVIDENCE

Introduction

1.1 This evidence is submitted on behalf of Reading Borough Council ('RBC') in support of the Council's case against the appeal made by Aviva Life & Pensions Uk Ltd in respect of the failure to determine the application within the agreed time period. The relevant Outline planning application was received by Reading Borough Council under reference 200328/OUT on 21 February 2020 for:

'Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Demolition and redevelopment to comprise: up to 115,000 sqm GEA in one or more land uses comprising: Residential (Class C3 and including PRS); Offices (Use Class B1(a); development in Use Classes A1, A2, A3 (retail), A4 (public house), A5 (take away), C1 (hotel), D1 and D2 (community and leisure); car parking; provision of new plant and renewable energy equipment; creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; provision of attenuation infrastructure; engineering operations. All development, works and operations to be in accordance with the approved Development Parameters Schedule and Plans.'

1.2 The Council were still awaiting responses from a number of consultees in respect of the amended application when on 23 December 2021 an appeal was lodged against the failure of the Council to determine the application within the prescribed period. The start date letter for the appeal is dated 14 January 2022 and this requires the Council to submit its Statement of Case on the appeal by 18 February 2022. Accordingly, a report was taken to the Council's Planning Applications Committee on 15th February 2022. That report [CD3.1] set out all the relevant planning policies and relevant material planning considerations and invited Members to confirm the decision they would have made if they had been able to determine the planning application. An Update Report was also provided to members on the day of the Committee Meeting and this is attached at CD3.2.

1.3 The appeal is to be determined by way of a public inquiry commencing on 26th April 2022, for which this evidence has been prepared.

Scope of evidence

1.4 Separate proofs of evidence (PoE) have been prepared for the Council by a number of other witnesses, summarised as follows:

- Design and Townscape PoE in relation to reasons for refusal 1, 2, 4 and 6 (although there is some overlap with reason for refusal 5 as well), prepared by Michael Doyle of Doyle Design LLP on behalf of RBC.
- Heritage PoE in relation to reason for refusal 5 prepared by Nick Bridgland, Heritage Director at Lichfields on behalf of RBC.
- Daylight and Sunlight PoE in relation to reason for refusal 7 prepared by Dr Paul Littlefair at BRE on behalf of RBC.
- Wind PoE in relation to reason for refusal 8 prepared by Dr Paul Blackmore at BRE on behalf of RBC.
- Natural Environment PoE in relation to reason for refusal 9, prepared by Sarah Hanson, Natural Environment Officer at RBC.
- Open Space PoE in relation to reason for refusal 10, prepared by Dr Carolyn Jenkins, Assistant Streetscene Manager at RBC.
- Sustainability PoE in relation to part of reason for refusal 11, prepared by Timothy Crawshaw of Crawshaw Urban Design on behalf of RBC.

1.5 My evidence is structured as follows:

2. Appeal Development and Site Description
3. Details of the Reasons for Refusal
4. Relevant Planning History
5. Legal and Planning Policy Context
6. Relevant Planning Policy
7. The Council's Case
8. The Planning Balance
9. Summary and Conclusions

2.0 **APPEAL DEVELOPMENT AND SITE DESCRIPTION**

2.1 The site and surroundings and description of the appeal development are outlined at sections 1, 2 and 4 of the SoCG [CD12.1] respectively. In addition, these are also detailed at length within sections 1 and 2 of the Officer committee report [CD3.1], with the site and its surroundings set out at section 1 [paragraphs 1.8 to 1.14] and the appeal proposal in section 2 of the planning officer's committee report. In line with section J.3.2 of the Planning Inspectorate's Procedure Guide, it is not repeated here.

3.0 DETAILS OF THE REASONS FOR REFUSAL

- 3.1 On 23 December 2021 an appeal was lodged against the failure of the Council to determine the application within the prescribed period. The start date letter for the appeal was dated 14 January 2022 and this required the Council to submit its Statement of Case on the appeal by 18 February 2022. Accordingly, a report was taken to the Council's Planning Applications Committee on 15th February 2022. That report [CD3.1] set out all the relevant planning policies and relevant material planning considerations and invited Members to confirm the decision they would have made if they had been able to determine the planning application. An Update Report was also provided to members on the day of the Committee Meeting [CD3.3].
- 3.2 The Committee agreed with the recommendation of Officers that had they been able to determine the planning application they would have resolved to REFUSE Outline planning permission for the following reasons:

1. *Scale, height and massing*

The Applicant has failed to demonstrate how proposed plot heights in excess of Local Plan and RSAF height and massing guidance will not result in unacceptable detrimental effects on the townscape, the surrounding area and the setting of public spaces, especially when considered in the context of cumulative effects with adjoining allocated, emerging and existing sites contrary to NPPF Section 12., the National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) Policies CR2, CR3, CC7, H2, CR10 and CR10(a), CR11 and CR11e, the Reading Station Area Framework (2010).

2. *Tall buildings*

The siting, height and likely massing of proposed Tall Buildings within Plots A, B, C and D are bulky, harmful to the setting and the character of the

surrounding area and public spaces and fails to achieve the high standard of design expected of a Tall Building. This is contrary to contrary to NPPF Section 12, Reading Borough Local Plan Policies (2019) EN1, EN3, EN5, CR2, CC7, CR10, H2, CR11, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

3. Views and townscape

The proposed siting, maximum heights, and likely massing of tall buildings within Plots C and D will appear bulky and over-dominant resulting in a detrimental impact on the skyline and harm to short and medium distance views including along Station Road, the setting of Station Square (North and South) and surrounding buildings and structures.

Therefore, the development is contrary to NPPF Section 12, Reading Borough Local Plan Policies (2019) Policies CC7, H2, EN1, EN3, EN5, EN6, CR2, CR3, CR10 and CR10e, CR11 and Section 12 and 16 of the NPPF, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

4. North-South Link

The development as proposed fails to demonstrate that satisfactory direct alignment and high-quality design and form of the north-south link can be provided in accordance with policy and guidance. Therefore, the development is contrary to NPPF section 12, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CR2, CR3, CR11, CR11e, CR11g, TR3 and TR4 and the Reading Station Area Framework (2010).

5. Heritage

By virtue of the proposed maximum height and siting of Blocks C and D the proposal would result in a detrimental effect on the setting of and therefore, the significance of the Grade II listed Main building of Reading General Station, the Market Place/London Street Conservation Area and the Grade II Town Council Chamber. The public benefits of the proposals are not considered to outweigh the less than substantial harm caused to the significance of these designated heritage assets. Therefore, the development is contrary to Reading Borough Local Plan (2019) Policies EN1, EN3, EN5, EN6, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010) and Section 16 of the NPPF.*

6. Public Realm

The proposed siting of development plots, the public realm and vehicular access arrangements at the interface of the Development with Vastern Road, Caversham Road, and the remainder of the CR11e Allocated Site Station, (including integration with the North Station Square, fail to maximise and secure high quality public realm, make the most efficient use of the site, achieve effective permeability, and fail to adopt a comprehensive approach to the development of the Allocated Site. Therefore, the development is contrary to NPPF Section 12, Reading Borough Local Plan (2019) Policies, CC7, CR2, CR3 CR11 and CR11e, TR3, TR4 and the Reading Station Area Framework (2010).

7. Daylight/Sunlight (Existing and future residents)

The proposed development would result in unacceptable loss of daylight to existing residents at 17-51 Vastern Road, and has not demonstrated whether acceptable living conditions (daylight and sunlight) could be achieved for occupants in the new development. In addition, it has not been adequately demonstrated how an acceptable level and quality of

private and communal amenity space could be achieved for all future occupiers, whilst meeting appropriate levels of daylight and sunlight penetration. The proposal submission does not also include an assessment of the cumulative impact on the adjoining RMG site and the loss of daylight sunlight to the SSE site. Therefore, the development would be contrary to NPPF, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, H10 and CR10.

8. Wind

It has not been demonstrated that the proposed development would result in an acceptable wind and microclimate environment, such that the mitigation measures as set out in the ES would not be sufficient to provide the required level of mitigation. This would create a harmful and unpleasant environment for users of the site. Therefore, the development would be contrary to NPPF, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, CR2, CR10, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

9. Landscape, trees and green network

The proposed layout, scale and quantum of development fails to demonstrate the satisfactory delivery of required landscaping principles, appropriate protection and retention of protected trees, and consolidation, extension and/or enhancement of the 'Green Network'. Therefore, the development is contrary to NPPF 2021, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021) and the adopted Tree Strategy.

10. Failure to provide appropriate public open spaces

The proposed development fails to provide appropriate, well-designed public spaces of a flexible size and shape due to the location and alignment of development plots related to the Station Square North and the area of open space at the western end of the east-west link, and as a result fails to demonstrate that it is part of a comprehensive approach to its sub-area which contributes towards the provision of policy requirements for open space that benefit the whole area, contrary to policies CR2 b, CR3 ii, CR11 viii and EN9 of the Reading Borough Local Plan (2019) and the adopted Reading Borough Supplementary Planning Document Reading Station Area Framework (2010).

11. Sustainability_

The application fails to demonstrate a sufficiently robust strategy in terms of minimising carbon dioxide emissions, meeting the predicted residential and commercial energy targets and selection of most appropriate on-site renewable energy technologies, contrary to policies H5, CR10, CC2, CC3, CC4 of the Reading Borough Local Plan (2019) and the Council's adopted SPD, Sustainable Design and Construction (2019).

12. Failure to secure S106

In the absence of a completed legal agreement to secure an acceptable contribution or mitigation plan, towards the provision of:

(i) Employment, skills and training for the construction and end user phases of the development;

(ii) Affordable Housing pre-implementation, mid-point and final outturn review mechanism;

(iii) Off-site open space, leisure and recreation facilities

iv) Transport including: footpath/cycle way enhancements on Vastern Road and Caversham Road, provision of pedestrian/cycle route through the site before first occupation and associated infrastructure/signage, car parking

management strategy, signalised crossing, underpass, car club, parking permits, travel plan;

(v) Highway works – S278/38;

(vi) Carbon offsetting;

(vii) Public realm;

(viii) Build to rent controls;

(ix) Phasing;

(x) Decentralised energy;

(xii) Education;

(xiii) Public art;

(xiv) CCTV;

(xv) Monitoring/Legal fees;

Contrary to Reading Borough Local Plan (2019) Policies CC9, EN9, CR2, CR3, H3, H4, H5, TR1, TR3, TR5, Employment Skills and Training SPD (2013, Affordable Housing SPD (2021), Reading Borough Supplementary Planning Document Planning Obligations under Section 106 (2015).

3.3 The Planning Applications Committee also confirmed that they gave delegated authority to the Assistant Director of Planning, Transport and Regulatory Services to make changes to add or to remove the above reasons for refusal.

3.4 Following the Committee meeting further discussion were held between Officers of the Council and the following amended wording of RfR 9 related to trees and landscaping was agreed. In line with the agreed committee resolution, approval from the chair of Planning Applications Committee and the Lead Member for Strategic Environment, Planning and Transport, has been agreed for this change, so that amended RfR 9 now reads:

*"The proposed layout, scale and quantum of development fails to demonstrate the satisfactory delivery of required landscaping principles, appropriate protection and retention of protected trees, and **hence fails to demonstrate it will maximise opportunities to enhance the Green Network** ~~consolidation, extension and/or enhancement of the 'Green~~*

~~Network~~. Therefore, the development is contrary to NPPF 2021, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021) and the adopted Tree Strategy

4.0 PLANNING HISTORY

4.1 This is detailed at section 3 of the planning officer's committee report [CD3.1]. In line with section J.3.2 of the Planning Inspectorate's Procedure Guide, it is not repeated here.

4.2 In addition to the relevant planning history, several sites adjoin the appeal site within the Station/River Major Opportunity Area (Local Plan policy CR11) and Sub Area E (North of Station) (CR11e) and these are:

- Royal Mail Group Site ('RMG site') to the south of the Appeal Site.
- Northern Station Entrance and the North Station Square to the south of the Appeal Site.
- Northern Station Area Bus Interchange and Network Rail Car Park to the east of the Appeal Site.
- The Southern Electric Site ('The SSE site') - Station/River Opportunity Area Sub Area G (CR11g). Proposed redevelopment of the western half of the Sub Area - '55 Vastern Road' has been the subject of an Appeal, the decision of which was issued on 17th March 2022 [CD5.1].

5.0 **LEGAL AND PLANNING POLICY CONTEXT**

Town and Country Planning Act 1990

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF), among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision-making (NPPF 2021 paragraph 12).

5.2 This was the subject of guidance by the Court of Appeal in *Gladman Developments Limited v Daventry* [2016] EWCA Civ 1146. In respect of a very old Development Plan Sales L.J. stated at paragraph [40](iv):

"(iv) Since an important set of policies in the NPPF is to encourage plan-led decision-making in the interests of coherent and properly targeted sustainable development in a local planning authority's area (see in particular the section on Plan-making in the NPPF, at paras. 150ff), significant weight should be given to the general public interest in having plan-led planning decisions even if particular policies in a development plan might be old. There may still be a considerable benefit in directing decision-making according to a coherent set of plan policies, even though they are old, rather than having no coherent plan-led approach at all."

5.3 This means that one of the core principles of the NPPF is that planning for future development should be genuinely plan-led, providing a practical framework for local decision making within which decisions on planning applications can be made with a high degree of predictability and efficiency. Local Plans are the key to sustainable development. The comments of the Court of Appeal in *Gladman* are of even greater force in Reading given that its Development Plan was recently adopted in November 2019.

5.4 The approach to determining this appeal is therefore set within this very clear statutory plan-led context.

- 5.5 The relevant Reading Borough Local Plan (November 2019) policies [CD4] and associated supplementary planning documents (SPD) and other material documents are listed at section 5 of the officer committee report. In particular, the Council has referenced Policy CR10 (Tall Buildings) [CD4.55]; The Reading Tall Building Strategy 2008 (a background evidence technical report to inform Policy and SPD); and, The Reading Tall Buildings Strategy Update Note 2018 in its Urban Design Statement of Case. Accordingly, The Reading Tall Building Strategy 2008 is included in full at CD7.44 and The Reading Tall Buildings Strategy Update Note 2018 as CD7.45.
- 5.6 The Site is included as an allocation under Policy CR11 'Station/River Major Opportunity Area', specifically part of CR11e 'North of Station' [CD4.56]. The policy promotes mixed-use redevelopment, to include ground floor uses such as retail and leisure in order to 'activate' streets and the new northern station square. The policy states that other uses including offices and residential should be on upper floors. Key aspects of the redevelopment should be to enable a high-quality design with good pedestrian links. Moreover, the Council have a duty under the T&CP Listed Buildings and Conservation Areas Act 1990, as amended, to ensure the setting of listed buildings and conservation areas are not adversely affected by new development, unless the public benefits of such development outweigh the level of harm identified – provided that such harm falls within the 'less than substantial' scale.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 5.7 The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. As well as setting out the designation of listed buildings and conservation areas this legislation also brings with it a duty regarding the weight which should be accorded to the conservation of these assets in the planning system.
- 5.8 Section 66(1) of the Act states that in the consideration of proposals for planning permission which affect a listed building or its setting, the local planning

authority “*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.

- 5.9 Section 72(1) of the Act requires that when local authorities carry out their planning duties in relation to conservation areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.

Historic Buildings and Ancient Monuments Act 1953

- 5.10 Section 8c of this Act (as amended by the National Heritage Act, 1983) empowers Historic England (Historic Buildings and Monuments Commission for England) to “*compile a register of gardens and other land situated in England and appearing to them to be special historic interest*”. This is the basis for the Register of Parks and Gardens and, unlike the provisions above for listed buildings and conservation areas, there is no requirement in statute for the protection of entries on the Register or how they should be considered in the planning process.

6.0 **RELEVANT PLANNING POLICY**

- 6.1 As set out above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) - among them the 'presumption in favour of sustainable development'.
- 6.2 This section of my proof sets out the relevant planning policy framework for the consideration of this appeal.
- 6.3 The relevant planning policy is set out in Section 4 of the Planning SoCG [CD12.1].
- 6.4 The following policies are particularly relevant to the issues at this inquiry. I consider that further elaboration is required in order to explain the Council's case.

Provisions of the Development Plan

- 6.5 The current Development Plan for Reading Borough Council comprises:
- Local Plan - Adopted November 2019 [CD4]
 - Proposals Map – Adopted November 2019 [CD4.57]
 - Community Infrastructure Levy Charging Schedule – Adopted January 2015 [CD7.55]
- 6.6 Supplementary Planning Documents (SPDs), which are material considerations also include:
- Reading Station Area Framework SPD (RSAF) – Adopted December 2010 [CD7.1]
 - Affordable Housing SPD – Adopted March 2021 [CD7.3]
 - Employment Skills and Training SPD – Adopted April 2013 [CD7.4]
 - Revised Parking Standards and Design SPD – Adopted October 2011 [CD7.5]

- Planning Obligations Under Section 106 SPD – Adopted April 2015 [CD7.6]
- Sustainable Design and Construction SPD – Adopted December 2019 [CD7.7]

6.7 In addition, the Reading Tall Buildings Strategy (RTBS) [CD7.44], published in January 2008 and 2018 update [CD7.45], along with the Tree Strategy (2021) [CD7.8], the Open Spaces Strategy (2007) [CD7.10] and its 2018 Update Note [CD7.11] along with the Biodiversity Action Plan (2021) [CD7.9] are also of direct relevance.

Reading Local Plan 2019.

CC2: Sustainable Design and Construction

6.8 The supporting text to Policy CC2 (CD4.3) sets out at 4.1.2 that the future growth of Reading in terms of the amount of new development taking place has the potential to impose a large environmental footprint in terms of consumption of resources and materials, the use of energy and the associated emission of greenhouse gases that contribute towards climate change. As such, the incorporation of sustainable design and construction techniques are essential in order to minimise this impact in the context of Reading. In this regard the policy states:

'Proposals for new development, including the construction of new buildings and the redevelopment and refurbishment of existing building stock, will be acceptable where the design of buildings and site layouts use energy, water, minerals, materials and other natural resources appropriately, efficiently and with care and take account of the effects of climate change.'

To meet these requirements:

- *All major non-residential developments or conversions to residential are required to meet the most up-to-date BREEAM 'Excellent' standards, where possible;*

- *All minor non-residential developments or conversions to residential are required to meet the most up-to-date BREEAM 'Very Good' standard as a minimum;*
- *All non-residential development or conversions to residential should incorporate water conservation measures so that predicted per capita consumption does not exceed the appropriate levels set out in the applicable BREEAM standard. Both residential and non-residential development should include recycling greywater and rainwater harvesting where systems are energy and cost effective.'*

CC3: Adaptation to Climate Change

- 6.9 Policy CC3 (CD4.4) requires all developments to demonstrate how they have been designed to incorporate measures to adapt to climate change and goes on to set out a series of measures that should be incorporated into development.

CC4: Decentralised Energy

- 6.10 Policy CC4 (CD4.5) promotes the use of decentralised energy including CHP and district heating, which has particular applications to a dense urban area such as Reading. In this regard the policy states:

In meeting the sustainability requirements of this plan, developments of the sizes set out below shall demonstrate how consideration has been given to securing energy for the development from a decentralised energy source.

Any development of more than 20 dwellings and/ or non-residential development of over 1,000 sq m shall consider the inclusion of decentralised energy provision, within the site, unless it can be demonstrated that the scheme is not suitable, feasible or viable for this form of energy provision.

Where there is existing decentralised energy provision present within the vicinity of an application site, further developments of 10 dwellings or more or non-residential development of 1,000 sq m or more will be expected to link into the existing decentralised energy network or demonstrate why this is not feasible.

CC7: Design and the Public Realm

6.11 Policy CC7 (CD4.8) requires that development maintain and enhance the character and appearance of the area in which it is located to achieve a high-quality public realm design. Proposals should be assessed against five main components of development form, including:

- *Landscape;*
- *Quality of the public realm and provision of green infrastructure and landscaping*

Developments will also be assessed to ensure that they: -

- *Respond positively to their local context and create or reinforce local character and distinctiveness, including protecting and enhancing the historic environment of the Borough and providing value to the public realm;*
- *Are visually attractive as a result of good high quality built forms and spaces, the inclusion of public art and appropriate materials and landscaping.*

6.12 Urban design objectives set out in CC7 include the quality of the public realm, continuity and enclosure, permeability, and legibility. Qualities to be ensured include responding positively to the local context, reinforcing local character and distinctiveness, protecting, and enhancing the historic environment and providing value to the public realm. Developments should be visually attractive as a result of good high-quality built forms and spaces.

CC8: 'Safeguarding Amenity'

6.13 Policy CC8 [CD4.9] requires that 'Development will not cause a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties'. It gives a list of potential detrimental impacts including 'Access to sunlight and daylight'. A footnote to the accompanying guidance states that

'For instance, reference to the 'BRE Site Layout Planning for Daylight and Sunlight: A guide to good practice' document may be of use in ensuring that new development adjacent to residential properties is not of adverse bulk and does not block out sunlight and daylight to habitable rooms and outdoor living spaces'.

EN1: Protection and Enhancement of the Historic Environment

6.14 EN1 (CD4.11) requires that historic features, areas of historic importance and other elements of the historic environment, including their settings will be protected and where possible enhanced. Policy EN1 expects all proposals to protect and where possible enhance the significance of heritage assets and their settings, the historic character and local distinctiveness of the area in which they are located. Proposals should seek to avoid harm in the first instance. Any harm to or loss of a heritage asset should require clear and convincing justification, usually in the form of public benefits.

EN3: Enhancement of Conservation Areas

6.15 EN3 (CD4.13) states that *"the special interest, character and architecture of Conservation Areas will be conserved and enhanced. Development proposals within Conservation Areas must make a positive contribution to local character and distinctiveness. Positive consideration will be given to proposals which take opportunities to enhance the character of conservation areas"*. The proposed development is not within a conservation area and is not therefore required to make a positive contribution to local character and distinctiveness. However, in keeping with the requirements of the NPPF, the rest of this policy is applicable to any development which may affect the *special interest, character and architecture* of a conservation area.

EN5: Protection of Significant Views with Heritage Interest

6.16 EN5 (CD4.15) requires that new development should not harm and, where possible, should make a positive contribution to views of acknowledged historical significance. The policy identified nine views which merit special protection. However, the explanatory text states at 4.2.2: *"This list is not comprehensive, but aims to include the most significant heritage views in the Borough that are not protected by other policies, for instance within a Conservation Area. There are a number of other views in the Borough that are important for other reasons, and these are covered by other designations and documents. ... There are also a number of views of central Reading, in particular including the station area. The Reading Station Area Framework (chapter 7) identifies both longer and shorter distance views that are of importance"*.

EN6: New Development in a Historic Context

- 6.17 Policy EN6 (CD4.16) requires that in areas characterised by heritage assets, the historic environment will inform and shape new development. New development will make a contribution to the historic character of the area by respecting and enhancing its architectural and visual qualities and considering how heritage considerations can influence the design of new development. When determining planning applications for new development, Policy EN6 lists a number of factors which will be taken into consideration.

EN9: Provision of Open Space

- 6.18 Policy EN9 (CD4.18) relates to open space requirements across the whole Borough. It sets out the principle that, *"All new development should make provision for appropriate open space based on the needs of the development"*. Whilst it sets out different methods of making provision including both on-site and off-site contributions, the following paragraph makes it clear that there is an expectation that a residential development of this scale will provide new open space:

"On sites of 50 dwellings or more, or for developments where the availability and quality of existing open space has been identified as deficient, new provision will be sought. Development must ensure satisfactory provision of children's play areas and neighbourhood parks."

- 6.19 The policy identifies that the most urgent need should be satisfied, and that the Open Spaces Strategy (OSS) should guide the provision, type, and size. The criteria also include that new open spaces should, *"Be accessible to the general public and be designed so as to feel that it is part of the public and not private realm"*.

EN12: Biodiversity and the Green Network

- 6.20 The supporting text to Policy EN12 (CD4.20) sets out at 4.2.62 that:

'Opportunities will be sought in conjunction with development proposals, to enhance the quality and integrity of the Green Network. Proposals should seek ways to enhance and restore biodiversity and geology, and enhance the quality and integrity of sites (where appropriate), by maximising the inclusion of biodiversity and nature conservation features, as part of good design...'

EN14: Trees, Hedges and Woodlands

6.21 Policy EN14 (CD4.22) states:

'Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal where they are of importance, and Reading's vegetation cover will be extended...'

New development shall make provision for tree retention and planting within the application site, particularly on the street frontage, or off-site in appropriate situations, to improve the level of tree coverage within the Borough, to maintain and enhance the character and appearance of the area in which a site is located, to provide for biodiversity and to contribute to measures to reduce carbon and adapt to climate change. Measures must be in place to ensure that these trees are adequately maintained.'

6.22 The need to include large canopy trees is supported by the supporting text which, in 4.6.28, states:

'There will be a need to use appropriate large canopy species that are adaptable to future predicted climatic conditions (native species if possible and where appropriate in order to deliver biodiversity benefits), particularly the higher temperatures and potential drought conditions predicted in summer'

EN15: Air Quality

6.23 Policy EN15 (CD 4.23) states: *'Development should have regard to the need to improve air quality and reduce the effects of poor air quality'*

6.24 Paragraphs 4.2.78 & 4.2.79 explain the Air Quality Management Area (AQMA) within which the Vastern Court site sits.

6.25 Supporting text in 4.2.80 states: *'...Other mitigation measures may also include travel plans, restrictions in car access or parking, planting, green walls or certain types of paving that absorb NO2...'*

EN18: Flooding and sustainable drainage systems

6.26 Policy EN18 (CD 4.26) states that wherever possible, SuDS provision should maximise ecological benefits, link into the existing Green Network, incorporate tree planting and landscaping and avoid damage to existing significant trees, including through changes to the site hydrology. All new developments in areas of flood risk should give priority to SuDS.

H2: Density and Mix

6.27 Policy H2 (CD4.32) requires that the appropriate density should be informed by a consideration of matters including nearby heritage assets, important landscape or landscape areas, and the need to minimise environmental impacts (which includes visual impacts).

H10: Private and Communal Open Space

6.28 Policy H10 (CD 4.36) states that private and communal outdoor spaces should

'not be compromised by the relationship of other buildings which may be detrimental in terms of overlooking, overbearing or overshadowing'.

6.29 Section 5 deals with 'Central Reading' with Key principles for the Central Reading Area including (LP para.5.2.1):

"(f) Access to the centre by foot, cycle and public transport will be improved

(g) Access within the centre by foot and cycle will be improved and barriers to this improved access will be overcome, particularly in a north-south direction through the core."

6.30 Paragraph 5.2.3 develops this further, identifying the need to overcome barriers to movement, particularly a need to emphasise a North-South Link through the centre, linking to the Thames and adjacent parks and Caversham. Figure 5.1

shows the strategy and offers a clear, strategic improved pedestrian and cycle movements north/south and east/west through the CR11e Site Allocation.

CR2: Design in Central Reading

- 6.31 Development should will build on and respect the existing grid layout of the central area, provide continuity and enclosure through appropriate relationships between buildings and spaces, and contribute to enhanced ease of movement through and around the central area (CR2a) (CD4.47).
- 6.32 Development applications should provide appropriate, well designed public spaces and other public realm, including squares, open spaces, and streetscape. Public spaces should utilise high quality hard and soft landscaped areas that provide suitable functions and interests and safe and convenient linkages to adjoining areas (CR2b).
- 6.33 The public realm should be capable of easy adaptation over time to meet changing circumstances (CR2e).
- 6.34 The supporting text (para.5.3.8) emphasises the 'urban grid' derived from the City Centre Framework of 2008:
- 'The existing grid structure has the advantages of catering flexibly for movement and positive urban place-making, and new development should build on and extend this pattern.'* (para. 5.3.8)
- 6.35 CR2f requires that development should be designed with consideration of adjacent development sites.

CR3: Public Realm in Central Reading

- 6.36 CR3 (CD4.48) requires that proposals should make a positive contribution towards the quality of the public realm with CR3(i) requiring all proposals on sites of more than 1 hectare within the Central Reading boundary to provide new public open space or civic squares integrated with surrounding development. CR3(ii) makes clear that the provision of hard landscaping and

trees (including street trees) and other planting to create high-quality spaces will be expected where appropriate. The public realm should conserve and enhance the historic environment of the centre, including the setting of heritage assets. There may be opportunities for areas of public realm to provide improved access to and visibility for heritage assets (CR3v).

CR10: Tall Buildings

- 6.37 Tall buildings have an important role to play in achieving Reading's vision (CD4.55). They have a symbolic role in marking the regional significance of the centre. It is *'vital that, given their prominence, new tall buildings are of the highest architectural quality'*: Mediocre quality will not be acceptable. (para.5.3.35).
- 6.38 Three areas of potential for tall buildings are identified, including CR10a, Station Area Cluster. CR10(ii) places a series of requirements on Tall Buildings around the Station, including the Appeal Site. The cluster (CR10a(ii)):
- *Is centered on the station ('a new cluster with the station at its heart').*
 - *Signifies 'the status of the station area as a major mixed-use destination' and the 'main gateway to and the most accessible part of Reading'.*
- 6.39 Tall buildings in the CR10a area should:
- *'Follow a pattern of the tallest buildings at the centre of the cluster, close to the station, and step down in height from that point towards the lower buildings at the fringes;*
 - *Contribute to the creation of a coherent, attractive and sustainable cluster of buildings with a high quality of public realm;*
 - *Ensure that adequate space is provided between the buildings to avoid the creation of an overly dense townscape and to allow buildings to be viewed as individual forms;*
 - *Be designed to fit within a wider planning framework or master plan for the area, which allows separate parcels of land to come forward at different times in a co-ordinated manner.'*

6.40 In addition to the specific guidance for the Station Area Cluster, CR10 sets out 16 criteria for all tall buildings at CR10(v). Criteria relating to height and massing include:

- *Enhance Reading's skyline, through a distinctive profile and careful design of the upper and middle sections of the building;*
- *Contribute to high-quality views from distance, views from middle-distance and local views;*
- *Take account of the context within which they sit, including the existing urban grain, streetscape and built form and local architectural style;*
- *Avoid bulky, over-dominant massing;*
- *Conserve and, where possible, enhance the setting of conservation areas and listed buildings;*
- *Mitigate any wind speed or turbulence or overshadowing effects through design and siting;*
- *Ensure adequate levels of daylight and sunlight are able to reach buildings and spaces within the development;*
- *Avoid significant negative impacts on existing residential properties and the public realm in terms of outlook, privacy, daylight, sunlight, noise, light glare and night- time lighting;*

6.41 LP Figure 5.2 (CD4-4.55) provides a diagrammatic indication of the principles for the CR10a Station Cluster (para. 5.3.41). This is a diagrammatic representation of the policy principles that makes clear the cluster principles is firmly embedded in policy. For the Station Cluster, this indicates:

- A much tighter isochrone for the siting of tall buildings (compared with the Proposals Map 'areas of potential for tall buildings'.
- A clear cluster massing rising up at the centre and grading back to established heights at the periphery.
- Clear separations between slender buildings
- Building silhouettes with distinctive tops and setback.

6.42 The supporting text on 'skyline and views' (paras 5.3.42 to 5.3.44) draws upon the City Centre Framework 2008 and Tall Buildings Strategy 2008 (see further details below).

- **Longer distances** - *'the overall massing and proportion is most important, and the relationship between the silhouette and the skyline should inform the design'.*

- **Mid-distance views** - *'the overall composition and detail are perceived in balance, and the hierarchy and articulation of elevations are particularly important.'*
- **Local views** - *'the interrelationship of the building's base and the immediate setting will be particularly visible, and the quality of materials and the detailing will be critical'.*
- **Key panoramic views-** *'There are some key panoramic views of the central area that tall buildings should make a positive contribution to'* including the views of the central area from Balmore Park, Caversham Park, Kings Meadow, Reading Bridge, and from Oxford Road to the west of the centre, the Whitley Street area to the south and Wokingham Road to the east. (para. 5.3.44)
- **Tall building location and alignment within views-** *'The contribution that tall buildings can make to views in terms of their locations should also be taken into account. Aligning tall buildings to terminate or frame views can create a strong reference point, allowing greater urban legibility'* (para. 5.3.43).

6.43 Para.5.3.45 lists 'design solutions that can be used to assist in creating a human-scale street environment' including:

- *Stepping down a large mass to its neighbours;*
- *Setting back the upper floors to create the impression of a continuous streetscape;*
- *Articulating the lower floors to reflect the character of the street.*
- *Mitigating against the adverse impacts a tall building can often make on the microclimate.*

6.44 Paragraphs 5.3.47 to 49 cover the wind and solar effects of tall buildings with 5.3.47 making clear that wind should be assessed against the Lawson Criteria. Sunlight and daylight should meet the criteria outlined in the 'Site layout planning for daylight and sunlight: a guide to good practice', published by the Building Research Establishment (BRE) and the British Standard Code of Practice for Daylighting (BS8206-2).

6.45 Paragraph 5.3.49 goes on to say that

'Solar issues will influence the orientation of a building, and there are various aspects that need to be considered. These will include solar gains where passive heating is desired, shading from solar gains where they are not desired, the need to maximise daylighting, and renewable energy

generation by photovoltaic cells. In terms of effects of developments, the Building Research Establishment (BRE) has guidelines on assessing daylight and sunlight effects of development, which the Council will apply flexibly given the high density of the central area.'

CR11: Station/River Major Opportunity Area and CR11e: Station/River Major Opportunity Area, North of Station

- 6.46 The Appeal Site is located within Sub-area CR11e of the Station/River Major Opportunity Area (MOA). CR11 advocates a 'high-density mix of uses' (CR11i) with 'careful consideration of areas of transition to low and medium density residential'. 'Indicative' potential dwelling numbers and net gain office, retail, leisure and hotel floor areas are given at CR11e.
- 6.47 Development in the Station River MOA should provide additional areas of open space where possible (CR11v), facilitate greater pedestrian and cycle permeability (CR11ii) and provide development that fronts onto and provides visual interest along pedestrian routes and facing open spaces (CR11iii).
- 6.48 Careful consideration should be given to areas of transition to low and medium density residential and the setting of listed buildings should be enhanced (CR11iv).
- 6.49 CR11v states there should be a 'direct landscape link' (CR11v) between the station and the river. CR11(viii) requires that development adopt a comprehensive approach to its sub-area by enabling and not inhibiting policy-compliant development of neighbouring sites and which contributes towards the provision of policy requirements that benefit the whole area - such as open space (CR11viii).
- 6.50 The area is divided into sub areas.
- **CR11a Friar Street and Station Road:** *Highlights that listed buildings and their setting will be conserved and north-south linkages enhanced.*
 - **CR11d: Brunel Arcade and Apex Plaza:** *States development should enhance the setting of nearby heritage assets and views from within the conservation area, and Forbury Gardens should be carefully considered.*
 - **CR11e: North of Station:** *Refers to the new Station Square (north) and a high-quality route incorporating a green link to the Thames.*

- **CR11g: Riverside** (including the SSE site) stresses the North-South Link is the main priority for that site and should be given substantial weight in development management.

6.51 In relation to permeability for pedestrians and cyclists and removing barriers to access, para. 5.4.6 states:

"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 spatial strategy of the centre, along with removing barriers to access within the centre. (LP paragraph 5.4.6)

6.52 There are several significant listed buildings in or adjoining the MOA, south of the railway tracks, including the historic station building (now the Three Guineas), as well as a conservation area and historic park close by.

'Development should respect the setting of these features and will need to be carefully designed to avoid detriment to them'. (para. 5.4.8).

TR3: Access, Traffic and Highway-related matters

6.53 In addition to effects on safety, TR3 requires consideration of the effects of development on congestion and the environment, and with development should not have a material detrimental effect on the functioning of the transport network (TR3ii), including pedestrians and cyclists (TR3iii). One purpose of the North-South link is to attract cyclists and pedestrians away from main vehicular site accesses within the MOA, CR11e and the Appeal Site.

6.54 The supporting text (4.5.15) endorses 'Manual for Streets' (CD7-7.27) (for lightly trafficked roads within urban areas) and is 'essential'.

TR4: Cycle routes and facilities.

6.55 TR4 requires that connecting cycle routes are added or extended to make full use of opportunities to improve access for cyclists to, from and within the development.

Supplementary Planning Documents

Reading Station Area Framework (RSAF) [CD7.1]

6.56 The RSAF (CD7.1) is based upon the foregoing RCAAP policy (and followed through in the current Local Plan) in which much of the area was (and is) defined as an area of potential for tall buildings (para. 6.3). The RSAF recognises tall buildings can potentially contribute to and not harm the urban character and sets out '*organising principles to guide and control tall buildings in the station area*'.

Massing

6.57 The height and massing strategy can be summarized as follows:

- A dramatic cluster of taller buildings forming a distinctive skyline (RSAF 6.13)
- Tall buildings rise around the Station 'nexus' (RSAF 6.12).
- Buildings of the greatest permissible heights form a 'Crown' to the immediate south of the Station (RSAF 6.14).
- Building heights should have regard for the buildings and areas of architectural and historic interest and important views and prospects (RSAF 6.27 and 6.33).
- A general 'dome' or 'blister' pattern (RSAF Figure 6.26). The consequence is that height across the Application Site should decline from east to west **and** south to north.
- Benchmark heights are not guaranteed. They may be modified upwards or downwards and should grade back to the established heights in surrounding areas (RSAF 6.23- 6.25).
- High-density development (RSAF 6.11).
- Tall buildings rise around the Station 'nexus' (RSAF 6.12).
- A dramatic cluster of taller buildings forming a distinctive skyline (RSAF 6.13)
- Buildings of greatest permissible heights form a 'Crown' to the immediate south of the Station (RSAF 6.14).
- The Framework does not necessarily advocate tall buildings across the Area (RSAF 6.28).
- Landmarks may exceptionally 'puncture' benchmark heights to emphasise important places.

Benchmark heights and Landmark buildings

- 6.58 The RSAF proposes a three-fold approach to density, height, and mass. This includes clear height and massing principles. The measures set out in the RSAF are for general guidance purposes only and dependent on the highest standards of design and amenity (RSAF para. 6.9).
- 6.59 The RSAF sets out benchmark heights on a plot-by-plot basis ranging from six storeys in the north-western corner to at least ten storeys in the south-eastern corner (RSAF Fig. 6.9).
- 6.60 The RSAF describes the potential locations of 'landmark buildings' which may be permitted to rise higher than the benchmark heights. Figure 6.9 provides guidance on the siting of landmark buildings and those plots where landmark buildings are not envisaged. Landmarks may exceptionally 'puncture' the benchmark heights (RSAF para.6.26) to emphasise important places.
- 6.61 The tallest landmark buildings, referred to as 'district landmarks', are to the south of the station with lower 'local' landmarks to the north of the station clustered around the Station Square (North).
- 6.62 The RSAF sets massing principles, including the formation of a 'dome' of taller development around the station reducing in height to the north and west away from the northern station entrance and safeguarding the setting of sensitive buildings and areas.
- 6.63 The Framework does not necessarily advocate tall buildings across the Area (RSAF 6.28).
- 6.64 The RSAF Chapter 6 recognises that tall buildings can potentially contribute to and not harm the urban character (RSAF para.6.3). The framework explores a

series of organising principles to guide and control tall buildings in the Station Area summarised in RSAF Figures 6.3 and 6.4.

Density

- 6.65 Tall buildings and high-density developments are an integral part of the vision for central Reading (para. 6.6) and the framework promotes high-density development (RSAF 6.11) with the aim to maximise densities provided this is compatible with (amongst other principles) '*the local context*' and '*urban and sustainable design principles*' (para.6.16).
- 6.66 Density ranges are set out at RSAF Figure 6.7. These are 'not exact building controls', but 'provide a general indication of the range of densities likely to be appropriate subject to other considerations' (para.6.17).
- 6.67 The Appeal site Plot references and density range is as follows:
- Plot N3 (Appellant Plot A) - Medium 200-500% (2:1 - 5:1).
 - Plot N4 (Appellant Plot B) - Medium 200-500% (or 2:1 - 5:1) or High 500-1000% (5:1 - 10:1).
 - Plot N5 (Appellant Plot C) - Medium 200-500% (or 2:1 - 5:1) or High 500-1000% (5:1 - 10:1).
 - Plot N6 (Appellant Plot D) - High 500-1000% (5:1 - 10:1) or Very High More than 1000% (10-1).

Views

- 6.68 RSAF Chapter 7 recognises that planned development will significantly affect views within the Station Area (para. 7.1). The framework identifies key views, which include potential views (para.7.2). The emphasis will be on ensuring that, where development is visible, it makes a positive contribution to the view (para. 7.7).
- 6.69 Figure 7.2 shows several shorter-distance views that originate in or travel across the Appeal Site or its setting in which the Site and the proposed development appears likely to be visible and prominent:
- 38 Northfield Road.

- 39 Caversham Road.
- 43 Christchurch Meadows.
- 44 De Montfort Road
- 45 Lynmouth Road.
- 54 Blagrove Street.
- 56 Duke Street and Market Place.
- 58 Station Road.
- 62 Station Square north looking north.
- 63 New public space on Thames looking south.

6.70 Paragraph 7.9 points views of 'particular sensitivity' marked in red in Figure 7.2 'where historic assets form part of the composition of the view' (the most relevant being shorter distance views 54, 56, 58, 62).

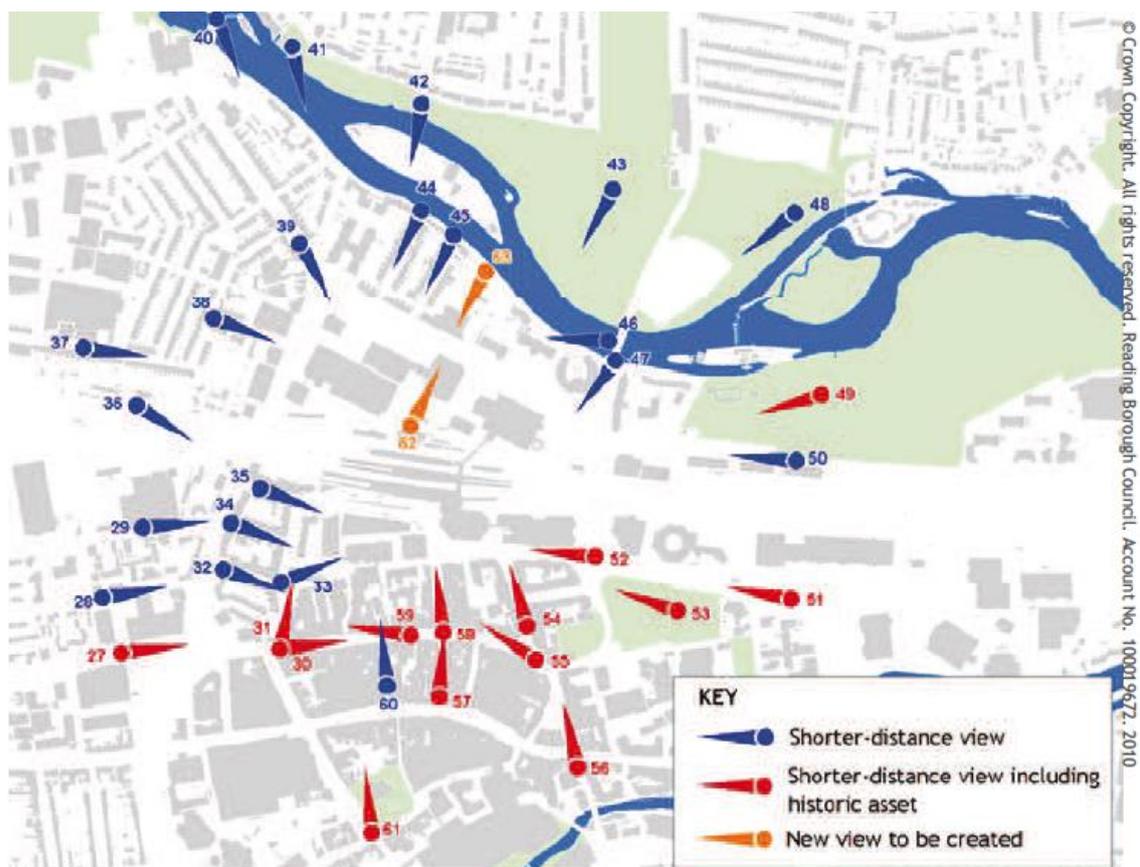


Figure 7.2 Shorter-distance views

Figure 1. Shorter-distance Views from RSAF (Fig.7.2)

6.71 RSAF guidance on height is set out in Figures 6.8 and 6.9. There are several caveats related to views:

- Benchmark heights are not guarantees and may be modified downwards where buildings affect important views (RSAF para. 6.24).
- Building heights should have regard for the qualities of buildings and areas of architectural and historic interest (RSAF para. 6.27).
- A transition zone should be formed towards the town's historic core with heights stepping down (RSAF 6.29).

North-South Route

- 6.72 The RSAF recognises the importance of north-south connections from the outset of the document (para.2.18). The guiding Principles (para. 3.6) include extending public access along north-south routes.
- 6.73 The 'Kennet-Thames spine' is identified as a 'major city spine' (para. 5.9, page 26) and a '*public realm priority*' (para.5.6, page 25) (and Figure 5.1). It is '*the most significant movement corridor in the RCAAP*' and '*vital to the success of development in this area*' (5.9, page 26).
- 6.74 RSAF Figure 8.2 (page 45), the Framework Structure, shows the North-South link as the only '**major path/pedestrian link**' with a direct link across the Appeal Site between two public spaces or important intersections at either end of the site.
- 6.75 The RSAF recognises the SSE site presents a key strategic planning challenge because it acts as a '*major barrier to pedestrian movement*' and '*blocks direct access from the Station to the riverside footpath and cycleway*' (para.2.18, page 14).
- 6.76 The RSAF emphasises the strategic nature of the route (RSAF paras 2.18, 3.6, 5.6, 5.9, 5.17, Figures 8.5, 8.6) through the Appeal Site, which should be direct and legible (RSAF paras 5.9, 7.10, Figures 5.5, 8.5. 8.6).
- 6.77 The RSAF recognises the importance of north-south connections from the outset of the document, including '*large retail and post office sheds to the north of the tracks*' (CR11e), which act as one of several '*major barriers to pedestrian movement*' blocking direct access from the Station to the riverside footpath and cycleway (para. 2.18). It is '*the most significant movement corridor in the*

RCAAP' and 'vital to the success of development in this area'. RSAF Figure 8.5, the Framework Structure, shows the North-South link.

- 6.78 RSAF Paragraph 5.6 (and Figure 5.1) identifies 'the Kennet-Thames spine' as 'a major city spine' (para 5.9) and one of the public realm priorities. It is 'the most significant movement corridor in the RCAAP' and 'vital to the success of development in this area'. RSAF Figure 8.2, the Framework Structure, shows the North-South link as the only 'major path/pedestrian link' with a direct link across the Appeal Site between two public spaces or important intersections at either end of the site.

Public Realm

- 6.79 The importance of the public realm is emphasised within the 'Principles' section of the RSAF (paragraph 3.6):

"The redevelopment of large sites provides the opportunity to secure landscaped public space and to extend public access. The layout of these will incorporate east-west and north-south routes to enhance movement and linkages across the area, whilst the construction of a pedestrian/cycle bridge linking the Area to Christchurch Meadows will further integrate and ensure good accessibility to adjoining open spaces."

- 6.80 The RSAF states the creation of a quality public realm should be the foremost consideration in bringing forward development proposals. This should be a key destination, integrated into the fabric of the centre, and the vision for the area is dependent on a high quality of public spaces (RSAF para.5.1).
- 6.81 RSAF aims (para. 5.4) include 'stitching together' the various development sites within the Area both physically and visually.

Heritage Assets

- 6.82 The RSAF when considering the heritage context of the immediate area reinforces the importance of the station to Reading in Para 12.6.

The grade II listed Station building is one of Reading's most prominent historic buildings. The Station Area Framework therefore places the building at the centre of the strategy for the area.

Reading Tall Buildings Strategy (RTBS) [CD7.44]

- 6.83 The Reading Tall Buildings Strategy was prepared in 2008 to determine which locations in Reading would be appropriate for the development of tall buildings. It identified three areas, one of which is the "Station Cluster", as preferred locations for tall buildings, noting "that the entirety of these areas would not be appropriate for tall buildings both in terms of potential environmental impacts, and also with regard to market demand" (p.1).

Historical Assets & Conservation

- 6.84 Section 4.5, Historical Assets & Conservation (page 19) makes clear that:

The prospect of locating tall buildings within the Reading central area will clearly need to be mindful of the sensitivity of the historic core area, but there is an opportunity to consider locations in close proximity in order to re-establish an architectural focus that might contribute to efforts to more clearly express the significance of the surviving medieval urban form.

- 6.85 Para 6.3 of the Reading Tall Buildings Strategy sets as a general principle that "All tall buildings proposals should ... avoid detrimental impacts upon conservation areas and listed buildings ...". Para 6.2 states that general principles "are good practice which should always be adhered to when developing tall buildings".

- 6.86 Accordingly, while the RSAF and the RTBS allow for the possibility of tall buildings on the site of the proposed development, this does not enable consideration of the impact of development on the site to set aside the issues relating to heritage. Indeed, both documents reiterate that development of tall buildings will still be expected to avoid harm to listed buildings and conservation areas.

Visual Context

6.87 Section 4.6, Visual Context (page 19), recognises that tall buildings can significantly alter the skyline as experienced by viewers. They can enhance certain views, providing a focal point, or detract from others, forming an unsympathetic backdrop to important townscape features.

6.88 The study identified 'key views' within the visual envelope including:

- *Views within central Reading of designated townscapes or townscape features which are integral to the creation of character.*

6.89 Views within central Reading which, by virtue of the townscape pattern and topography are of a pleasing composition e.g., well framed, panoramic or are focused by a large scale, distinctive feature.

Station Area Cluster

6.90 RTBS Figure 5.1 defines three 'Preferred Tall Buildings Locations' including a 'Station Area Cluster'. The Appeal site lies in the north west quadrant of the Station Area Cluster. These are 'areas which have been identified as suitable for the introduction of tall buildings' (para.6.1). However, the RTBS emphasises that 'it would not be acceptable for the entire area to be developed with buildings over ten storeys' (para. 6.1 page 40).

Character areas

6.91 RTBS Figure 4.1 describes 26 Character Areas (CA) assessed as part of the study. Eight CA are identified as areas with '**some** townscape capacity for tall buildings' (page 13). Six of the eight are proposed as preferred tall building locations (Figure 5.1).

- West (CA15 and 16).
- East (CA21).
- Station Area Cluster (CA1, CA2 and CA22).

- 6.92 The RTBS Character Area selection criteria are given at RTBS page 12:
- Architectural style.
 - Urban grain and townscape scale.
 - Presence of townscape designation.
 - Townscape condition.
 - Key views.
- 6.93 These criteria have clearly been applied very loosely to define CA22, which includes high-bay retail sheds, extensive at-grade retail car parks, a multi-storey station car park, low-rise residential riverside blocks, an electricity transmission station, a post office sorting depot and office tower.
- 6.94 The diverse urban character of CA22 clearly underlies caveats in the study conclusions that 'the entirety of these areas would not be appropriate for tall buildings' (RTBS page 1) and the areas are 'broad and strategic' (page 13).
- 6.95 The conclusions to the Townscape Assessment point to 'localised variations in appropriateness' (Appendix 1 4.1 page 83):
- There are character areas which by virtue of their townscape condition, urban grain, existing building height and absence of historic designations, have been determined to have some capacity for the development of tall buildings. Although the character area boundaries have been drawn around areas with similar character, in terms of suitability for the development of tall buildings (with respect to townscape character) there are **localised variations in appropriateness**. These localised variations are highlighted within the character area descriptions. It is therefore **key that Figure 1.2 is read alongside the character area descriptions**.*
- 6.96 The RTBS broadly encourages tall buildings in parts of CA22 and the Station Area Cluster - provided further conditions are met. However, this should not be misread as a general encouragement for tall building development across these areas. Greater selectivity needs to be exercised and the RTBS sets out in more detail how this should be approached.

6.97 The RTBS includes two related assessments of CA22 (the similar spread sheet form of these sometimes makes then difficult to distinguish from one another).

Summary 'Analysis of Character Areas' including CA22 (section 5.1)

6.98 Using baseline information collected, the RTBS offers an analysis of the potential for developing 'tall' buildings in each of the character areas defined.

6.99 This is in the form of two related findings in the table on page 37. The first row describes 'townscape sensitivity to the inclusion of tall buildings' and the final row analyses 'suitability as a location for tall buildings'.

6.100 There is no weighting for any of the criteria considered. All criteria are judged to be of equal importance for the purpose of this assessment.

6.101 CA22 is assessed as a low townscape character sensitivity (against townscape character sensitivity set out at Table 2.1) as follows:

Low: The large block size which exists within the character area and the absence of any key views or visual focal point makes this an appropriate location for tall buildings. However it is proposed that tall structures should not be developed along the north and western boundaries of the character area as these boundaries are shared with small scale residential areas. any proposed built form should respond in terms of height and scale to the residential area. The tallest structures should be located to the south of the character area, adjacent to the railway line. In this area the townscape features are larger scale, and adjacent to large scale features outside of the area e.g. existing station buildings, Thames Tower and Western Tower

6.102 For CA22, the report concludes:

Suitability as location for tall buildings: High: The large block size which exists within the character area and the absence of any key views or visual focal point makes this an appropriate location for tall buildings. There are no key views which could be blocked by development of tall buildings. In order for tall building development within this area to be viable in terms of market considerations, there would need to be associated public realm enhancements and enhanced accessibility to improve market perception of the area.

6.103 The assessment is crystal clear:

- Tall structures should not be developed along the north and western boundaries of the character area.
- The tallest structures should be located to the south of the character area, adjacent to the railway line.
- The proposed built form should respond in terms of height and scale to the adjacent residential areas.

6.104 Further details of the adjacent residential areas are given in the assessment of CA12 Caversham, immediately to the north of the Appeal Site. This is assessed as an area with **High** sensitivity to the inclusion of tall buildings- due to the low rise, small scale residential character which predominates (RSAF Appendix 1, page 19).

6.105 Table 2.1 at Appendix 1 also makes clear in terms of townscape sensitivity to the inclusion of tall buildings that:

'However it is proposed that tall structures should not be developed along the north and western boundaries of the character area as these boundaries are shared with small scale residential areas. Any proposed built form should respond in terms of height and scale to the residential area. The tallest structures should be located to the south of the character area, adjacent to the railway line. In this area the townscape features are larger scale, and adjacent to large scale features outside of the area e.g. existing station buildings, Thames Tower and Western Tower.' (RTBS Table at page 47)

RTBS 2018 update (CD7.45)

6.106 This Update reconfirms that CA22 has a **low** townscape sensitivity to tall building development due to the absence of any key views or visual focal points whilst development should respond in terms of height and scale to the adjacent residential area, with tall structures being located to the south of the CA22, adjacent to the railway line.

RTBS design principles

6.107 The Appeal Proposals fail to adhere to best practice principles of design set out at RTBS section 6.2 Principles, 6.3 general Principles, and 6.4 Site Specific Principles. There are three elements to the guidance:

- General principles.
- Tall building typologies.
- Site specific principles.

6.108 The general principles define three tall building typologies which are key to understanding the appropriate approach to the Appeal Site.

***The Supplementary Tower** within the Context of Existing Tall Development: Such developments are usually attached to high capacity infrastructure associated with the existing development and consolidate a cluster of tall development. This typology is potentially the least complicated to integrate into existing urban patterns.*

***The Solitary Tower:** The development of single tall buildings within the context of smaller buildings reflects some of the issues and problems associated with the residential tower block model of the 1960's. However certain sites, such as those that terminate vistas or mark distinct areas of the city and a solitary tower can contribute positively to the skyline.*

***New Clusters of Tall Buildings:** Usually within the context of comprehensive redevelopment / regeneration projects, the creation of new clusters of tall buildings is widely accepted as the most positive means of introducing tall forms into the skyline of a city. As well as making for more efficient public transport systems, clustering tall buildings can have distinct advantages in terms of design, infrastructure, and townscape quality.*

6.109 A careful reading of RTBS analysis of character areas comes down strongly in favour the 'new cluster' typology for the CA22 character area, including the Appeal Site. There is some degree of accord with the supplementary tower typology in reference to Thames Tower and the (now demolished) Western Tower on the south side of the railway.

6.110 RTBS section 6.3 general principles preamble confirms that tall buildings should:

- Make a positive contribution to the character of the centre of Reading - and should not be allowed on the basis that they do not 'detriment the character of Reading'.
- Make a positive contribution to views into the centre of Reading.
- Be of the highest design quality - mediocre buildings are unacceptable.

City Centre Framework 2008 (CD7.46)

- 6.111 The City Centre Framework of 2002 and updated in 2008 (referenced at paragraph 5.3.7 of Local Plan) *'provided the basis for much of the Central Reading section of the Local Plan'*.
- 6.112 The Framework provides guidance on the integration of tall buildings to *'Create Positive Visual Impact'* (City Centre Framework 2008, page 20), which must be considered from several perspectives (as reflected in Local Plan 5.3.42):

'for distant views, consider the overall silhouette of the building mass; for mid-distant views, the buildings overall composition and detailed design are perceived in balance - the hierarchy of and articulation of elevations are particularly important; and in local views the quality and detail of architectural and landscape design are of particular importance and the impact of the building on the immediate surroundings must be considered - the scale and visual prominence of tall buildings demands particular attention to detail, quality of materials and robustness of construction design and quality'.

- 6.113 City Centre Framework Figure 3.2 (page 25) illustrates the key issues and opportunities to be addressed in re-development of the Station and Riverside area including a *'requirement to protect the character of the adjacent low density residential areas'*.

Sustainable Design and Construction SPD (CD 7.7)

- 6.114 This refers to the use of large canopy trees in 5.4 where, in listing the benefits of trees, states:

'The preference will be to, where possible, use large canopy species that provide more benefits for climate adaptation'

National Planning Policy and Guidance

Promoting Sustainable Transport

- 6.115 Applications (para.112) for development should: (c) create places that are safe, secure and attractive—which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

Achieving appropriate densities

- 6.116 The NPPF Section 11, Making effective use of land includes a subheading on achieving appropriate densities and this part includes a statement on daylight in its paragraph 125, which states:

'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

Achieving Well-Designed Places

- 6.117 NPPF Section 12, Achieving well-designed places, sets out policy on design matters.
- 6.118 The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve (para. 126). The National Design Guide (see below) clarifies that *'beauty in a place may range from a long view down to the detail of a building or landscape'*.
- 6.119 The NPPF Para 129 states that Design codes should consider the guidance contained in the National Design Guide and the National Model Design Code. Significant weight should be given to (a) development which reflects local design

policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes (paragraph 134).

- 6.120 Planning decisions should ensure that (a) developments are visually attractive because of good architecture, layout, and appropriate and effective landscaping; (c) sympathetic to local character and history, including the surrounding built environment and landscape setting; and (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit (paragraph 130).
- 6.121 Applicants and local planning authorities should work together with highways officers and tree officers to ensure that the right trees are planted in the right places (paragraph 131).
- 6.122 Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (paragraph 134).
- 6.123 In determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 197c).

Meeting the challenge of climate change

- 6.124 The NPPF ((154b) p45) is specific in requiring new development to reduce GHG emissions through:
- 'its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'*
- 6.125 Paragraph 157 (p46) states that In determining planning applications, local planning authorities should expect new development to:

*'a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.'*

Heritage

- 6.126 The NPPF at paragraph 189 states that heritage assets *"are an irreplaceable resource, and should be conserved in a manner appropriate to their significance"*.
- 6.127 NPPF (paragraph 199) requires that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.128 This can be seen as responding to the legal duty to have special regard or attention to the preservation of listed building and conservation areas and extending such weighting to all designated heritage assets.
- 6.129 Significance is defined by the glossary of the NPPF as:
The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting
- 6.130 The NPPF (para 200) requires that any harm to the significance of a designated heritage asset should require clear and convincing justification. Para 202 continues that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*.

6.131 The policies of the NPPF only recognise two categories of harm to designated heritage assets:

- Substantial Harm: the PPG on Historic Environment July 2019 (CD7.37) para 018¹ advises that *“in general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting”*.
- Less than Substantial Harm: this covers all other harm. The PPG (CD7.37), para 018, explains that *“within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated”*.

National Design Guide

6.132 The National Design Guide [CD7.17] confirms well-designed places come about through making the right choices at all levels, including the three-dimensional form and scale of buildings. The Design Guide is structured around ten characteristics of a well-designed place. Of relevance to height, scale and massing are:

- *Context C1: Understand and relate well to the site, its local and wider context (NDG para.41) including the form and scale of existing built development (first bullet).*
- *Context C2: Value heritage, local history, and culture, including enhancing the setting of heritage assets (second bullet).*
- *Identify I1: Respond to existing local character and identity including (NDG para.52 the characteristics of the existing built form (second bullet) and the ‘height, scale and massing and relationships between buildings’ (sixth bullet),*

¹ Paragraph: 018 Reference ID: 18a-018-20190723

'the scale and proportions of buildings' (tenth bullet) and 'the scale and proportions of streets and spaces' (twelfth bullet).

- *Identity I2: Well-designed, high quality and attractive places and buildings including adopting typical building forms and drawing on building proportion precedents (para. 56 first and second bullets) and 'how buildings meet the ground and sky' (fourth bullet).*
- *B2: Appropriate building types and forms including using the right mix of building types, forms, and scale of buildings (para.67), the height of buildings (para.69 second bullet). B2 also makes specific reference to tall buildings (and other 'buildings with significantly larger scale than their surroundings') at paras. 70-71. Tall buildings require 'special consideration' including their location and siting, relationship to context, impact on local character, views and sightlines and composition, how they meet the ground and sky, and environmental considerations (sunlight, daylight, overshadowing and wind). They need to be 'resolved satisfactorily' in relationship to the context and character (para. 71).*

6.133 NDG para. 20 states good design involves careful attention to buildings as components of places, but also the *'context of places and buildings'* and *'hard and soft landscape'*.

6.134 The characteristics of well-designed places include Context and Public Spaces (para.37). Well-designed places understand and relate well to the site, its local and wider context (Context C1, page 11). Well-designed new development is integrated into its wider surroundings (para.43) and based on an understanding of built form patterns, including local precedents for routes and spaces and the built form around them (para. 43 second bullet) and public spaces- including their characteristic landscape design details, both hard and soft (fifth bullet).

6.135 Well-designed new development is influenced by the scale and proportions of streets and spaces (para. 53 twelfth bullet), hard landscape, and street furniture (thirteenth bullet).

6.136 The NDG promotes a coherent development pattern with recognisable streets and other spaces with their edges defined, making it easier to find their way around and promoting accessibility (para.63).

6.137 Paragraph 70 of the National Design Guide relates to the impact that tall buildings can have on their surroundings and states:

'Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.'

- 6.138 Successful development depends on a movement network that connects destinations and places and functions efficiently (para.77). A clear layout and hierarchy of streets and other routes help people find their way around (para.80).
- 6.139 Prioritising pedestrians and cyclists mean creating routes that are safe, direct, convenient (para. 82). For pedestrians and cyclists, direct links create good connections to public transport and promote active travel, particularly where they are along routes with low levels of vehicular traffic.
- 6.140 Safe and direct routes with visible destinations or clear signposting encourage people to walk and cycle (para. 83).
- 6.141 The quality of the space between buildings is as important as the buildings themselves (para.99, page 30). Well-designed public spaces (para. 100) include well-located spaces and a hierarchy of large to small spaces, including parks, squares, greens, and pocket parks.
- 6.142 The success of well-designed public spaces depends on them being fit for purpose; attractive places people enjoy using (para.101). High-quality public spaces include natural elements such as trees (para.103).
- 6.143 The design should provide 'reasons for people to enter into the space, for an activity or destination or because it is on a natural desire lone of direction of travel' (para. 105 fourth bullet).
- 6.144 Paragraph 126 sets out that the quality of internal living space needs careful consideration in higher density developments, making clear that daylight and external amenity space are important.
- 6.145 Paragraph 130 deals with external spaces and makes clear that they must be fit for purpose and that considerations include sunlight and shade.

- 6.146 Paragraphs 138 to 141 set out various issues pertaining to climate change and reducing the need for energy.

National Model Design Code (NMDC) [CD7.18]

Part 1

- 6.147 The NMDC1 sets a '*baseline standard of quality and practice*' which local authorities are expected to consider when determining planning applications (NMDC1 para. 11).
- 6.148 Well-designed places should be accessible and easy to move around. This can be achieved through (among other things) a connected network of streets and the promotion of walking and cycling (para. 50).
- 6.149 The height of buildings is a '*key element of the design code*' (para. 52 viii).
- 6.150 Codes need to make provision for tall buildings (para. 52 ix) including '*restrictions on height*' in some areas and, in most areas, '*zones where taller buildings can be considered*' or circumstances where '*exceptions to height coding*' may be considered.
- 6.151 The identity of an area (page 24) comes from built form, public spaces and the design of buildings. The code describes various '*components*' (para. 53) with separate reference Tall Building Design Principles (page 24):

'Top: Consider the impact on the skyline. Services need to be concealed, and both the street views and the long views need to be considered.

Form: Should be well-proportioned in terms of slenderness when viewed from all frontages.

Materials: The use of materials to be consistent and simple.

Base: Consider following the building line at street level, which may require a base to the building that is scaled to the surrounding buildings.

Public realm: Public spaces around the base to be generous, well designed and contribute positively to the local context.

Entrance: The entrance needs to clearly marked.

Micro-climate: Needs to be considered in terms of overshadowing and wind. It may be necessary to protect the surrounding public realm from down draughts.

Active frontage: If required by the design code the ground floor of the tall building needs to include active frontages.

- 6.152 The quality of public spaces is partly about the way it is designed and partly about the way it is enclosed (para. 54, page 26). The Guide points to a hierarchy of streets and how the character and form might change by area type (Figure 10) and position in the street hierarchy (Figure 28).
- 6.153 Connected places: All schemes should contribute to the creation of an integrated, walkable and safe street network (para.59i):
- 'Active Travel: New development should contribute to the creation of well-lit, direct and overlooked pedestrian and cycle routes' para. (59ii)*
- 6.154 In terms of identity (para. 62, page 32) all schemes should be designed to respect and enhance the existing character of the area.
- 6.155 The document sets out standards that could be included in local plans or design codes. Among these is (paragraph 65(iii)) which states: *'Lighting, aspect and privacy: All habitable rooms should receive adequate levels of daylight. Single aspect north-facing dwellings should be avoided'.*
- 6.156 The guidance notes, at paragraph 114, state that *'Building height may also have an impact on local environmental conditions in neighbouring properties, amenity spaces and public spaces in terms of daylight, sunlight, overshadowing, wind and micro-climate. The placing of tall buildings needs to maximise user comfort of spaces between buildings by taking into account their impact on orientation and overshadowing of public and private spaces'.*
- 6.157 Paragraph 187 goes on to give various health effects of design including *'The built environment has a significant impact on people's health and wellbeing...There are also specific elements relating to the impact of the design of homes and buildings that affect wellbeing including daylight'.*
- 6.158 Finally, Paragraph 188 states:
- 'Good quality housing creates a pleasant indoor environment with adequate levels of natural lighting, and sunlight, without problems of overheating, good quality ventilation, privacy from overlooking and minimal noise impact.'*

NMDC Part 2

6.159 Active Travel (M2) states that streets should be designed so that everyone can use them and benefits the whole community (para.36, page 10). This should be a 'golden thread' running through a scheme. It is about making walking and cycling easy (para.32 page 10). This is spelt out at M2i:

'Walking and cycling. For local journeys, this means creating continuous, caller relatively direct and attractive walking and cycling routes both within a large site and into the surroundings.' (para.34 page 10)

6.160 Within the Nature chapter N.3.iii Street Trees, Point 27 'Position' states:

'Careful positioning to allow space for the mature trees without causing obstruction or interfering with property, infrastructure, street lighting or junction sightlines'...

and N.3.iii Street Trees, Point 27 'Function' states:

'Ensure street trees and green infrastructure provide for a range of functions and benefits...'

6.161 The Public Space chapter (page 49) sets out guidance for different types of streets and public space relating to a hierarchy of routes and spaces and drawing upon Design Manual for Streets.

6.162 All streets need to balance the dual functions of movement and places (P1).

- Primary Streets, Arterial and High Streets
- Local and Secondary Streets
- Tertiary Streets

6.163 Primary Streets (P1i) are the main routes carrying traffic through settlements (such as Caversham Road and Vastern Road). The Design Code provides detailed design guidance in such streets, including setbacks (page 52). The setback of buildings will vary by area type: For city and local centres and high

streets, there may be little, or no setback and this would normally be a zone for outdoor seating or displays. For other area types, the setback may be substantial. Street trees can create a sense of enclosure where buildings do not provide enclosure.

6.164 Principles of public space design (para. 62) include:

- Public spaces need to be appropriately sized, proportioned, and informed by suitable precedents.
- Enclosure: The size of a square is informed by the scale of surrounding buildings

6.165 With regard to Tall Buildings, the Code states tall buildings can be considered in design codes, and it may be appropriate to include criteria for the locations of tall buildings (para. 116). That is clearly the case in relation to the Station Area and the Appeal Site.

6.166 The Code provides a definition of a tall building (for the purposes of design codes) that is at variance with the Local Plan and RTBS.

'A tall building for the purpose of the code would be any structure that exceeded the general height guidance for a particular area type.' (NMDC Pt 2 para. 117, page 39)

6.167 The Code states the policy on the location of tall buildings is likely to be part of the Local Plan (as with LP CR10 and cross references to RTBS and RSAF for further details).

6.168 Figure 44 (page 39) lists tall buildings principles to be taken into account in devising tall building policies:

- Topography.
- Characterisation studies.
- Heritage assets, local historic character, and conservation areas.
- Transport accessibility.
- Identified long views and skylines to be protected.
- Sensitive local views, vistas and gateways.

- 6.169 Figure 45 (page 43) suggest 'Vista ends' - using taller buildings and architectural expression on buildings that close a visa along a street or square.
- 6.170 The NDC chapter on Identity (page 48) emphasises tall buildings are, by their nature, one offs. Because of their prominence, they need to be '*designed to the highest architectural quality*'.
- 6.171 Section 49 (page 48) repeats- and therefore emphasises- Tall Building Design Principles set out in the NMDC Part 1 (page 24).

Historic England HEAN 4

- 6.172 This note ('HEAN4') was revised and updated in March 2022 (CD7.24).
- 6.173 Planning applications need to be supported by enough information so that the impacts of the development upon the historic environment can be properly understood (NPPF paragraphs 43 and 194) and dealt with speedily (para. 2.6).
- 6.174 If a tall building is not in the right place, by virtue of its size and widespread visibility, it can seriously harm the qualities that people value about a place (3.2).
- 6.175 Factors that need to be considered to determine the impacts a tall building could have upon the historic environment (para. 3.3) include:
- Visual: the impact on the streetscape, town or cityscape and wider urban and rural landscapes, and views. This includes the setting of heritage assets.'*
- 6.176 Design frameworks (para.4.4) should consider '*Important features such as views, skylines*'.
- 6.177 The guidance defines and distinguishes between 'setting' and views:
- **Setting** is more comprehensive and can include contextual elements which deal with the relationship of an asset to its surroundings both in the present

and in the past. This includes the way a heritage asset or place is experienced and perceived today.

- **Views** are a more defined element of setting, and not every heritage asset will have significant views associated with it. Nonetheless, views can make a vital contribution to the setting of heritage assets and constitute part of an asset's significance, for example Liverpool's Cathedrals, Oxford's 'dreaming spires' or London's protected views of St Paul's Cathedral, the Palace of Westminster and the Tower of London.

6.178 Strategically planning for tall buildings in clusters can bring townscape benefits while avoiding or reducing the potential impacts upon the historic environment. The guidance notes that establishing a consolidated form of tall buildings as a cluster can bring some benefits if it is well-defined, well-designed, integrated, and managed (para. 4.16). However, *'without careful consideration and long-term management there is a risk that the cluster could sprawl'*.

6.179 The guidance supports the development of tall building clusters:

'Establishing a consolidated form of tall buildings as a cluster can bring some benefits if it is well-defined, well-designed, integrated, and managed. (para. 4.16).'

6.180 Clusters that are *'appropriately managed as an integrated whole'* can deliver high densities while minimising cumulative impacts that may be harmful to the historic environment. Policy and design guidance can be used to enable the curation of the cluster. However, without careful consideration and long-term management *'there is a risk that the cluster could sprawl'* (para.4.16).

6.181 The selection of viewpoints for appraisal can make use of both 'fixed views and 'kinetic or 'dynamic' views (para. 5.9). Kinetic views allow a more experiential representation of the potential impacts by indicating how moving through a place can change the visibility of a tall building. Kinetic views can allow an appreciation of hidden and revealed views which often add interest to character of an area and can improve the appreciation of the historic environment. These can better reflect the experience of heritage assets and their settings.

6.182 Guidance on mitigation (para.5.10):

- Locating taller elements of a development on less sensitive parts of a site, by carefully considering layout;
- Creating a human scale experience by setting tall buildings back from the street and/or ensuring that the base of the tall building enhances or better reveals heritage assets, historic street patterns and spaces;
- Designing the tall building to be sympathetic within the local context using materials, massing, and discrete or subtle architectural and functional features;
- Minimising the bulk of tall buildings, especially at their tops, to help reduce the overall perception of mass; and
- Designing the tall building to take account of the profile and silhouette of a cluster, and prominence of the cluster within the historic town or cityscape.

6.183 The HEAN4 guidance Case Study 6 (page 21) refers to the Reading Local Plan (2019) and policy CA10 as an example of best practice in relation to the development of tall building clusters.

7 THE COUNCIL'S CASE

- 7.1 Whilst mindful of the guidance within the Annex of the Inspector's Preconference note to avoid duplication with other witness's evidence, this section provides a succinct summary of the Council's case specifically in respect of identifying the conflicts with the Development Plan. After each reason for refusal is referenced, specific sections of witness's evidence are identified, where such matters are detailed in full. This assists in beginning the process of consideration of the planning balance as a whole, as detailed later in section 9 of my evidence.
- 7.2 For ease of reference each reason for refusal is considered in turn. Prior to this, aligning with the format of the Appellant's SoC (paragraphs 5.6 – 5.15), initial comments concerning Housing Need within Reading Borough and the likelihood of Affordable Housing Provision on the appeal site are made.

Housing Need

- 7.3 Policy H1 of the Reading Borough Local Plan (adopted November 2019) sets the housing requirement for Reading up to 2036. An objectively assessed need of 699 dwellings per year is identified, based on the Berkshire Strategic Housing Market Assessment. The H1 requirement is at least 689 per year, or a total of 15,847 over the plan period 2013-2036, based on the results of housing land availability work, with a shortfall of 230 dwellings in total over the plan period. A Memorandum of Understanding was signed by the four authorities within the Western Berkshire Housing Market Area (Reading, West Berkshire, Wokingham and Bracknell Forest) that agreed that Reading's unmet needs would be met within that area.
- 7.4 In paragraph 5.10 of the Statement of Case, the Appellant outlines the intention to interrogate the Council's housing land supply position. The most recent position was set out in the Annual Monitoring Report (AMR) 2020-21, published in December 2021, and this shows that the Council had 6.95 years' supply at 31st March 2021. An extract is included as Appendix E. This supersedes the

information referred to in paragraph 5.7 of the Appellant's SoC, which is derived from the AMR 2019-20. The most recent assessment does not assume any delivery on the appeal site within the five years. The Council is therefore able to comfortably demonstrate a five years' supply without the appeal site. The Appellants' SoC states in 5.10 that this is in large part dependent on delivery of Local Plan sites, but this is only true insofar as those sites have planning permission or a resolution to grant permission subject to Section 106. The identified five-year supply in the AMR 20-21 does not include any Local Plan allocations unless there is a planning permission or a resolution to grant permission.

7.5 The AMR 20-21 also includes a revised version of the Housing Trajectory, which sets out longer-term anticipated supply up to the end of the plan period in 2036. An extract is included as Appendix F. This shows expected total delivery of 17,473 over the entire plan period compared to the Local Plan requirement of 16,224. The target of 16,224 homes is higher than the H1 target of 15,847 because it also factors in need for residential care identified in policy H6 and student accommodation in relation to policy H12, using a methodology described in Appendix 1 of the Local Plan. This therefore shows that the Council is expecting to exceed total Local Plan requirements by 1,249 dwellings by the end of the plan period. This is sufficient to cover the shortfall in meeting identified needs of 230 dwellings and still result in an exceedance of over 1,000 dwellings. It assumes a contribution of 507 homes across the CR11e allocation within the plan period (634 dwellings, discounted by a lapse rate of 20%). It is worth noting in this context that the outstanding application on the former Royal Mail site (reference 182252), also within the CR11e allocation, would deliver 620 homes.

7.6 In addition, a considerable number of new permissions for residential development have been granted since 1st April 2021 (the end date for the housing land supply and Housing Trajectory information in the AMR) that are not accounted for in the most recent published information. In total, 670 additional dwellings have received planning permission or a resolution to grant permission on sites of 10 or more dwellings between 1st April 2021 and 28th February 2022. Applying relevant lapse rates (10% for planning permissions,

20% for prior approvals), this would mean an additional 569 dwellings over and above the exceedance identified in the Housing Trajectory. Details of these permissions are set out in Appendix G of the Council's Statement of Case [CD10.2.7].

7.7 Paragraph 5.9 of the Appellant's SoC refers to the revised standard methodology for assessing housing need, set out in Planning Practice Guidance, which in particular applies an uplift to authorities making up the main part of the 20 largest urban areas in England, including Reading. According to the Council's calculations, this would result in a need for Reading of 872 dwellings per year based on current figures. The Appellant correctly identifies that this will not apply in Reading until November 2024, five years after the adoption of the Local Plan. In the Council's view, it is therefore clear that it is not of particular significance for this appeal. Not only does it not apply until November 2024, but the input figures will have changed by that point anyway, and there is also considerable uncertainty around whether the methodology will change in that time, in particular with Census results due to start to emerge shortly. This view is confirmed in the appeal decision for the nearby 55 Vastern Road site [CD5.1] with the Inspector concluding in paragraph 188 that '*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.*'

7.8 The Council of course treats policy housing targets as a minimum, and welcomes developments that can contribute to boosting housing supply over and above that minimum as long as it accords with other plan policies and other material considerations. This is an allocated site in the Local Plan, and its redevelopment for a mix of uses including residential would help to meet a number of aspirations for the centre. However, based on the latest figures, it is not the case that the level of housing proposed in this application is required to meet housing requirements either over five years or in the longer term.

Affordable Housing Provision

- 7.9 The appellants set out in 5.13 to 5.16 of their Statement of Case that the Financial Viability Assessment shows that the scheme is currently unable to support an affordable housing contribution based on viability.
- 7.10 The Council's position is set out in paragraphs 6.9 to 6.17 of the Council's main Statement of Case.
- 7.11 The Main Statement of Common Ground at paragraphs 5.19 to 5.25 confirms that all outstanding matters are now agreed and that the Council raise no objection in relation to affordable housing subject to the inclusion of the agreed review mechanisms being included within the completed s106 agreement.

Reasons for refusal 1 and 2

RfR1. Scale, height, and massing

The Applicant has failed to demonstrate how proposed plot heights in excess of Local Plan and RSAF height and massing guidance will not result in unacceptable detrimental effects on the townscape, the surrounding area and the setting of public spaces, especially when considered in the context of cumulative effects with adjoining allocated, emerging and existing sites contrary to NPPF Section 12., the National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) Policies CR2, CR3, CC7, H2, CR10 and CR10(a), CR11 and CR11e, the Reading Station Area Framework (2010).

RfR2. Tall buildings

The siting, height and likely massing of proposed Tall Buildings within Plots A, B, C and D are bulky, harmful to the setting and the character of the surrounding area and public spaces and fails to achieve the high standard

of design expected of a Tall Building. This is contrary to contrary to NPPF Section 12, Reading Borough Local Plan Policies (2019) EN1, EN3, EN5, CR2, CR3 CC7, CR10, H2, CR11, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

- 7.12 From an urban design perspective, Part 2 of the Urban Design Proof of Evidence by Michael Doyle of Doyle Design LLP deals with RfR 1 and 2 together as set out at 1.5.1.2, and within Part 2 he methodically considers the background and policy context before analysing the proposal, identifying and detailing a series of shortcomings which when combined provide a robust expert evidence base for this reason for refusal. Section 1.5.2 summarises his findings within Part 2 and I draw primarily on those summaries and conclusions for the purposes of my proof.
- 7.13 Whilst the proposed development has scale as a Reserved Matter, the Parameter Plans to be approved at this outline stage propose development plot dimensions, the maximum buildings heights for each plot (or part thereof) and the minimum distances between plots. Therefore, the Council must consider whether it is appropriate for development to rise to these heights on the parcels proposed.
- 7.14 It is the expert view of Michael Doyle that the Appeal Scheme height and massing is based on a fundamental misunderstanding of what the Development Plan read in conjunction with RSAF requires.
- 7.15 He is clear in his view at 1.5.2.2 when he states that the 'three-fold approach' to density, height and massing in the RSAF has not been followed. The Appellant's approach is founded on a basic misunderstanding - that the maximum possible scale is generally supported - rather than conditional. The resulting building heights contradict RSAF guidance.
- 7.16 He also considers [1.5.2.3] that the Appellant - across the Illustrative Scheme, DAS, Design Code and Parameter Plans - has provided no adequate justification for exceeding benchmark heights and landmark building locations. In his view the design of the Illustrative Scheme was never intended to provide such a justification.

- 7.17 Mr Doyle then sets out at 1.5.2.4 that he considers the reasons for the reinterpretation and misapplication of the policy have not been presented, whilst the Illustrative Scheme (DAS Chapter 6) raises significant concerns that the development in accordance with the Design Code will result in harm.
- 7.18 He then sets out at 1.5.2.5 that he considers that the Parameter Plans and Design Code will not offer sufficient control at the Reserve Matters stage to ensure buildings and massing that is inherently capable of delivering buildings that are elegant in proportion and composition, as the Appellant claims (SOC Appx.2 para. 4.3.5).
- 7.19 At 1.5.2.6 he makes clear that he considers the approach to the Appeal Scheme conflates the two organising principles - benchmark and landmark heights - to the extent that they are dissolved into one.
- 7.20 He notes at 1.5.2.7 that the Appellant proposes tall buildings on all four development plots when height and massing guidance indicate that Plot A should be lower at the junction of Caversham Road/Vastern Road. This, he considers, detracts from the 'blister' massing concept and cluster of tall buildings centred on the station, erodes the 'station nexus' status, and limits legibility.
- 7.21 The policy requires the formation of a cluster of tall buildings centred on the station. The Appeal proposals are akin to a 'string' of tall buildings of similar heights extending westwards. He describes this, at 1.5.2.8, as a '**toast rack**' effect.
- 7.22 The policy requires that there be 'transition zones' between the cluster of tall buildings and the surrounding areas, with heights declining across the Appeal site from the railway northwards and from the station square westwards. At 1.5.2.9 he makes clear that he considers that the Appeal Proposals do not follow this approach with tall buildings on Plot A, the most westward and furthest from the railway. Guidance on scale and height along the northern and western site boundaries, adjacent to low-rise residential areas, has not been followed. The development does not respond in terms of height and scale, and the resulting scale of development will harm the setting and amenity of these areas.

- 7.23 At 1.5.2.10 he states that a brief analysis indicates there is little to suggest tall building development in the remainder of the town centre sets anything other than the most general precedent for the Appeal proposals within an area identified as potentially suitable for tall buildings. In his view, the example of 'The Blade' provides a clear lesson for integrating tall buildings into the townscape, including the setting of listed buildings and public squares.
- 7.24 Finally, at 1.5.2.11 he states that for reasons set out in more detail in his chapter on views, proposed tall buildings on plots C and D will intrude on views and harm the setting of the historic station entrance building and Station Square South. Further potential harm may result from the intrusion of buildings into views from Duke Street.
- 7.25 On this basis of the expert analysis undertaken by Mr Doyle in respect of RfR 1 and 2, I am drawn to the clear view that, for the reasons set out above, the development is considered to contrary to NPPF Section 12, the National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) Policies CR2, CR3, CC7, H2, CR10 and CR10(a), CR11 and CR11e, the Reading Station Area Framework (2010).

ii) Reason for refusal 3

RfR Views and townscape

The proposed siting, maximum heights, and likely massing of tall buildings within Plots C and D will appear bulky and over-dominant resulting in a detrimental impact on the skyline and harm to short and medium distance views including along Station Road, the setting of Station Square (North and South) and surrounding buildings and structures. Therefore, the development is contrary to NPPF Section 12, Reading Borough Local Plan Policies (2019) Policies CC7, H2, EN1, EN3, EN5, EN6, CR2, CR3, CR10 and CR10e, CR11 and Section 12 and 16 of the NPPF, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

- 7.26 As with RfR 1 and 2, from an urban design perspective, Part 3 of the Urban Design Proof by Michael Doyle of Doyle Design LLP deals with both RfR 3 [views and townscape] and 5 [heritage], and here he methodically considers the background and policy context before analysing the proposal, identifying and detailing a series of shortcomings which when combined provide a robust evidence base for those reasons for refusal. Section 1.5.3 summarises his findings within Part 3 where he makes clear that links back to RfR 3 (views and townscape) and has some overlap with RfR5 (heritage). I draw below primarily on those summaries and conclusions insofar as they relate to RfR 3 for the purposes of this part of my proof.
- 7.27 In summary, RfR3 details how two of the four proposed tall buildings will negatively impact the skyline and harm short and medium distance views in which listed buildings form a component part (the LPA's separate Proof of Mr Bridgland on RR5, heritage, separately details how tall buildings will impact on the significance of nearby listed buildings).
- 7.28 At 1.5.3.2 Mr Doyle sets out his conclusion that the height, massing and the likely appearance of Plots C and D will harm the view from Station Road and Square (South), the setting of surrounding buildings and structures (including listed buildings) and the Reading skyline.
- 7.29 At 1.5.3.3 he considers that the position and proposed height and form of tall buildings within Plots C and D are likely to result in buildings that will appear bulky and over-dominant in key views.
- 7.30 His 1.5.3.4 identifies that the station square (south) and the framing of the historic station entrance and clock tower are key visual components of a legible town centre environment. In his expert opinion the Appeal Proposals damage the quality, character, and visual amenity of the public realm, particularly Station Road, Station Square (South) and Station Square (North).

- 7.31 Mr Doyle makes clear at 1.5.3.5 that policy and guidance provide no presumption favouring tall buildings intruding into sensitive views, This, he states, is conditional.
- 7.32 At 1.5.3.6 he considers that the Appeal Proposals fail to take account of the RTBS findings and guidance, including 6.3 bullets 2 (skyline) and 4 (views) and more detailed guidance on Skyline and views (RTBS page 42) Public Realm (also page 42) RTBS Section 6.4 - site-specific principles for the Station Area Cluster.
- 7.33 With regard to tall buildings within Plots C and D he concludes at 1.5.3.7 that the siting, heights, and likely massing of will harm the setting of Station Square (North and South) and surrounding buildings and structures -and townscape as a whole- because they strike the wrong balance between continuity and enclosure of views and fail to create a coherent and attractive cluster of tall buildings framing the public realm. They do not, therefore, accord with LP CR10.
- 7.34 Mr Doyle considers at 1.5.3.8 by stating that he considers inadequate gaps between buildings result in an overly dense townscape, eroding the possibility that buildings may be viewed as individual forms framing views and public space.
- 7.35 Where a building is permitted to intrude into the view, the many design requirements (National Design Guidance, CR10, ENV1, EN3, EN5, RTBS, RSAF etc.) need to be met. This is entirely appropriate given the fact tall buildings are highly prominent. The Appeal Proposals fail to meet these requirements. The intrusion of buildings into views should not, therefore, be permitted.
- 7.36 With regard to the Appellant's LVIA (EA Vol. 2 Part 1A Townscape and Visual), Mr Doyle sets out at 1.5.3.10 that it provides an unsatisfactory basis to assess the likely impacts of the development on views adequately. Key assessment tools recommended in the recently published Historic England Tall Building guidance have not been employed. The Appellant has provided 'preliminary alignments' for some selected views. The 'photowire' views are considered unsuitable for the most demanding and sensitive contexts.
- 7.37 Finally, at 1.5.3.11 Mr Doyle sets out that the Appellant's Design Code Controls omit any direct reference to protecting views. The various controls offered will,

in his view, be ineffectual in exercising control over and protecting views at the Reserved Matters stage. Accordingly, if the principle of development coming forward in accordance with the Parameter Plans and Design Code is approved, by way of permission being granted for this outline application, this will permit development to come forward which will harm views, contrary to policy.

7.38 For these reasons, I conclude that in respect of RfR3, the development is contrary to NPPF Section 12, Reading Borough Local Plan Policies (2019) Policies CC7, H2, EN1, EN3, EN5, EN6, CR2, CR3, CR10 and CR10e, CR11 and Section 12 and 16 of the NPPF, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

iii) Reason for refusal 4

RfR - North-South Link

The development as proposed fails to demonstrate that satisfactory direct alignment and high-quality design and form of the north-south link can be provided in accordance with policy and guidance. Therefore, the development is contrary to NPPF section 12, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CR2, CR3, CR11, CR11e, CR11g, TR3 and TR4 and the Reading Station Area Framework (2010).

7.39 As with RfR 1 to 3 above, from an urban design perspective, Chapter 4 of the Urban Design Proof of Michael Doyle of Doyle Design LLP deals with the North-South Link. From sections 4.2 to 4.4 Michael Doyle methodically considers the background and policy context before analysing the proposal, identifying and detailing a series of shortcomings which when combined provide a robust evidence base for this reason for refusal. Section 1.5.4 summarises his findings within Part 4 and I draw primarily on those summaries and conclusions for the purposes of this part of my proof.

- 7.40 In summary, RfR4 details how the Proposals may not provide a direct alignment and high-quality design for the North-South Link from the Station to the River.
- 7.41 The North-South Link is a fundamental planning principle of the spatial strategy for Central Reading. A direct link requires coordination with the remainder of the Allocated Site CR11e and the development of the adjacent Allocated Site CR11g.
- 7.42 The RSAF recognises the importance of north-south connections. The 'Kennet-Thames spine' is identified as a 'major city spine' and a public realm priority.
- 7.43 The link is of strategic importance and high priority. The future alignment and form of the North-South Link are not matters of detailed design. Therefore, the fundamental characteristics of the strategically crucial North-South Link must be sufficiently resolved at the outline application stage- commensurate with its strategic importance and high priority
- 7.44 The link is strategic in nature and essential to the broader strategy for the area: This site's main priority (LP CR11 ii, Figures 5.1, 5.2). It is, therefore, central to the success of the Local Plan as a whole, the Reading Central Area, the Station / River Area, and the Riverside allocated site (CR11g).
- 7.45 At 1.5.4.6 Mr Doyle notes that the 55 Vastern Road Appeal decision approved an indirect alignment - only justified by the '*fundamental site constraints*' - in that case it was the fact the SEE was retaining a central area containing offices and high voltage equipment which were essential for operational purposes. The Vastern Park Appeal site is not subject to the same constraints. The development as proposed fails to demonstrate that a satisfactory direct alignment and high-quality design and form of the north-south link can be provided in accordance with policy and guidance (for the reasons set out in detail in the following chapters). The policies referred to in RR4 continue to apply in full.
- 7.46 Therefore, as he sets out at 1.5.4.7, as proposed, the development is fundamentally incompatible with the substance of what Policy CR11, in combination with other relevant policies within the Development Plan and the RSAF, seeks to achieve. Should this appeal be allowed, it would, in his expert

opinion, result in a north-south link that is of poor quality, which fails to provide a direct route to the Christchurch Bridge, fails to provide views through the scheme to the river and which would therefore be unsuccessful in enabling the area to the north of the station, within which the appeal scheme sits, to be successfully integrated into the central area, breaking down the barrier of the IDR, in accordance with the Council's spatial strategy for the area.

- 7.47 He continues at 1.5.4.8 concluding that the development as proposed fails to guarantee that a satisfactory direct alignment can be provided in accordance with policy and guidance. In his view the Appellant has not fully identified all land needed to provide the link. The proposed building plots directly conflict with the most direct alignments for the link- which extends diagonally from the station towards the 55 Vastern Road site entrance . If granted as per the parameter plans this would prevent a high-quality North-South link being provided across the site This essential matter requires resolution at the outline application stage.
- 7.48 At 1.5.4.9 he makes clear that the strategic significance of the North-South Link is such that it must be secured at this outline application stage, taking account of several scenarios for the development of the SSE site.
- 7.49 He goes on to state at 1.5.4.10 that in his view, legibility and wayfinding will be undermined by a failure to secure the most direct North-South Link and alignment of the Reading grid across the MOA. The potential misalignment of the North-South Link offers a complicated and unclear path that will be difficult to comprehend and, therefore, less attractive. The continuity of the link will be interrupted by unnecessary changes in alignment and shortened forward sightlines. Overall, the route will be unclear and illegible.
- 7.50 For these reasons he concludes at 1.5.4.11 that the Appeal Proposals do not support a comprehensive approach and result in a less coherent and legible public realm with direct access obstructed by a tortuous route. The Parameter Plans and Design Code do not satisfactorily resolve the form and alignment across the MOA.

7.51 For these reasons, I conclude that the development is contrary to NPPF section 12, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CR2, CR3, CR11, CR11e, CR11g, TR3 and TR4 and the Reading Station Area Framework (2010).

iv) Reason for refusal 5

RfR 5 - Heritage

By virtue of the proposed maximum height and siting of Blocks C and D the proposal would result in a detrimental effect on the setting of and therefore, the significance of the Grade II listed Main building of Reading General Station, the Market Place/London Street Conservation Area and the Grade II Town Council Chamber. The public benefits of the proposals are not considered to outweigh the less than substantial harm caused to the significance of these designated heritage assets. Therefore, the development is contrary to Reading Borough Local Plan (2019) Policies EN1, EN3, EN5, EN6, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010) and Section 16 of the NPPF.*

7.52 Reason for refusal 5 relates to the impact of Blocks C and D on a number of heritage assets. This reason for refusal is partly detailed within Part 3 of the Design and Townscape Proof of Michael Doyle of Doyle Design LLP but primarily within the Heritage Proof of Nick Bridgland which is supported by his Heritage Impact Assessment which forms his Appendix 2.

7.53 At paragraphs 6.13 to 6.17 of Mr Bridgland's Summary and Conclusions he sets out his view that the appellant's heritage impact assessment has a number of flaws, the consequence of which is a failure to set a clear understanding of the significance of the heritage assets, the assessment appears to focus on visual impact (regardless of its relationship with significance) and draws conclusions which cannot be readily followed.

7.54 The conclusions of his Heritage Impact Assessment are, firstly, that he has not identified any positive heritage impact arising from the proposals which might be considered to enhance the significance of the heritage assets; and secondly that he has identified the following harms [repeated at 6.19 of his Proof]:

- a moderate degree of less than substantial harm to the Main Building of Reading General Station (Grade II)
- a minor degree of less than substantial harm to the significance of Market Place and London Street Conservation Area
- a minor degree of less than substantial harm to the significance of and the Town Council Chamber and Offices with Clock Tower (Grade II*).

7.55 At paragraphs 6.20 to 6.22 he sets out his conclusions on the identified harm to each of these heritage assets and I have set them out below.

7.56 The Main Building of Reading General is listed at Grade II. It was built in 1865-7 as a replacement to Brunel's earlier Up Station. It dates from a period in railway development which saw the maturing of the railway network after the rapid expansion and innovation of the 2nd quarter of the nineteenth century. The combined incentives of civic pressure and commercial rivalry seems to have spurred the Great Western Railway Company to commission a building which took its place as a public building. Built to face out over a forecourt, attention was given to the detail of the façade and the silhouette with the prominent lantern clock tower. It also originally had finials flanking the pediment and ten well detailed chimneys which added further to its visual impact. The proposed development would introduce two tall buildings directly behind the station building when viewed from the forecourt, greatly reducing the prominence that the station was designed to have. He regards this as representing a moderate degree of less than substantial harm to this Grade II listed building. [Nick Bridgland paragraph 6.20].

7.57 The Market Place and London Street Conservation Area is focussed on one of Reading's key medieval streets, leading from the south into the town directly to the Market Place and the vicinity of the Abbey gates. It is a varied streetscape. North of the River Kennet it is essentially a medieval streetplan populated by later buildings. There is considerable variety of building styles in this part of the

conservation area but general consistency of scale and grain. Key views within this part of the conservation area are generally along the streets, particularly where they frame key buildings such as the Town Hall complex or the churches of the conservation area. The view north from Duke Street is an attractive one as the road winds slightly uphill toward Market Place with the tower of the Town Hall Chamber framed in the distance. Block D of the proposed development will intrude in this view directly behind the tower of the Town Hall Chamber. While this would not be the first modern building in this view, it would be the first to disrupt the traditional scale and grain seen here. This needs to be seen in the context of the significance of the conservation area as a whole and he regards this as representing a low degree of less than substantial harm to the conservation area. [Nick Bridgland paragraph 6.21].

7.58 The Town Hall Chamber and Offices with Clock Tower is a Grade II* listed building. It is Reading's most important historic civic building reflecting the energy and ambition of the Victorian authorities. It was constructed in 1872-6 to designs by Alfred Waterhouse, one of the leading architects of his generation. It is a highly distinguished building in terms of its design and ornamentation but also in how it responds to its place in the town. The tower, in particular, is visible from a number of key streets, including Duke Street/High Street, where it acts as a symbolic marker for the centre of the town. The appearance of the Block D in this view from Duke Street will reduce the ability to appreciate this carefully contrived landmark role of the Town Hall Chamber. In the context of the Town Hall Chamber's overall significance, he regards this as a low level of less than substantial harm to this Grade II* listed building. [Nick Bridgland paragraph 6.22].

7.59 Applying these findings against policy he finds [at 6.23 and 6.24] that by causing harm to the significance of these designated heritage assets means the proposals do not meet the requirements of the local plan policies aimed at safeguarding the historic environment.

7.60 Therefore at 6.23 he sets out that this is a proposal which:

- fails to protect or enhance the significance of heritage assets (EN1);
- fails to protect and enhance conservation areas (EN3);

- harms significant views with heritage interest (EN5); and
- is not sensitive to its historic context (EN6)

- 7.61 At 6.24 he continues, setting out his professional view that both Policy EN1 and paragraph 202 of the NPPF allow for harm to be justified through the other benefits of a scheme. This is part of the planning balance. However, as paragraph 199 of the NPPF states great weight should be placed on the asset's conservation and the more important the asset the greater this weight should be. The effected assets area all designated heritage assets and the Town Hall Chamber is listed at Grade II*. It is therefore of High value and any harm to it is significance should be accorded greater weight in the balance.
- 7.62 It is clear from Nick Bridgland's detailed heritage impact assessment that there will be harm to three heritage assets. I will undertake the necessary paragraph 202 assessment within the next chapter of my proof.
- 7.63 It is also clear from Part 3 and summary paragraphs 1.5.3.12 to 1.5.3.14 of Mr Doyle's Proof that he comes to a similar view as Mr Bridgland.
- 7.64 At 1.5.3.12 Mr Doyle concludes that the proposals fail to protect important views with heritage interest. They do not follow from an understanding of the visual qualities of the view of the historic station entrance building, which can be characterised as a significant view or vista. In particular, the setting of listed buildings and structures forming the setting of Station Square (South) will be harmed.
- 7.65 At 1.5.3.13 Mr Doyle considers that the Application Scheme is likely to be visible from the Market Place conservation area. He considers that the Appellant has not examined RSAF View 56 Duke Street and Market Place (because it falls outside the Appellant's view selection criteria, and a zone of visual impact appraisal was not undertaken). In addition he considers that alternative tall building locations, heights and forms have not been considered that might minimise or avoid harm through the intrusion of bulky tall buildings in views along Duke Street. Proper consideration of alternatives to avoid the effects altogether could and should have been undertaken.

- 7.66 Accordingly, the evidence in Mr Doyle's Proof supports and reinforces Mr Bridgland's and Historic England's concern that the appellant's application documents² long-range views of blocks C and D are not sufficiently explored regarding their relationship and impact on the view of the listed station building.
- 7.67 I therefore conclude that the development is contrary to Reading Borough Local Plan (2019) Policies EN1, EN3, EN5, EN6, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010) and Section 16 of the NPPF.

v) Reason for refusal 6

RfR 6 - Public Realm

The proposed siting of development plots, the public realm and vehicular access arrangements at the interface of the Development with Vastern Road, Caversham Road, and the remainder of the CR11e Allocated Site Station, (including integration with the North Station Square, fail to maximise and secure high quality public realm, make the most efficient use of the site, achieve effective permeability, and fail to adopt a comprehensive approach to the development of the Allocated Site. Therefore, the development is contrary to NPPF Section 12, Reading Borough Local Plan (2019) Policies, CC7, CR2, CR3 CR11 and CR11e, TR3, TR4 and the Reading Station Area Framework (2010).

- 7.68 As with RfR 1 to 5 above, from an urban design perspective, Chapter 5 of the Urban Design Proof by Michael Doyle of Doyle Design LLP deals with the Public Realm. From sections 5.2 to 5.4 Michael Doyle methodically considers the background and policy context before analysing the proposal, identifying and detailing a series of shortcomings which when combined provide a robust evidence base for this reason for refusal. Section 1.5.5 summarises his findings within Part 5 and I draw primarily on those summaries and conclusions for the

² In particular the Design Code [CD1.47], the Design and Access Statement [CD1.48-55] and the LVIA [CD1.9.13 and CD1.42]

purposes of this part of my proof.

- 7.69 In summary, RfR6 states the siting of development plots, the public realm and vehicular access arrangements at the interface of the Development with adjacent streets, squares and Allocated Sites fail to maximise and secure a high-quality public realm.
- 7.70 At 1.5.5.2 Mr Doyle concludes that the Vastern Road interface is diminished by a failure to facilitate the creation of a tree-lined avenue appropriate to this Primary Street. Development height and building setbacks in relation to street width result in unbalanced proportions and ratios, striking a discordant note with low-rise residential properties on the north side of Vastern Road.
- 7.71 He continues at 1.5.5.3 setting out that in addition of the Vastern Road interface, the east-west spine interface and the relationship to the adjacent development site (80 Caversham Road/Royal Mail Group) fail to maximise and secure a high-quality public realm. An unnecessarily wide street with a parallel road arrangement will not make the most efficient use of the site. He considers that the unsatisfactory and poor urban design results from a failure to adopt a comprehensive approach to development.
- 7.72 In his view, as set out at 1.5.5.4, the Appeal Proposals should play an essential role in framing Station Square (north) - a new 'town square'. The connections to the east-west link, the north-south spine, and the northern interchange fail to achieve the design quality envisaged in the RSAF.
- 7.73 At 1.5.5.5 he considers that the interface with Caversham Road is unsatisfactory, particularly towards the roundabout and junction with Vastern Road. The public realm implications of building too close to the highway, a complicated vehicular access and circulation arrangement and narrow pavements with no room for substantial tree planting create a poor gateway into the town centre and a poor western entrance into the CR11e Allocated site.
- 7.74 Accordingly, in his final conclusions on this RfR at 1.5.5.7, he considers that the proposed siting of development plots, the public realm and vehicular access arrangements at the interface of the Development with Vastern Road, Caversham Road, and the remainder of the CR11e Allocated Site Station

(including Square North) fail to maximise and secure high-quality public realm, make the most efficient use of the site, achieve effective permeability, and fail to adopt a comprehensive approach to the development of the Allocated Site as a whole.

7.75 Based upon his expert analysis and conclusions, I conclude that the development is contrary to NPPF Section 12, Reading Borough Local Plan (2019) Policies, CC7, CR2, CR3 CR11 and CR11e, TR3, TR4 and the Reading Station Area Framework (2010).

vi) Refusal reason 7

RfR 7 - Daylight/Sunlight (Existing and future residents)

The proposed development would result in unacceptable loss of daylight to existing residents at 17-51 Vastern Road and has not demonstrated whether acceptable living conditions (daylight and sunlight) could be achieved for occupants in the new development. In addition, it has not been adequately demonstrated how an acceptable level and quality of private and communal amenity space could be achieved for all future occupiers, whilst meeting appropriate levels of daylight and sunlight penetration. The proposal submission does not also include an assessment of the cumulative impact on the adjoining RMG site and the loss of daylight sunlight to the SSE site. Therefore, the development would be contrary to NPPF, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, H10, and CR10.

7.76 Although the proposal is in outline form the Appellant is seeking approval for a series of development parameters, which would result in setting various aspects such as minimum floorspace, development within specified footprints, min distances between blocks and maximum heights. Therefore, the suitability of the effects on daylight and sunlight within the context need to be properly considered to ensure that retained and proposed levels would be satisfactorily achieved.

- 7.77 This reason for refusal is dealt with by the Proof of Evidence of Dr Paul Littlefair, Associate Director, Lighting at BRE. In his proof he considers four main areas: daylight and sunlight to existing properties; cumulative impacts; daylight and sunlight to new dwellings; and, sunlight to open spaces. He makes clear that his assessment has been carried out against the guidelines in the BRE Report 'Site layout planning for daylight and sunlight: a guide to good practice'. At section 8 he sets out his conclusions and it is this section that I refer to here in my proof.
- 7.78 At 8.2 he concludes that the loss of daylight to some windows and rooms at 87-97 Caversham Road would be outside the guidelines, though the retained levels would be only just outside the recommended values. This, in his opinion, would count as a minor adverse impact. The proposed development to the south (Hermes/Reading Metropolitan) would cause an additional cumulative reduction, but not by much. Loss of sunlight would meet the BRE guidelines.
- 7.79 At paragraph 8.3 he concludes that the loss of daylight to 17-49 Caversham Road would be outside the BRE guidelines. This is classified as a major adverse impact to numbers 21-49 as all the windows at the front of the houses are affected including main living rooms, and the loss of light is well outside the guidelines. For numbers 17, 19 and 51 the loss of daylight is assessed as a moderate impact. There would be little or no cumulative impact from other proposed schemes, except for number 51 where the combined impact would be major adverse. Loss of sunlight would meet the BRE guidelines.
- 7.80 Turning to paragraph 8.4, he sets out that the Environmental Statement cumulative assessment did not consider loss of daylight to the Hermes/Reading Metropolitan scheme, or loss of daylight and sunlight to the SSE site across Vastern Road. He refers to the fact that James Crowley (on behalf of the appellants) has provided coloured plans indicating daylight and sunlight levels on the facades, but in his view these are not clear and omit one of the blocks on the Hermes scheme that would be affected. He considers that more detailed results should have been provided, particularly for the SSE scheme for which full plans are available. Overall, on this aspect, he concludes that the proposed Appeal Scheme will have some impact on the Hermes and SSE developments,

but it is not possible to tell how large that impact will be, or whether future residents of those sites would have adequate daylight with the Appeal Scheme in place. Results from the SSE (55 Caversham Road) planning submission indicate that some of the living rooms in that development would not meet minimum recommendations for daylight or winter sunlight, once the Appeal Scheme was built.

- 7.81 At paragraph 8.5 he sets out that a large number of living rooms in the proposed development are predicted to have limited daylight. CHP Surveyors have analysed worst case rooms on the lower floors of Blocks B and C. With the Hermes/Reading Metropolitan scheme in place, 112 (62%) of the 180 living rooms would not meet the minimum recommendation for daylight provision. For bedrooms, compliance rates are better, with 23 not meeting the recommended 1%.
- 7.82 In 8.6 he expresses the view that in principle it could be possible to improve daylight provision on these lower floors by altering the design. However, given the height of the blocks and the levels of mutual obstruction it is not clear whether this would be possible without compromising other requirements, such as those for privacy or private amenity space.
- 7.83 At 8.7 he sets out that sunlight provision in these rooms on the lower floors would be poor, with just 21 (12% of 180) living rooms and studios analysed meeting the BRE/BS sunlight recommendations with the 80 Caversham Road scheme in place.
- 7.84 Finally, at 8.8 he states that there are no existing gardens in which sunlight could be affected by the proposed development. Sunlight provision in open spaces in the proposed scheme itself varies, with most of the roof terraces and the courtyard to Block B appearing to meet the recommendation, while the courtyard and a roof terrace to Block C would not. Sunlight in the open spaces between Blocks A and B and between Blocks C and D would meet the recommendation; the space between Blocks B and C would probably not, but in the illustrative scheme it is planned to be a street thoroughfare for which sunlight provision would be less important.

7.85 He then concludes his evidence at 8.10 but stating that RfR 7 is justified for the following reasons:

- There would be a major impact on daylight to many of the dwellings at 17-51 Vastern Road;
- Analysis of an indicative scheme suggests widespread non-compliance with minimum recommendations for daylight and sunlight in the proposed dwellings;
- Most of the amenity space in one of the blocks, Block C, would be inadequately sunlit;
- The original submission did not include an assessment of loss of light to the RMG and SSE sites. Some data have now been provided but they are not clear.

7.86 On this basis of his conclusions, I consider that the proposal is therefore contrary to NPPF paragraph 125, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, H10, and CR10.

vii) Reason for Refusal 8

RfR 8 - Wind

It has not been demonstrated that the proposed development would result in an acceptable wind and microclimate environment, such that the mitigation measures as set out in the ES would not be sufficient to provide the required level of mitigation. This would create a harmful and unpleasant environment for users of the site. Therefore, the development would be contrary to NPPF, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, CR2, CR10, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010).

- 7.87 The Appellant's SoC assumes that this is not a matter in dispute. However, this is not correct and the application has been reported to the Council's Planning Applications Committee on 15 February 2022 where the Committee resolved to agree to 13 reasons for refusal of the proposal, were they in a position to determine the outline application.
- 7.88 As set out in the Council's SoC the wind study is not sufficient or robust. Important issues such as comfort criteria and mean gust speeds have not been correctly presented. The wind study indicates multiple areas of the site and beyond which are not proven to be acceptable for their intended purpose within the correct seasons for such uses. Although **the** predicted wind safety conditions are not considered by the Council's advisors to be credible, it would not be acceptable, on the basis of the Appellant's own evidence/studies, to assume that a more benign wind situation would in fact be created.
- 7.89 As set out in the Committee Report [CD3.1], Officers considered that the application has to be considered on the basis of the evidence provided to the Council. BRE concluded that the submitted evidence demonstrated that the predicted wind conditions would be so bad that the mitigation measures set out in the ES would not be sufficient to provide the required level of mitigation.
- 7.90 I am aware that at the time of writing my proof, this issue has not been concluded and I am therefore not in a position to express a final view on this matter. However, until these issues are adequately addressed, it is my judgement that planning permission should be refused as the current evidence demonstrates the development to be contrary to NPPF 2021, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021) and the adopted Tree Strategy.

viii) Reason for Refusal 9

RfR 9 - Landscape, trees and green network

The proposed layout, scale and quantum of development fails to demonstrate the satisfactory delivery of required landscaping principles, appropriate protection and retention of protected trees, and hence fails to demonstrate it will maximise opportunities to enhance the Green Network. Therefore, the development is contrary to NPPF 2021, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021) and the adopted Tree Strategy

- 7.91 Reason for refusal 9 relates to the impact of the proposed layout on landscape, trees and green network. This reason for refusal is detailed within the Natural Environment Proof by Sarah Hanson, Natural Environment Officer at RBC and in particular Section 6 sets out her case in respect of this reason for refusal. In addition, the RfR Public Realm section SoC of Michael Doyle SoC also covers this issue as set out at his Section 5.
- 7.92 At paragraph 7.11 she comments that clear guidance was given in her memo of 28/2/19 (CD7.39) in response to pre-application 190513 on both tree and landscape expectations. Concerns and reiteration of these expectations were given in her memo of 27/4/20 (CD 2.9) on the current application. In her view, the appellant's submissions have not satisfactorily addressed these matters hence do not demonstrate compliance with Policy and other adopted documents.
- 7.93 Given the uncertainty of final footprint, it is not clear to her, how the existing TPO trees could be retained and if they are, how they could be provided with sufficient space to avoid future conflict. The Illustrative Landscape Masterplan illustrates the confined space for tree retention and tree planting on the main frontages if, in accordance with the Parameter plans, development was built out to the greatest extent. In addition, the Parameter submissions under consideration include a minimum floorspace and it has not been demonstrated that this, alongside the building height restrictions, would allow sufficient land for other factors, such as landscaping and tree retention.

- 7.94 Given this uncertainty and lack of confirmation that the required landscaping and tree retention provisions can be accommodated in a final design, it is her view that conditions cannot satisfactorily address these matters and secure the necessary requirements. The appellant's SoC was limited in its response to these matters hence did not provide information to assist in order for the Council to conclude differently.
- 7.95 These views of Sarah Hanson are reinforced by those of Mr Doyle who at 1.5.5.5 has particular concern with the public realm implications of building too close to the highway, a complicated vehicular access and circulation arrangement and narrow pavements with no room for substantial tree planting create a poor gateway into the town centre and a poor western entrance into the CR11e Allocated site.
- 7.96 On the basis of their concerns and the fact that Sarah Hanson does not consider that a condition could satisfactorily address those concerns, I am drawn to the conclusion that the development is contrary to Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021), the adopted Tree Strategy, the NPPF 2021, and The National Model Design Code (July 2021).

ix) Refusal reason 10

RfR 10 - Failure to provide appropriate public open spaces

The proposed development fails to provide appropriate, well-designed public spaces of a flexible size and shape due to the location and alignment of development plots related to the Station Square North and the area of open space at the western end of the east-west link, and as a result fails to demonstrate that it is part of a comprehensive approach to its sub-area which contributes towards the provision of policy requirements for open space that benefit the whole area, contrary to policies CR2 b, CR3 ii, CR11 viii and EN9 of the Reading Borough Local Plan (2019) and the adopted

Reading Borough Supplementary Planning Document Reading Station Area Framework (2010).

- 7.97 Reason for refusal 10 relates to the impact of the proposed layout on landscape, trees and green network. This reason for refusal is detailed within the Natural Environment Proof by Dr Carolyn Jenkins, Assistant Streetscene Manager at RBC, along with some comments made by Mr Doyle in his Public Realm analysis. I draw primarily on the conclusions set out by Dr Jenkins in Chapter 6 of her proof.
- 7.98 At 6.1 she makes clear that the site is an important gateway site, in a town centre location covered by the RSAF SPD, in an area of the centre of Reading that is poorly supplied with public open space. It presents a significant opportunity to provide, on site, appropriate, well-designed public open space that contributes to a thriving neighbourhood.
- 7.99 At 6.2 she notes that National policy stresses the importance of high-quality open spaces for the health and well-being of new communities. Then at 6.3 she sets out that at a local level, a suite of Council policies and supplementary guidance set out the local requirements, seeking to make the town a place for thriving communities in a healthy environment and inclusive economy. It is clear that policy consistently seeks open space provision on a site of this size. Within the town centre of this regionally-significant town there is a particular emphasis on provision of civic squares, and also a strong focus on providing on-site open space that is flexible to accommodate a variety of events and uses.
- 7.100 She states at 6.3 that the Fields in Trust guidelines are regarded as a national standard for the size, equipping and accessibility of recreational open space. The provision of on-site open space on a site of this scale is therefore expected. The developer is required by the Council's policies to integrate and consolidate any development on this site and any additional open space provision around the planned Station Square North.
- 7.101 She sets out at 6.6 that she has argued that the proposal fails to provide the appropriate, well-designed public spaces of a flexible size and shape required in terms of:

- the transition between the north-south spine and North Station Square;
- the relationship of Plot D with the east-west Avenue;
- the extension of Plot D to cover part of the square from second floor level upwards; and
- the adequacy of the pocket park along the east-west avenue.

7.102 In terms of the transition between the North-South spine and North Station Square, she considers at 6.7 that the proposal does not open out into the existing public open space so as to integrate the linking spine with adjacent civic space. Essentially the North Station Square and the North-South spine are physically separate open space entities so that their use is prevented from being continuous or spilling from one to the other.

7.103 The relationship of Plot D with the East-West Avenue is set out at 6.8, where she considers that Plot D intrudes into the contiguous open space, effectively dividing it, and creating a less regular shape that reduces the variety of uses to which it can be put as an outdoor civic venue of the type that Reading lacks.

7.104 At 6.9 she considers that the extension of Plot D over part of square from second floor upwards, this effectively 'sterilises' the area underneath the overhang for a range of potential activities or design features, reducing flexibility of use.

7.105 At 6.10 she considers that in terms of the adequacy and location of the pocket park along the east-west avenue, the Planning Applications Committee's decision of 30th March to grant permission to application 182252 on the former Royal Mail site subject to the signing of a Section 106 agreement is an important change, in the context of which, my objection to the specific location of this pocket park on the appeal site falls away. I remain of the view, however, that the proposals, unintegrated as they are with the wider CR11E allocation and the North Station Square, do not make any meaningful contribution to meeting the overall need of the new occupants.

7.106 Finally, at 6.12 she concludes that the on-site provision of private play space makes some 'bare minimum' provision for small children living on the site but does not address the more demanding play and general recreation requirements

set out in the national guidelines in terms of size, variety and accessibility. These needs will need to be met via an off-site contribution to play, sports and other recreational facilities.

- 7.107 Moreover, as Mr Doyle explains at 1.5.5.6, the location and form of the proposed public space in the western part of the site does not conform with either the local plan or RSAF. It will be dominated by disproportionately tall buildings in relation to the scale of the public space at a point where policy requires lower heights.
- 7.108 Based upon their evidence I conclude that the appeal proposal fails to provide appropriate, well-designed public spaces of a flexible size and shape to meet the need of its occupants. It also fails to demonstrate that it is part of a comprehensive approach to its sub- area which contributes towards the provision of policy requirements for open space that benefit the whole area. This is contrary to policies CR2 b, CR3 ii and CR11 viii of the Reading Borough Local Plan (2019) and the adopted Reading Borough Supplementary Planning Document Reading Station Area Framework (2010).

x) Refusal Reason 11

RfR 11 - Sustainability

The application fails to demonstrate a sufficiently robust strategy in terms of minimising carbon dioxide emissions, meeting the predicted residential and commercial energy targets and selection of most appropriate on-site renewable energy technologies, contrary to policies H5, CR10, CC2, CC3, CC4 of the Reading Borough Local Plan (2019) and the Council's adopted SPD, Sustainable Design and Construction (2019).

- 7.109 Reason for refusal 11 relates to the failure to provide a robust strategy in terms of minimising carbon dioxide emissions on account of an inconsistent approach to the energy hierarchy as described in the Sustainable Design and Construction SPD, The National Design Guide and the NPPF. This reason for refusal is detailed within the Energy and Sustainability Proof by Timothy Crawshaw, an Associate

Consultant, a partnership developed by member authorities which looks to leverage and maximise the opportunities afforded to local authorities by working together on a national scale in the green energy agenda.

- 7.110 His conclusions on this RfR are set out in the last three paragraphs of his Proof.
- 7.111 For the reasons set out in his Proof he considers that the application fails to demonstrate a sufficiently robust strategy in terms of selection of the most appropriate on-site renewable energy technologies. He considers that the potential for solar PV has not been integral to the design process and is limited in terms of generation potential; and that the strategy for the solar PV installation appears to be a 'bolt-on' measure and as such does not comply with Local Plan and Sustainable Design and Construction SPD.
- 7.112 He also considers that as there is no evidence provided to back up the claim that the solar PV installation of greater than 30m² cannot be achieved it would be inappropriate to secure a greater area through a planning condition. He considers that through an appropriate design for the site a greater area of solar PV could be accommodated on the site, however in the absence of any assessment of the potential it is evident from the Appellants Statements that this is feasible, this could not meaningfully be conditioned.
- 7.113 Finally, he concludes that there is a lack of certainty regarding connection to the District Heating network and the use of ground source or air source heat pumps and the suitability of the system to be integrated. A suitable form of connection and the appropriate technology could be secured by a Planning Obligation.
- 7.114 Based on his analysis and conclusions I conclude that the development is contrary to policies H5, CR10, CC2, CC3, CC4 of the Reading Borough Local Plan (2019) and the Council's adopted SPD, Sustainable Design and Construction (2019).

xi) Refusal reason 12

RfR 12 - Failure to secure S106

In the absence of a completed legal agreement to secure an acceptable contribution or mitigation plan, towards the provision of:

- (i) Employment, skills and training for the construction and end user phases of the development;*
- (ii) Affordable Housing pre-implementation, mid-point and final outturn review mechanism;*
- (iii) Off-site open space, leisure and recreation facilities;*
- (iv) Transport including: footpath/cycle way enhancements on Vastern Road and Caversham Road, provision of pedestrian/cycle route through the site before first occupation and associated infrastructure/signage, car parking management strategy, signalised crossing, underpass, car club, parking permits, travel plan;*
- (v) Highway works – S278/38;*
- (vi) Carbon offsetting;*
- (vii) Public realm;*
- (viii) Build to rent controls;*
- (ix) Phasing;*
- (x) Decentralised energy;*
- (xii) Education;*
- (xiii) Public art;*
- (xiv) CCTV;*
- (xv) Monitoring/Legal fees;*

Contrary to Reading Borough Local Plan (2019) Policies CC4, CC8, CC9, EN9, CR2, CR3, CR11, H3, H4, H5, TR1, TR3, TR5, Employment Skills and Training SPD (2013, Affordable Housing SPD (2021), Reading Borough Supplementary Planning Document Planning Obligations under Section 106 (2015).

7.115 As set out in the LPAs SoC, had the Council issued a formal refusal decision notice it would have been their established practice to attach an Informative on the decision notice identifying that this reason for refusal could be overcome by

a suitable Section 106 legal agreement or unilateral undertaking, in the event of the proposals being acceptable in all other respects.

- 7.116 I am aware that detailed discussions are being undertaken between representatives of both sides in respect of achieving a satisfactory s106 agreement.
- 7.117 In all instances it is considered that the above obligations would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that they would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.
- 7.118 The Council's reason for refusal would remain if the anticipated forthcoming undertaking fails to secure the necessary obligations. This will only be able to be detailed once a final version of the agreement has been provided by the Appellant, but would relate back to the reasons and policies detailed within the reason for refusal.
- 7.119 However, based on the information before me, I see no reason why an agreed, and completed, s106 agreement should not be before the Inspector at the inquiry. On this basis I do not consider this RfR any further.

8 THE PLANNING BALANCE

Introduction

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications and appeals:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

- 8.2 The Council is currently able to demonstrate a five-year supply of deliverable housing sites, so the Framework indicates that decisions should apply a presumption in favour of sustainable development and, where the development accords with an up-to-date development plan it should be approved without delay.
- 8.3 The 2021 version of the NPPF has substantially strengthened national policy on design with paragraph 134 stating that: *"Development that is not well designed should be refused."*
- 8.4 Whilst the application is in outline the proposals are explained in detail in the accompanying application documentation and the revised "Planning Application Booklet" (dated October 2021). The Booklet contains the completed application forms, certificates, description of development and "Development Parameter Schedule and Plans". The Development Parameter Schedule and Plans set the maximum extent of development, the land uses and minimum and maximum floorspace proposed. This provides the base for the Environmental Impact Assessment (EIA). It is the applicants [now appellants] view that these provide a mechanism for the Council to control development by imposing a condition to ensure that reserved matters submissions will comply with the Development

Parameters. Whilst this is correct, the converse also applies, namely, if these documents indicate a form of the development that is likely to be unacceptable at reserved matters submission then it cannot be satisfactorily controlled by condition at outline stage and therefore the only option is to refuse planning permission.

- 8.5 The Site is included as an allocation under Policy CR11 'Station/River Major Opportunity Area', specifically part of CR11e 'North of Station'. The policy promotes mixed-use redevelopment, to include ground floor uses such as retail and leisure in order to 'activate' streets and the new northern station square. The policy states that other uses including offices and residential should be on upper floors. Key aspects of the redevelopment should be to enable a high-quality design with good pedestrian links. Moreover, the decision maker has a duty under the T&CP Listed Buildings and Conservation Areas Act 1990, as amended, to ensure the setting of listed buildings and conservation areas are not adversely affected by new development, unless the public benefits of such development outweigh the level of harm identified – provided that such harm falls within the 'less than substantial' scale.

Benefits

- 8.6 The appellants in their Appeal Statement of Case set out the economic, social and environmental benefits that they consider will arise and should be given considerable weight in support of the scheme.

Economic & Social Benefits

- 8.7 The scheme would provide up to 1,000 residential units which is a significant number. That said, the Borough has a five-year supply of housing and such a high quantum of housing is not essential to meet the future needs or housing provision targets of the borough.

- 8.8 The site is brownfield, allocated for redevelopment, and is located in a highly accessible and sustainable location immediately adjacent to Reading main line railway station and bus stops. It also has excellent access to local shops and services being part of the wider town centre.
- 8.9 The provision of housing would deliver a significant New Homes Bonus payments and Council Tax receipts.
- 8.10 The applicants maintain that the inclusion of a review mechanism within the S106 Agreement to ensure that should viability improve, affordable housing will be delivered to the maximum reasonable amount would be a social benefit of the scheme. I accept this but it remains the case that there is no guarantee that any affordable housing will be provided on this site.
- 8.11 The provision of additional office accommodation and commercial uses will offer benefits to the wider town centre, reinforcing and enhancing its location as the main commercial centre within the Borough. It will also create a significant number of new job opportunities.
- 8.12 The proposed scheme will also deliver significant and direct investment into Reading Town Centre. The provision of office accommodation and associated commercial space will increase the attraction of the centre and encourage wider spin off benefits to the centre.
- 8.13 The provision of residential accommodation will lead to an increase in available expenditure within the immediate area through new residents increasing spend which will benefit local businesses. The commercial/retail floorspace will ensure enhanced access to a range of facilities and services for local residents.
- 8.14 I accepted that the scheme will have a positive effect on employment. A range of jobs will be created as part of the construction phase of the proposed development, and operationally in the office and commercial floorspace upon completion. In addition, the S106 Agreement could secure a contribution

towards a Construction Phase Employment Skills Programme and end user phase agreement.

Environmental Benefits

- 8.15 The proposed re-development of this under-utilised brownfield site has the potential to enhance the overall attractiveness of Reading Town Centre and deliver significant environmental benefits to the local area including a high-quality link from the north (Caversham) to the town centre as required by the Local Plan and the RSAF.
- 8.16 However, for the reasons set out in the individual proof of evidence as set out earlier in my proof and summarised in the harms below, I consider that the scheme, as presented, fails to achieve this potential, by failing to demonstrate the satisfactory delivery of environmental protection and enhancements.
- 8.17 In summary, and contrary to the assertions of the applicants, I conclude, based upon the evidence of other expert witnesses acting on behalf of the LPA, that the development parameters and conditions put forward will fail to deliver a modern, high-quality sustainable design and as a result it would be a harmful architectural addition to Reading.
- 8.18 In respect of the transport and highway aspects of the proposal it is concluded that the proposal is likely to have a positive impact on the highway network because of a reduction in vehicular movements compared to the existing use, and the site would be in a very sustainable location with respect to its access to a range of modes of transport.

Conclusion on Benefits

- 8.19 As I have set out above I conclude that whilst there would be some economic and social benefits – there will be limited environmental benefits. In fact, the scheme as presented, will fail to meet the high-quality design aspects of environmental objectives and it is therefore inconsistent with meeting the three

dimensions to sustainable development as set out at paragraph 8 of the NPPF and this is a matter that goes to the heart of 'sustainable development'.

Harms

Urban Design

- 8.20 Whilst the proposed development has scale as a Reserved Matter, the Parameter Plans to be approved at this outline stage propose development plot dimensions, the maximum buildings heights for each plot (or part thereof) and the minimum distances between plots. Therefore, the Council must consider whether it is appropriate for development to rise to these heights on the parcels proposed.
- 8.21 It is the expert view of Michael Doyle, as set out in his overall conclusions at 1.5.6 that:
- The proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area. They fail to guarantee development of the highest quality in relation to its context.
 - The proposed height and massing are inappropriate and do not follow from policy and guidance.
 - The Appeal Scheme does not fit comfortably within views. The setting is particularly sensitive, whilst in relation to the heritage is harmful.
 - The future direct alignment of the north-south link is not secured.
 - The public realm interfaces are poor.
 - The Appellant has submitted insufficient information to ensure Reserve Matter Applications will secure a high-quality design.
 - It is his expert opinion that the Appeal should be dismissed on urban design grounds.

8.22 The policy requires the formation of a cluster of tall buildings centred on the station. Mr Doyle considers that the Appeal proposals are akin to a 'string' of tall buildings of similar heights extending westwards. He describes this, at 1.5.2.8, as a '**toast rack**' effect.

8.23 I concur with his conclusions in respect of RfR 1, 2, 3, 4 and 6. As a consequence I find the development to be contrary to NPPF sections 12 and 16, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, H2, EN1, EN3, EN5, EN6, CR2, CR3, CR11, CR11e, CR11g, TR3 and TR4; the Reading Station Area Framework (2010); and, the Reading Tall Buildings Strategy and its 2018 Update Note.

Heritage

8.24 The application site is identified in both the Reading Station Area Framework and the Reading Tall Buildings Strategy as a suitable location for tall buildings. Notwithstanding this, the RSAF and Local Plan policy EN1 require that proposals have no adverse impact on historic assets and their settings (policy CS33). Similarly, the Reading Tall Buildings Strategy requires that "*All tall buildings proposals should ... avoid detrimental impacts upon conservation area and listed buildings*" (S 6.3 General Principles).

8.25 It is the expert view of Nick Bridgland that the application for the proposed development was accompanied by an unreliable assessment heritage impact.

8.26 His evidence has provided a heritage impact assessment which conforms with Historic England guidance and sets out its reasoning for each conclusion.

8.27 This has resulted in him concluding that the proposed development at Vastern Road would result in:

- a moderate degree of less than substantial harm to the Main Building of Reading General Station (Grade II). This is one of Reading's most prominent public buildings, of interest in the development of railways and Reading more specifically.
- a minor degree of less than substantial harm to the significance of Market Place and London Street Conservation Area. This is the core the medieval

town and the intrusion of Block D into the key view along Duke Street toward the Market Place would represent a jarring change to the current scale of buildings in this view.

- a minor degree of less than substantial harm to the significance of and the Town Council Chamber and Offices with Clock Tower (Grade II*). This is Reading's most important civic building designed to express the energy and ambition of the town council and act as the symbolic centre for of the town. By disrupting its prominence in views from Duke Street this aspect of the Town Hall Chamber's significance would be reduced.

8.28 I also agree with the findings of Nick Bridgland that as a result, this is a proposal which:

- fails to protect or enhance the significance of heritage assets (EN1);
- fails to protect and enhance conservation areas (EN3);
- harms significant views with heritage interest (EN5); and
- is not sensitive to its historic context (EN6)

8.29 On this basis I now consider EN1 and paragraph 202 of the NPPF, the latter of which, requires that:

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

8.30 In the case of the Main Building of Reading General Station, the Market Place/London Street Conservation Area and the Town Council Chamber the proposals will create a degree of less than substantial harm (moderate, minor and minor respectively) to their significance. As set out in the applicant's own Heritage Statement, Historic England recommends that where harm is identified, consideration should be given to options that might reduce or mitigate that harm. Even though the applicant's own assessment has concluded a degree of harm to a number of heritage assets no evidence has been provided to indicate that attempts have been made to reduce the harm.

- 8.31 Great weight must be applied to the harm to designated heritage assets and following NPPF paragraph 199 advice I afford greater weight to the significance of the Town Hall Chamber as it is listed Grade II*.
- 8.32 I have set out in paragraphs 8.6 to 8.19 the benefits that would arise from this scheme and accept that most would be public benefits in one way or another. That said, I have not identified any overwhelming public benefits that justify the identified harm to three heritage assets.
- 8.33 I accept that the site is allocated for redevelopment and that there is a clear expectation through a series of policy documents that there will be higher buildings on the site.
- 8.34 However, in my professional view, drawing on the findings of two experts acting on behalf of the Council, that this is a poorly thought through scheme that, amongst many issues, has failed to properly understand the importance of various heritage assets. Accordingly, on this issue I am drawn to the clear and overwhelming view that the public benefit that would arise from this appeal scheme fall far below the threshold necessary to enable a decision to be made that would be contrary to the identified heritage harm to three heritage assets, including one Grade II* listed building.
- 8.35 I therefore conclude that the development is contrary to Reading Borough Local Plan (2019) Policies EN1, EN3, EN5, EN6, The Reading Tall Buildings Strategy, The Reading Tall Buildings Strategy Update Note 2018, and the Reading Station Area Framework (2010) and Section 16 of the NPPF.

Trees, Landscaping and Ecology

- 8.36 It is clear from the evidence of Sarah Hanson that the uncertainty of a final footprint means that it is not clear how the existing TPO trees could be retained and if they are, how they could be provided with sufficient space to avoid future conflict. The Illustrative Landscape Masterplan illustrates the confined space for tree retention and tree planting on the main frontages if, in accordance with the parameter plans, development was built out to the greatest extent. In addition,

the Parameter submissions under consideration include a minimum floorspace and it has not been demonstrated that this, alongside the building height restrictions, would allow sufficient land for other factors, such as landscaping and tree retention.

- 8.37 Given this uncertainty and lack of confirmation that the required landscaping and tree retention provisions can be accommodated in a final design, it is her view that conditions cannot satisfactorily address these matters and secure the necessary requirements. The appellant's SoC was limited in its response to these matters hence did not provide information to assist in order for the Council to conclude differently.
- 8.38 Mr Doyle has also set out at 1.5.5.5 his particular concern with the public realm implications of building too close to the highway, a complicated vehicular access and circulation arrangement and narrow pavements with no room for substantial tree planting create a poor gateway into the town centre and a poor western entrance into the CR11e Allocated site.
- 8.39 On the basis of their concerns and the fact that Sarah Hanson does not consider that condition[s] could not satisfactorily address those concerns, I am drawn to the conclusion that the development is contrary to Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021), the adopted Tree Strategy, the NPPF 2021, and The National Model Design Code (July 2021).

Daylight and Sunlight

- 8.40 It is the expert evidence of Dr Paul Littlefair of BRE that the appeal scheme is unacceptable for the following reasons:
- There would be a major impact on daylight to many of the dwellings at 17-51 Vastern Road;
 - Analysis of an indicative scheme suggests widespread non-compliance with minimum recommendations for daylight and sunlight in the proposed dwellings;

- Most of the amenity space in one of the blocks, Block C, would be inadequately sunlit;
- The original submission did not include an assessment of loss of light to the RMG and SSE sites. Some data have now been provided but they are not clear.

8.1 On this basis of his conclusions, I consider that the proposal is therefore contrary to NPPF paragraph 125, The National Design Guide, National Model Design Code Parts 1 and 2, Reading Borough Local Plan Policies (2019) CC7, CC8, H10, and CR10.

Wind

8.41 As set out in the Committee Report [CD3.1], Officers considered that the application has to be considered on the basis of the evidence provided to the Council. BRE concluded that the submitted evidence demonstrated that the predicted wind conditions would be so bad that the mitigation measures set out in the ES would not be sufficient to provide the required level of mitigation.

8.42 I am aware that at the time of writing my proof, this issue has not been concluded and I am therefore not in a position to express a final view on this matter. However, until these issues are adequately addressed, it is my judgement that planning permission should be refused as the current evidence demonstrates the development to be contrary to NPPF 2021, The National Model Design Code (July 2021), Policies EN12, EN14, EN15, EN18, CR3, CC7 of the Reading Borough Local Plan (2019), the Council's Sustainable Design and Construction SPD (2019), Reading Station Area Framework (2010), Reading's Biodiversity Action Plan (2021) and the adopted Tree Strategy.

Open Space

- 8.43 It is considered that the proposal fails to deliver high quality open spaces on site through the layout of the development plots, specifically the North Station Square and the small area of open space at the western end of the east-west route, would constitute a reason for refusal, contrary to policy CR3 and the RSAF. Furthermore, it is also recommended that the failure to adequately mitigate the impacts of the development through the provision of sufficient open space and leisure facilities either on-site or off-site, contrary to policy CR3, EN9, CC9 and the Planning Obligations under S106 SPD would constitute a further reason for refusal.

Sustainability

- 8.44 It is the expert opinion of Mr Crawshaw of APSE Energy the evidence provided to date fails to demonstrate a sufficiently robust strategy in terms of selection of the most appropriate on-site renewable energy technologies. He considers that the potential for solar PV has not been integral to the design process and is limited in terms of generation potential; and that the strategy for the solar PV installation appears to be a 'bolt-on' measure and as such does not comply with Local Plan and Sustainable Design and Construction SPD. He also considers that as there is no evidence provided to back up the claim that the solar PV installation of greater than 30m² cannot be achieved it would be inappropriate to secure a greater area through a planning condition. He considers that through an appropriate design for the site a greater area of solar PV could be accommodated on the site, however in the absence of any assessment of the potential it is evident from the Appellants Statements that this is feasible, this could not meaningfully be conditioned. Finally, he concludes that there is a lack of certainty regarding connection to the District Heating network and the use of ground source or air source heat pumps and the suitability of the system to be integrated. A suitable form of connection and the appropriate technology could be secured by a Planning Obligation.
- 8.45 Based on his analysis and conclusions I conclude that the development is contrary to policies H5, CR10, CC2, CC3, CC4 of the Reading Borough Local Plan

(2019) and the Council's adopted SPD, Sustainable Design and Construction (2019).

Conclusions on the Planning Balance

- 8.46 The application is required to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the harmful impacts of the proposed development and the failures to meet all relevant policy requirements need to be weighed against the benefits of the proposed development.
- 8.47 Whilst the development would therefore appear able to fulfil some aspects of the three dimensions to achieving sustainable development as set out within the NPPF, it is considered to result in very limited environmental benefits, with Officers identifying major concerns in respect of numerous design related issues.
- 8.48 For the reasons set out in the detailed analysis of benefits and harms above, it is considered that in this particular instance, the identified material benefits of the proposal are not considered to be of such weight to outweigh the harms caused by the inherent conflicts with the policies of the development plan arising from the proposed development.
- 8.49 In undertaking this detailed assessment of the proposals, based upon the documentation provided by the appellants, the Council conclude that notwithstanding this is an outline application, the parameters plan and other documentation establish clear parameters for the proposed development, and based upon these it is not considered that any of the concerns arising from the main issues identified can be satisfactorily addressed through the imposition of conditions.
- 8.50 After careful consideration of the Appellant's grounds for appeal and information submitted as part of the Appellant's SoC, the I remain firmly of the view that,

having regard to the provisions of the Development Plan and other material considerations, including the National Planning Policy Framework 2021 and associated guidance, the proposed development under reference 200328/FUL remains unacceptable.

8.51 In short, it is clear that the planning balance weighs firmly against the proposed development.

8.52 I therefore respectfully request that the Inspector dismiss the appeal for the reasons set out in this Proof of Evidence and in the proofs provided by the other council witnesses.

9 SUMMARY AND CONCLUSIONS

- 9.1 My proof is a planning proof and by its very nature sets out planning policy and the planning issues pertaining to each of the reasons for refusal in detail in order to enable me to set out clearly, and as succinctly as possible, why I consider the scheme is unacceptable and that the appeal should be dismissed.
- 9.2 I reiterate here, that a central principle of planning law is that development should come forward in a planned way. Furthermore, it is also reaffirmed that development should be the subject of local determination by way of the Development Plan process. This is reflected in the fact that development should be plan-led. This is inherent in section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, which establish a statutory presumption in favour of the Development Plan.
- 9.3 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.
- 9.4 The Site is included as an allocation in the 2019 Local Plan under Policy CR11 'Station/River Major Opportunity Area', specifically part of CR11e 'North of Station'. The policy promotes mixed-use redevelopment, to include ground floor uses such as retail and leisure in order to 'activate' streets and the new northern station square. The policy states that upper floors should include uses such as offices and residential. Key aspects of the redevelopment should be to enable a high-quality design with good pedestrian links.
- 9.5 In my view securing a high-quality scheme must involve a detailed understanding of the exact nature of the site and its relationship with its surroundings. Many of the Council's witnesses criticise the scheme, in part, due to its failure to take full and proper account of the setting of the site, not only with neighbouring properties but also within wider views.

- 9.6 In addition, there is the duty under the T&CP Listed Buildings and Conservation Areas Act 1990, as amended, to ensure the setting of listed buildings and conservation areas are not adversely affected by new development, unless the public benefits of such development outweigh the level of harm identified – provided that such harm falls within the ‘less than substantial’ scale. Great weight must be applied to the harm to designated heritage assets and following NPPF paragraph 199 advice greater weight must be afforded to the significance of any listed Grade I or Grade II* buildings.
- 9.7 Against all of this, it is critical to note that that this site does not sit within a policy vacuum. As well as an up-to-date Local Plan, within which it is located within Policy CR11 Station / River Major Opportunity Area strategy [being within sub-area CR11e] there are numerous relevant Supplementary Planning Documents including the ‘Reading Station Area Framework’ (RSAF) (2010).
- 9.8 It is also accepted that the development plan vision for this site involves tall buildings, forming a cluster of tall buildings centred on the station. Mr Doyle considers that the Appeal proposals are akin to a ‘string’ of tall buildings of similar heights extending westwards. He describes this, at 1.5.2.8, as a ‘**toast rack**’ effect.
- 9.9 Whilst the application is in outline the proposals are explained in detail in the accompanying application documentation and the revised “Planning Application Booklet” (dated October 2021). The Booklet contains the completed application forms, certificates, description of development and “Development Parameter Schedule and Plans”, with the schedule being subject to some amendments as part of the appeal process. The Development Parameter Schedule and Plans set the maximum extent of development, the land uses and minimum and maximum floorspace proposed. This provides the base for the Environmental Impact Assessment (EIA). It is the appellants view that these provide a mechanism for the Council to control development by imposing a condition to ensure that reserved matters submissions will comply with the Development Parameters. Whilst this is correct, the converse also applies, namely, if these documents indicate a form of the development that is likely to be unacceptable

at reserved matters submission, then it cannot be satisfactorily controlled by condition at outline stage and therefore the only option is to refuse planning permission.

9.10 It is accepted that the appeal development complies with the main elements of the Development Plan in that it provides a high-density, mixed-use development, with tall buildings towards the Station. Furthermore, the recent Government statement that there should be a presumption in favour of sustainable development which provides economic growth is also considered to be a material consideration. Whilst therefore, there is no objection in principle to the redevelopment of the site for housing and the mix of uses proposed, it is the quantum of development indicated in the supporting documentation and the parameter plan and schedule in particular, that has given rise to objections on a number of issues as out in the Proofs of the Councils witnesses and as summarised in Chapter 7 of my Proof.

9.11 In terms of the various urban design issues the Councils position on these is succinctly put by Mr Doyle in his overall conclusions at 1.5.6 of his Proof where he concludes:

- The proposals fail to relate positively and appropriately to local character and the context of the site to the detriment of the visual amenities of the area. They fail to guarantee development of the highest quality in relation to its context.
- The proposed height and massing are inappropriate and do not follow from policy and guidance.
- The Appeal Scheme does not fit comfortably within views. The setting is particularly sensitive, whilst in relation to the heritage is harmful.
- The future direct alignment of the north-south link is not secured.
- The public realm interfaces are poor.

- The Appellant has submitted insufficient information to ensure Reserve Matter Applications will secure a high-quality design.

9.12 All of these failures that he has identified correspond with breaches of established planning policy and therefore must be given the greatest weight in the planning balance.

9.13 The next consideration is the impact of the appeal proposals on heritage assets. As set out by Mr Bridgland and reinforced by Mr Doyles evidence, the appeal development would, in the Councils view:

- a moderate degree of less than substantial harm to the Main Building of Reading General Station (Grade II). This is one of Reading's most prominent public buildings, of interest in the development of railways and Reading more specifically.
- a minor degree of less than substantial harm to the significance of Market Place and London Street Conservation Area. This is the core the medieval town and the intrusion of Block D into the key view along Duke Street toward the Market Place would represent a jarring change to the current scale of buildings in this view.
- a minor degree of less than substantial harm to the significance of and the Town Council Chamber and Offices with Clock Tower (Grade II*). This is Reading's most important civic building designed to express the energy and ambition of the town council and act as the symbolic centre for of the town. By disrupting its prominence in views from Duke Street this aspect of the Town Hall Chamber's significance would be reduced.

9.14 In the light of these findings on adverse heritage asset impact, I am required, when undertaking the balance to have due regard to Policy EN4 and NPPF paragraph 202 – namely *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*. I have undertaken this assessment in my Planning Balance Chapter and concluded that

the public benefits of the appeal development fall far short of the level required to justify allowing a development which would cause material harm to the significance of three heritage assets including one Grade II* listed building. In particular I consider that if one were to have full regard to the clear advice within RSAF then there is no reason why a high quality scheme could not be provided which would in fact enhance the setting of the identified heritage assets. The fact that the scheme causes material harm to the significance of three heritage assets demonstrates a complete lack out appreciation of the setting of the appeal site and the relationship that it has with its surroundings.

- 9.15 Other evidence provided by witnesses on behalf of the Council have demonstrated that the appeal development is unacceptable and contrary to development plan policies in respect of daylight and sunlight; the natural environment; open space; and, sustainability.
- 9.16 I give conflict with all of these other factors the greatest weight due to their clear conflict with development plan policies.
- 9.17 As to the 'wind' issue, I am not in a position to come to a firm view on this and accordingly, for the purposes of my planning balance, I will treat it as a neutral matter. If wind issues are addressed then it is a matter required to make the development acceptable in planning terms and does not attract beneficial weight. If the wind issue has not been addressed then there would be a breach of development policy to which I would attach the greatest weight.
- 9.18 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, is 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 considerable beneficial weight.

- 9.19 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.
- 9.20 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.
- 9.21 As set out above 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.
- 9.22 Turning to the final balance, on the one hand I have identified considerable harms which carry significant weight against the appeal proposal. Set against this are a number of public benefits which carry some beneficial weight but that is far below the level policy conflict. Even when seen in the context of the significant benefits associated with the regeneration of the site, my view is that the policy harms identified would clearly outweigh the identified benefits.
- 9.23 Even on its own the harm to the three identified heritage assets, having regard to paragraphs 199 and 202 of the NPPF, mean that planning permission should not be granted.
- 9.24 Section 38(6) requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. In this case I have identified a high degree of policy conflict with a considerable number of provisions of the development plan. Moreover, the beneficial elements identified represent material considerations, when taken together, of only moderate overall weight and are far below the threshold needed to justify a decision which does not fully accord with the development plan.

- 9.25 Put simply, the planning balance is heavily weighed against the proposals such that there are no material considerations of sufficient weight to indicate overall any approach other than to determine the appeal in accordance with the Development Plan.
- 9.26 For the reasons set out above I have concluded that the appeal should be dismissed.
- 9.27 Finally, I can confirm that the evidence which I have prepared for and provided in this proof of evidence for the appeal subject to reference APP/E0345/W/21/3289748 is true, and I confirm that the opinions expressed are my true and professional opinions.