

To: Councillor Lovelock (Chair)
Councillors Leng, Carnell, Emberson, Ennis,
Gavin, Hornsby-Smith, Moore, Page,
Robinson, Rowland, Williams and Yeo

Direct ☎ : 0118 9372303

27 September 2022

Your contact is: **Simon Hill - Committee Services (simon.hill@reading.gov.uk)**

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 5 OCTOBER 2022

A meeting of the Planning Applications Committee will be held on Wednesday, 5 October 2022 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading RG1 2LU. The Agenda for the meeting is set out below.

AGENDA	ACTION	WARDS AFFECTED	PAGE NO
1. MINUTES	-		7 - 12
2. DECLARATIONS OF INTEREST	-		
3. QUESTIONS	-		
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision	BOROUGHWIDE	13 - 16
5. PLANNING APPEALS	Information	BOROUGHWIDE	17 - 20
6. APPLICATIONS FOR PRIOR APPROVAL	Information	BOROUGHWIDE	21 - 26
7. OBJECTION TO A TREE PRESERVATION ORDER - 24 ELDON ROAD	Decision	REDLANDS	27 - 34

PLANNING APPLICATIONS TO BE DETERMINED

8.	221049/HOU - 33 JESSE TERRACE	Decision	ABBEY	35 - 56
	Proposal Recommendation	Replacement of wooden windows with UPVC (retrospective) Application Permitted		

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|-----|--|--|---------|----------|
| 9. | 220776/FUL - LAND AT 362 OXFORD ROAD | Decision | BATTLE | 57 - 88 |
| | Proposal | Erection of a mixed-use development comprising two commercial units on the ground floor (157.5 sqm), 26 residential units (Class C3), associated landscaping, car and cycle parking. | | |
| | Recommendation | Permitted subject to Legal Agreement | | |
| 10. | 212037/REG3 - LAND ADJACENT TO READING SEWAGE AND TREATMENT WORKS, ISLAND ROAD | Decision | WHITLEY | 89 - 152 |
| | Proposal | A gypsy and traveller transit site intended for short-term use while in transit. It will comprise 7 pitches, bin store, outdoor seating area, play area, and a new access onto Island Road. Each pitch comprises a kitchen/toilet block and space for two caravans and two cars. | | |
| | Recommendation | Application Permitted | | |

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Members of the public who participate in the meeting will speak at an off-camera microphone.

GUIDE TO PLANNING APPLICATIONS

1. There are many different types of applications processed by the Planning Service and the following codes are used to abbreviate the more common types of permission sought:

FUL - Full detailed planning permission for development or change of use
OUT - Principal of developing a site or changing a use
REM - Detailed matters “reserved matters” - for permission following approval of an outline planning application.
HOU - Applications for works to domestic houses
ADV - Advertisement consent
APC - Approval of details required by planning conditions
VAR - Significant change to a planning permission previously granted
NMA - Insignificant change to a planning permission previously granted
ADJ - Consultation from neighbouring authority on application in their area
LBC - Works to or around a Listed Building
CLE - A certificate to confirm what the existing use of a property is
CLP - A certificate to confirm that a proposed use or development does not require planning permission to be applied for.
REG3 - Indicates that the application has been submitted by the Local Authority.

2. Officer reports often refer to a matter or situation as being “a material consideration”. The following list tries to explain what these might include:

Material planning considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of daylight/sunlight or overshadowing
- Scale and dominance
- Layout and density of buildings
- Appearance and design of development and materials proposed
- Disabled persons' access
- Highway safety
- Traffic and parking issues
- Drainage and flood risk
- Noise, dust, fumes etc
- Impact on character or appearance of area
- Effect on listed buildings and conservation areas
- Effect on trees and wildlife/nature conservation
- Impact on the community and other services
- Economic impact and sustainability
- Government policy
- Proposals in the Local Plan
- Previous planning decisions (including appeal decisions)
- Archaeology

There are also concerns that regulations or case law has established cannot be taken into account. These include:

- Who the applicant is/the applicant's background
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Strength or volume of local opposition
- Construction noise/disturbance during development
- Fears of damage to property
- Maintenance of property
- Boundary disputes, covenants or other property rights

- Rights of way and ownerships disputes over rights of way
- Personal circumstances

Glossary of usual terms

Affordable housing - Housing provided below market price to meet identified needs.

Air Quality Management Area (AQMA) - Area where air quality levels need to be managed.

Apartment-hotel - A use providing basic facilities for self-sufficient living with the amenities of a hotel. Generally classed as C1 (hotels) for planning purposes.

Article 4 Direction - A direction which can be made by the Council to remove normal permitted development rights.

BREEAM - A widely used means of reviewing and improving the environmental performance of generally commercial developments (industrial, retail etc).

Brownfield Land - previously developed land.

Brown roof - A roof surfaced with a broken substrate, e.g. broken bricks.

Building line - The general line along a street beyond which no buildings project.

Bulky goods - Large products requiring shopping trips to be made by car: e.g. DIY or furniture.

CIL - Community Infrastructure Levy. Local authorities in England and Wales levy a charge on new development to be spent on infrastructure to support the development of the area.

Classified Highway Network - The network of main roads, consisting of A, B and C roads.

Conservation Area - areas of special architectural or historic interest designated by the local authority. As designated heritage assets the preservation and enhancement of the area carries great weight in planning permission decisions.

Control of Major Accident Hazards (COMAH) Competent Authority - The Control of Major Accident Hazards Regulations 1999 (COMAH) and their amendments 2005, are the enforcing regulations within the United Kingdom. They are applicable to any establishment storing or otherwise handling large quantities of industrial chemicals of a hazardous nature. Types of establishments include chemical warehousing, chemical production facilities and some distributors.

Dormer Window - Located in the roof of a building, it projects or extends out through the roof, often providing space internally.

Dwelling - A single housing unit - a house, flat, maisonette etc.

Evening Economy A term for the business activities, particularly those used by the public, which take place in the evening such as pubs, clubs, restaurants and arts/cultural uses.

Flood Risk Assessment - A requirement at planning application stage to demonstrate how flood risk will be managed.

Flood Zones - The Environment Agency designates flood zones to reflect the differing risks of flooding. Flood Zone 1 is low probability, Flood Zone 2 is medium probability, Flood Zone 3a is high probability and Flood Zone 3b is functional floodplain.

Granny annexe - A self-contained area within a dwelling house/ the curtilage of a dwelling house but without all the facilities to be self contained and is therefore dependent on the main house for some functions. It will usually be occupied by a relative.

Green roof - A roof with vegetation on top of an impermeable membrane.

Gross floor area - Total floor area of the house, including all floors and garage, measured externally.

Hazardous Substances Consent - Consent required for the presence on, over, or under land of any hazardous substance in excess of controlled quantity.

Historic Parks and Gardens - Parks and gardens of special historic interest, designated by English Heritage.

Housing Association - An independent not-for-profit body that provides low-cost "affordable housing" to meet specific housing needs.

Infrastructure - The basic services and facilities needed for the smooth running of a community.

Lifetime Home - A home which is sufficiently adaptable to allow people to remain in the home despite changing circumstances such as age or disability.

Listed building - Buildings of special architectural or historic interest. Consent is required before works that might affect their character or appearance can be undertaken. They are divided into Grades I, II and II*, with I being of exceptional interest.

Local Plan - The main planning document for a District or Borough.

Luminance - A measure of the luminous intensity of light, usually measured in candelas per square metre.

Major Landscape Feature - these are identified and protected in the Local Plan for being of local significance for their visual and amenity value

Public realm - the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces whether publicly or privately owned.

Scheduled Ancient Monument - Specified nationally important archaeological sites.

Section 106 agreement - A legally binding agreement or obligation entered into by the local authority and a land developer over an issue related to a planning application, under Section 106 of the Town and Country Planning Act 1990.

Sequential approach A method of considering and ranking the suitability of sites for development, so that one type of site is considered before another. Different sequential approaches are applied to different uses.

Sui Generis - A use not specifically defined in the use classes order (2004) - planning permission is always needed to change from a sui generis use.

Sustainable development - Development to improve quality of life and protect the environment in balance with the local economy, for now and future generations.

Sustainable Drainage Systems (SUDS) - This term is taken to cover the whole range of sustainable approaches to surface water drainage management.

Tree Preservation Order (TPO) - An order made by a local planning authority in respect of trees and woodlands. The principal effect of a TPO is to prohibit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of trees without the LPA's consent.

Guide to changes to the Use Classes Order in England.

Changes of use within the same class are not development.

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop - not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial & professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub, wine bar or drinking establishment	A4	Sui generis
Takeaway	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research & development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8
Hotels, boarding & guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Small house in multiple occupation 3-6 residents	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education & training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, theatres, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Present: Councillor Lovelock (Chair);
Councillors Leng (Vice-Chair), Carnell, Emberson, Ennis, Gavin, Hornsby-Smith, Moore, Page, Robinson, Rowland, Williams and Yeo

RESOLVED ITEMS

37. MINUTES

The Minutes of the meeting held on 20 July 2022 were agreed as a correct record and signed by the Chair.

38. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS

The Executive Director for Economic Growth and Neighbourhood Services submitted a schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications, and a list of previously agreed site visits.

Resolved -

That the under-mentioned application, together with any additional applications which the Assistant Director of Planning, Transport and Regulatory Services might consider appropriate, be the subject of an accompanied site visit:

212037/FUL - LAND ADJACENT TO READING SEWAGE AND TREATMENT WORKS, ISLAND ROAD

A gypsy and traveller transit site intended for short-term use while in transit. It will comprise 7 pitches, bin store, outdoor seating area, play area, and a new access onto Island Road. Each pitch comprises a kitchen/toilet block and space for two caravans and two cars

39. PLANNING APPEALS

(i) New Appeals

The Executive Director for Economic Growth and Neighbourhood Services submitted a schedule giving details of notifications received from the Planning Inspectorate regarding three planning appeals, the method of determination for which she had already expressed a preference in accordance with delegated powers, which was attached as Appendix 1 to the report.

(ii) Appeals Recently Determined

The Executive Director of Economic Growth and Neighbourhood Services submitted a schedule giving details of three decisions that had been made by the Secretary of State,

or by an Inspector appointed for the purpose, which was attached as Appendix 2 to the report.

(iii) Reports on Appeal Decisions

There were no appeal decision reports submitted.

Resolved -

- (1) That the new appeals, as set out in Appendix 1, be noted;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted.

40. APPLICATIONS FOR PRIOR APPROVAL

The Executive Director for Economic Growth and Neighbourhood Services submitted a report giving details in Table 1 of eight prior approval applications received, and in Table 2 of ten applications for prior approval decided, between 8 July and 24 August 2022.

Resolved - That the report be noted.

41. 201138/FUL - 12-18 CROWN STREET

Change of use of building from 44 serviced apartments (Class C1) to 44 flats (C3) comprising of 4no studios, 27 x one bedroom and 13 x two bedroom units with associated parking

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which set out clarification regarding private refuse collection and the full wording of the proposed condition relating to bin storage.

Comments were received and considered.

Resolved -

That consideration of application 201138/FUL be deferred for more information on affordable housing/viability, proposed unit mix, the weight given to an appeal decision relating to similar application 201221/FUL, access to local outdoor space, potential for a brown roof, noise between floors, amenity for future occupiers, parking provision and CIL.

42. 211636/FUL - 75-81 SOUTHAMPTON STREET

Removal of existing building and construction of a four-storey building to comprise 19 dwellings and associated works

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 7 SEPTEMBER 2022

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application.

Comments and objections were received and considered.

Objector Dave Jenkins and Angela Banks representing the applicant attended the meeting and addressed the Committee on this application.

Resolved -

- (1) That the Assistant Director of Planning, Transport and Regulatory Services be authorised to grant full planning permission for application 211636/FUL, subject to completion of a S106 legal agreement by 7 October 2022 (unless a later date be agreed by the Assistant Director of Planning, Transport and Regulatory Services) to secure the Heads of Terms set out in the report;
- (2) That, in the event of the requirements set out not being met, the Assistant Director of Planning, Transport and Regulatory Services be authorised to refuse permission;
- (3) That planning permission be subject to the conditions and informatives recommended.

43. 220463/FUL - UNIT 8 STADIUM WAY

Change of use of vacant unit to use as an indoor climbing/bouldering centre (Use Class E(d)), minor amendments to building elevations/entrances, provision of cycle/bin storage and associated works

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application.

Comments were received and considered.

Resolved -

That planning permission for application 220463/FUL be granted, subject to the conditions and informative as recommended.

44. 220637/FUL - SCOURS LANE, TILEHURST

Proposed development of a Drive-Through restaurant (Use Class E (a,b) and Sui Generis Hot Food Take Away, Car Parking, enhanced landscaping and Access Arrangements

The Executive Director of Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which set out clarifications of the suitability, in policy terms, of the location of this retail-type use.

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 7 SEPTEMBER 2022

It also explained that the site of the application did not include the concrete cattle trough on Scours Lane which was considered to be a 'Non-Designated Heritage Asset'.

At the meeting a verbal update was given to amend the recommended reason for refusal relating to the loss of undesignated open space to include reference to severing the junction between two Green Links, and to add a second reason for refusal relating to the lack of a suitable s106 legal agreement/unilateral undertaking to ensure that the proposed mitigating landscaping and wildlife habitat enhancements would be capable of being delivered and thereafter maintained.

Comments and objections were received and considered.

Kentwood Ward Councillor Glenn Dennis attended the meeting and addressed the Committee on this application.

Resolved -

- (1) That application 220637/FUL be refused for the following reasons:
 - a) The proposed development would result in the loss of undesignated open space that has not been previously developed and which currently makes a positive contribution to the character, appearance and environmental quality of the area due to its openness, undeveloped character and green vegetated appearance. As such the proposed development would be harmful to the character and appearance of the area contrary to Policies CC7 (Design and the Public Realm) and EN8 (Undesignated Open Space) of the Reading Borough Local Plan (2019). Further, the application site includes the junction of two Green Links, as per Policy EN12 and the development will, by virtue of its location and the nature of the development, fragment these links. The proposal will therefore not maintain, protect, consolidate, extend or enhance the green network and is therefore contrary to paragraphs 174 and 175 of the NPPF and policies (Biodiversity and the Green Network) of the Reading Borough Local Plan (2019);
 - b) The application has failed to demonstrate, via a suitable s106 legal agreement/unilateral undertaking, that the proposed mitigating landscaping and wildlife habitat enhancements as presented in the application would be (capable of being) delivered and thereafter maintained to a suitable standard in order to offset the harm caused to landscaping/trees and to maintain character and appearance of the area to enhance tree coverage and green links. The application would therefore fail to maintain, protect, consolidate, extend or enhance existing habitats by severing and failing to adequately mitigate the harm to two Green Links as designated on the adopted Reading Borough Local Plan Proposals Map, contrary to Local Plan policies CC9 (Securing Infrastructure), EN12 (Biodiversity and the Green Network) and EN14 (Trees, Hedges and Woodlands) and the Council's SPD, 'Planning Obligations under Section 106' (2015);

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 7 SEPTEMBER 2022

- (2) That the Assistant Director of Planning, Transport and Regulatory Services be authorised to finalise the wording of the reasons for refusal.

(The meeting started at 6.30 pm and closed at 8.03 pm)

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
Date:	5 OCTOBER 2022		
TITLE:	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS		
SERVICE:	PLANNING	WARDS:	BOROUGH WIDE
AUTHOR:	Julie Williams	TEL:	0118 9372461
JOB TITLE:	Development Manager (Planning & Building Control)	E-MAIL:	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit would be appropriate before the matter is presented at Committee and to confirm how the visit will be arranged. A list of potential sites is appended to this report with an officer note added to say if recommended for a site visit or not.

2. RECOMMENDED ACTION

- 2.1 That you note this report and confirm if the site(s) indicated on the appended list are to be visited by Councillors.
- 2.2 Confirm if there are any other sites Councillors consider necessary to visit before reaching a decision on an application.
- 2.3 Confirm if the site(s) agreed to be visited will be accompanied by officers or unaccompanied.

3. THE PROPOSAL

- 3.1 Appended to this report (appendix 1) is a list of applications received that may be presented to Committee for a decision in due course. Officers will normally indicate if a site would benefit from being visited to inform your decision making or Councillors may request that a site is visited.
- 3.2 A site visit will help if the impact of the proposed development is difficult to visualise from the plans and supporting material or where concerns raised by objectors need to be seen to be better understood.
- 3.3 While officers try to make site visit recommendations before a report comes to Committee sometimes, during consideration of an application, Councillors may request a deferral to allow a visit to be carried out to assist in reaching the correct decision.
- 3.4 Accompanied site visits are appropriate when access to private land is necessary to view the site and to appreciate matters raised. These visits will be arranged and attended by officers on the designated date and time.

Applicants and objectors may observe the process and answer questions when asked but lobbying is discouraged. A site visit is an information gathering opportunity to inform decision making.

3.5 Unaccompanied site visits are appropriate when the site can be easily seen from public areas and allow Councillors to visit when convenient to them. In these instances, the case officer will provide a briefing note on the application and the main issues to assist when visiting the site.

3.6 It is also possible for officers to suggest, or Councillors to request, a visit to a completed development to assess its quality.

3.7 Appendix 2 sets out a list of application sites that have been agreed to be visited at previous committee meetings but are still to be arranged.

4. CONTRIBUTION TO STRATEGIC AIMS

4.1 The processing of planning applications contributes to creating a sustainable environment with active communities and helping the economy within the Borough as identified as the themes of the Council's Corporate Plan:

1. Healthy Environments
2. Thriving Communities
3. Inclusive Economy

5. COMMUNITY ENGAGEMENT AND INFORMATION

5.1 Statutory neighbour consultation takes place on planning applications.

6. EQUALITY IMPACT ASSESSMENT

6.1 Officers when assessing an application and when making a recommendation to the Committee, will have regard to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 None arising from this report.

8. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

8.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers). The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods.

9. FINANCIAL IMPLICATIONS

9.1 The cost of site visits is met through the normal planning service budget and Councillor costs.

10. BACKGROUND PAPERS

Reading Borough Council Planning Code of Conduct.

APPENDIX 1

Potential Site Visit List:

Ward: Abbey

Application reference: 221235

Application type: Full Planning Approval

Site address: 138-144 Friar Street, Reading, RG1 1EX

Proposal: Demolition of No's 138-141 & 142-143 Friar St, partial demolition of No. 144 Friar St and erection of ground, mezzanine and 1st to 6th floor (7 storey) hotel building with 163 bedspaces (Class C1), with ancillary ground floor lounge, bar and restaurant and associated works.

Reason for Committee item: Major Application

Ward: Redlands

Application reference: 221162

Application type: Full Planning Approval

Site address: Land Adjacent, 300 Kings Road, Reading

Proposal: Construction of a part five part three storey building of 14 residential apartments (C3) and associated undercroft car parking

Reason for Committee item: Major Application

APPENDIX 2

Previously Agreed Site Visits:

- 220189 - 205-213 Henley Road
- 220409 - Caversham Park
- 211714 - 70-78 Wokingham Road
- 220123 - 9 Eldon Square
- 212037 - land adjacent to Reading Sewage and Treatment Works, Island Road - Arranged for 29th September

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READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	5 OCTOBER 2022		
TITLE:	PLANNING APPEALS		
AUTHOR:	Julie Williams	TEL:	0118 9372461
JOB TITLE:	Planning Manager	E-MAIL:	Julie.Williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

INFORMATION PROVIDED

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2018-21 Corporate Plan objective for “Keeping Reading’s environment clean, green and safe”.

5. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 5.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

- 5.2 The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. As a team we have also reduced the amount of resources (paper and printing) we use to carry out our work.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals, and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8. LEGAL IMPLICATIONS

- 8.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

9. FINANCIAL IMPLICATIONS

- 9.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

10. BACKGROUND PAPERS

- 10.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: TILEHURST
APPEAL NO: APP/E0345/W/22/3301610
CASE NO: 210708
ADDRESS: "Water Tower Store", 54-54A Norcot Road, Tilehurst,
PROPOSAL: Conversion of existing Water Tower Store to a dwelling house Class C3) and insertion of new doors, windows and rooflights. Associated soft landscaping and erection of brick wall and gate.

CASE OFFICER: Natalie Weekes
METHOD: Written Representation
APPEAL TYPE: REFUSAL
APPEAL LODGED: 16th September 2022

WARD: BATTLE
APPEAL NO: APP/E0345/W/22/3299930
CASE NO: 220032
ADDRESS: "Rear Of", 24-26 Wantage Road, Reading
PROPOSAL: Construction of 2 semi-detached houses at the rear of 24-26 Wantage Road with access from Wilson Road

CASE OFFICER: Claire Ringwood
METHOD: Written Representation
APPEAL TYPE: NON-DETERMINATION
APPEAL LODGED: 13th September

WARD: EMMER GREEN
APPEAL NO: APP/E0345/W/22/3303138
CASE NO: 220638
ADDRESS: Grove Road Emmer Green
PROPOSAL: Application for prior notification of proposed 'slim line' phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works by telecommunications code systems operators (amended description)

CASE OFFICER: Beatrice Malama
METHOD: Written Representation
APPEAL TYPE: REFUSAL PRIOR APPROVAL
APPEAL LODGED: 16th September 2022

APPENDIX 2

Appeals Decided:

WARD: NORCOT
APPEAL NO: APP/E0345/D/21/3271422
CASE NO: 201720
ADDRESS: 4 Tofrek Terrace, Reading
PROPOSAL: Variation of condition 3 (approved plans) of planning permission 200982/HOU, dated 21/10/20 (for a part one, part two storey rear extension), namely to allow an increased depth of 0.5m at the ground floor and 1.5m at the first floor
CASE OFFICER: Tom Hughes
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 20th September 2022

WARD: TILEHURST
APPEAL NO: APP/E0345/W/21/3289234
CASE NO: 211276
ADDRESS: "Land Adjacent", 114-116 School Road, Tilehurst,
PROPOSAL: Erection of building to provide ground floor retail unit (Class E) with 4 residential flats above (Class C3)
CASE OFFICER: Connie Davis
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 21ST September 2022

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

None available this time.

READING BOROUGH COUNCIL

REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	5 OCTOBER 2022		
TITLE:	APPLICATIONS FOR PRIOR APPROVAL		
AUTHOR:	Julie Williams		
JOB TITLE:	Development Manager (Planning & Building Control)	E-MAIL:	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To advise Committee of the types of development that can be submitted for Prior Approval and to provide a summary of the applications received and decisions taken in accordance with the prior-approval process as set out in the Town and Country Planning (General Permitted Development) Order (GPDO 2015) as amended.

2. RECOMMENDED ACTION

- 2.1 That you note the report.

3. BACKGROUND

- 3.1 There are a range of development types and changes of use that can be carried out as permitted development but are subject to the developer first notifying the planning authority of the proposal, for it to confirm that “prior approval” is not needed before exercising the permitted development rights. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any other matters when determining a prior approval application.
- 3.2 If the decision is that approval is required, further information may be requested by the planning authority in order for it to determine whether approval should be given. The granting of prior approval can result in conditions being attached to the approval. Prior approval can also be refused, in which case an appeal can be made.
- 3.3 The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is because seeking prior approval is designed to be a light-touch process given that the principle of the development has already been established in the General Permitted Development Order. The government is clear that a local planning authority should not impose unnecessarily onerous requirements on developers should not seek to replicate the planning application system.
- 3.4 However, this means that large development schemes, often involving changes of use to residential, can proceed without meeting many of the adopted planning policies; such as making no contribution towards affordable housing, and the application fees for these “light touch” applications are significantly less than the equivalent planning application fee.

- 3.5 For this reason, at the Planning Applications Committee meeting on 29 May 2013, it was agreed that a report be brought to future meetings to include details of applications received for prior approval, those pending a decision and those applications which have been decided since the last Committee date. It was also requested that an estimate be provided for the “loss” in potential planning fee income.

4 TYPES OF PRIOR APPROVAL APPLICATIONS

- 4.1 The categories of development requiring prior approval appear in different parts of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, or amended by the Town and Country Planning (General Permitted Development)(England)(Amendment) Order. Those that are of most relevance to Reading Borough are summarised as follows:

SCHEDULE 2 - Permitted development rights

PART 1 - Development within the curtilage of a dwelling house

- **Householder development - larger home extensions. Part 2 Class A1.**
- **Householder development - upwards extensions. Part 2 Class AA.**

PART 3 – Changes of use

- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes. Class C.**
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure. Class J.**
- **Change of use from A1 shops or A2 financial and professional or a mixed use of A1 or A2 with dwellinghouse to Class C3 dwellinghouse. Class M**
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works. Class N**
- **Change of use from B1 office to C3 dwellinghouse Class O*.**
- **Change of use from B8 storage or distribution to C3 dwellinghouse Class P**
- **Change of use from B1(c) light industrial use to C3 dwellinghouse Class PA***
- **Change of use from agricultural buildings and land to Class C3 dwellinghouses and building operations reasonably necessary to convert the building to the C3 use. Class Q.**
- **Change of use of 150 sq m or more of an agricultural building (and any land within its curtilage) to flexible use within classes A1, A2, A3, B1, B8, C1 and D2. Class R.**
- **Change of use from Agricultural buildings and land to state funded school or registered nursery D1. Class S.**
- **Change of use from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions and D2 (assembly and leisure) to state funded school D1. Class T.**

PART 4 - Temporary buildings and uses

- **Temporary use of buildings for film making for up to 9 months in any 27 month period. Class E**

PART 11 - Heritage & Demolition

- **Demolition of buildings. Class B.**

PART 16 - Communications

- **Development by telecommunications code system operators. Class A**
- **GPDO Part 11.**

PART 20 - Construction of New Dwellinghouses

- **New dwellinghouses on detached blocks of flats Class A**
- **Demolition of buildings and construction of new dwellinghouses in their place. Class ZA**

4.2 Those applications for Prior Approval received and yet to be decided are set out in the appended Table 1 and those applications which have been decided are set out in the appended Table 2. The applications are grouped by type of prior approval application. Information on what the estimated equivalent planning application fees would be is provided.

4.3 It should be borne in mind that the planning considerations to be taken into account in deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA will first need to confirm whether or not prior approval is required before going on to decide the application on its planning merits where prior approval is required.

4.4 Details of any appeals on prior-approval decision will be included elsewhere in the agenda.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Changes of use brought about through the prior approval process are beyond the control or influence of the Council's adopted policies and Supplementary Planning Documents. Therefore, it is not possible to confirm how or if these schemes will contribute to the strategic aims of the Council.

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

6.2 The Planning Service uses policies to encourage developers to build and use properties responsibly by making efficient use of land and using sustainable materials and building methods. As a team we have also reduced the amount of resources (paper and printing) we use to carry out our work.

7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 Statutory consultation takes place in connection with applications for prior-approval as specified in the Order discussed above.

8 EQUALITY IMPACT ASSESSMENT

8.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 There are no direct implications arising from the proposals.

9. LEGAL IMPLICATIONS

9.1 None arising from this Report.

10. FINANCIAL IMPLICATIONS

- 10.1 Since the additional prior notifications were introduced in May 2013 in place of applications for full planning permission, the loss in fee income is now estimated to be £1,849,722.

(Class E (formally office) Prior Approvals - £1,685,590:
Householder Prior Approvals - £87,932:
Retail Prior Approvals - £16,840:
Demolition Prior Approval - £5,795:
Storage Prior Approvals - £5716:
Shop to Restaurant/Leisure Prior Approval - £6331;
Light Industrial to Residential - £20,022:
Dwellings on detached block of flats - £2048:
Additional storey on dwellings - £206:
New dwellinghouses on terrace/detached buildings - £17,483.
Demolition of buildings and construction of new dwelling - £128;
Prior approval to mixed use including flats - £1656.

Figures since last report

- Class E (formally office) Prior Approvals - £6154:
Householder Prior Approvals - £110;
New dwellinghouses on terrace/detached buildings - £2816;
Demolition of buildings and construction of new dwelling - £128;
Prior approval to mixed use including flats - £1656.
- 10.2 However it should be borne in mind that the prior notification application assessment process is simpler than would have been the case for full planning permission and the cost to the Council of determining applications for prior approval is therefore proportionately lower. It should also be noted that the fee for full planning applications varies by type and scale of development and does not necessarily equate to the cost of determining them.

11. BACKGROUND PAPERS

- The Town and Country Planning (General Permitted Development) (England) Order 2015
- The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

Table 1 - Applications received since 24rd August 2022 to 23rd September 2022

Type:	How many received since last report:	Loss in possible fee income:
Householder Prior Approvals	1	£110
Class E Prior Approvals	3	£6154
Demolition Prior Approval	0	0
Solar Equipment Prior Approval	0	0
Prior Notification	0	n/a
Telecommunications Prior Approval	2	n/a
Dwellings on detached block of flats	0	0
Householder Additional Storey	0	0
New dwellinghouses on terrace/detached buildings	2	£2816
Demolition of buildings and construction of new dwelling	1	£128
Prior approval to mixed use including flats	2	£1656
TOTAL	11	£10,864

Table 2 - Applications decided since 24rd August 2022 to 23rd September 2022

Type:	Approved	Refused	Not Required	Withdrawn	Non Determination
Householder Prior Approvals	1	0	1	1	0
Class E Prior Approvals	2	0	0	0	0
Demolition Prior Approval	0	0	0	0	0
Solar Equipment Prior Approval	0	0	0	0	0
Prior Notification/ Other	0	0	0	0	0
Telecommunications Prior Approval	1	1	0	0	0
Dwellings on detached block of flats	0	0	0	0	0
Householder Additional Storey	0	0	0	0	0
New dwellinghouses on terrace/detached buildings	0	0	0	0	0
Demolition of buildings and construction of new dwelling	0	0	0	0	0
Prior approval to mixed use including flats	0	0	0	0	0
TOTAL	4	1	1	1	0

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COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 5 OCTOBER 2022

Ward: Redlands

Proposal: Objection to a Tree Preservation Order

RECOMMENDATION

That the Tree Preservation Order be confirmed.

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report to Committee an objection to Tree Preservation Order No. 4/22 relating to 24 Eldon Road, Reading (copy of TPO plan attached - Appendix 1).

2. BACKGROUND

- 2.1 The property sits within the Eldon Square Conservation Area. Where tree works are proposed within a Conservation Area, 6-weeks prior Notification of tree works (a Section 211 Notice) is required to be submitted to the Local Planning Authority (LPA).
- 2.2 On 24 June 2022, a Notice of intention to fell the Monterey cypress was received (ref 220929/TCA). Officers did not accept the reasons for felling as being justified and considered the tree to provide high amenity value, contributing to the Conservation Area. A copy of the formal response is provided in Appendix 2.
- 2.3 A TPO was served 27 July 2022 in order to prevent the felling; a TPO being the only way in which an LPA can prevent felling once Notice is received.

3. RESULT OF CONSULTATION

- 3.1 An objection to the Tree Preservation Order has been made by the neighbour at 22 Eldon Place, based on the following:
 - 3.1.1 Trees should not be allowed to grow any taller than their distance from the building to protect the foundations.
 - 3.1.2 The tree is oversized compared to the volume of trees in the area.
 - 3.1.3 The tree's growth extends towards their property and is reaching into the guttering leading to issues with the drainage system and subsequent expenses.
 - 3.1.4 Excessive winds earlier this year caused shedding of foliage and small branches on the roof and surrounding area. Extreme weather events such as this are suggested to be more common in the future, and damage caused from the actual impact of parts of the tree coming down presents a significant encumbrance to health and safety to the premises and its occupants (the houses down Eldon place are situated quite close together). Any damage caused by this tree (property or life) could be extremely expensive and possibly life changing.

- 3.1.5 The concern that this Tree Preservation Order will affect valuation and selling of the property in the future. At the time of purchasing this property a year ago (2021), there was no TPO on the tree. An estate agent and online forums indicate that many potential buyers appear to be wary about buying properties in which there is a TPO on a tree near to the property. It's expected that living centrally near to town that there would be less trees.
- 3.1.6 A concern that it takes around 2 months for a decision to be made on an application asking for permission to carry out works to protected trees. This would be a hindrance to maintaining the tree if an application has to be submitted every single time intended work is to be done.
- 3.1.7 The challenges to submit a tree works application: currently no one resides in the house of 24 Eldon Road which makes cooperation with the tree owner to submit an application difficult. Other people who have TPOs in their area had to employ a professional tree surgeon to submit the application on their behalf as the application was rejected when stating that they 'wanted to prune the tree back'. The requirement to employ someone with knowledge and understanding about a TPO adds to the challenge and would lengthen the process of getting the process sorted in a timely manner.
- 3.2 In response to the objections, Officers have the following comments:
- 3.2.1 There are no rules or policies specifically stating that existing '*trees should not be allowed to grow any taller than their distance from the building to protect the foundations*' - existing trees growing near structures should be considered on an individual basis in order to avoid felling trees which do grow close to buildings but don't actually affect them.
- 3.2.2 Officers agree that the tree stands out in a low canopy cover area but this strengthens the necessity of the Tree Preservation Order - the fewer trees are in a given area, the more important those individual trees are for the public amenity, their contribution to the Conservation Area and the climate change mitigation function they provide.
- 3.2.3 In relation to potential future issues with the drainage system, officers note that no evidence is provided with this claim. It is not known which trees will cause issues due to their proximity to buildings and which will not - officers are aware of trees that grow very close to buildings and do not cause any issues. However, in the interest of preserving the tree cover, the amenity in the area and, in this particular case, the character of the Conservation Area, evidence of the potential issues is required before considering these in relation to the tree's future. Maintenance tree works to a protected tree can still be carried out to alleviate concerns, such as pruning for clearance to buildings - permission to carry out these works to protected trees is given following the submission of a tree works application.
- 3.2.4 All trees are likely to suffer from extreme weather events and leaf fall and small branches breaking off during such events is normal and expected. However, as the objector mentions, if '*parts of the tree coming down present a significant encumbrance to health and safety to the premises and its occupants*', then the tree should be inspected periodically to identify foreseeable health and safety risks - this falls under the 'duty of care' of the tree's owner, under the Occupiers Liability Act 1957. Any concerns regarding the tree, should be directed to its owner. As above, the tree owner can submit an application for tree works based on the results of any inspection by a professional.

- 3.2.5 When the objector purchased the property, this was already a mature tree, growing in the rear garden of a neighbouring property and subject to Conservation Area status, so was, in effect, already protected but just by conservation area status. Trees generally can add value to a property as verdant areas tend to be more desirable, hence attract higher property prices. Any concerns that the tree may cause damage to the property, hence lower its value, can be addressed by appropriate action / pruning as the TPO does not prevent reasonable maintenance and management works. It is unfortunate that '*living centrally, near to town*' there are less trees, as these are areas where the benefits trees offer can have a larger impact, on more people and are needed the most, for example for pollution filtration.
- 3.2.6 The 8-week application determination period is set nationally by the Government; hence this time period is not considered to be a reason to omit a tree from a TPO. Where works require more urgent consideration, officers would aim to process the application sooner than this. Applications can include works that are clearly to be required on a regular basis and approve a repeat of that work covering a set number of years, i.e. an application would not be required on each occasion. The application process is straightforward hence not seen as a hinderance to reasonable management of a tree.
- 3.2.7 The owner's permission is not needed when pruning a tree back to property boundary and for more extensive works one must obtain permission from the owner regardless of whether the tree is protected or not - as such, the Tree Preservation Order placed on the Cypress tree does not influence the extent of liaising the objector is expected to undertake with the owner.
- 3.2.8 Anyone can submit an application, however the evidence required supporting the reasons vary and is dependent upon the extent of the proposed works. A request to '*prune the tree back*' but with no further detail will of course not be validated - pruning proposals need to be clear, e.g. '*prune to provide Xm clearance from the building*' or '*prune branches back by Xm*'. A simple application asking permission to reduce the tips of specific branches in order to provide x-amount clearance to a house is likely to be something a householder could devise themselves without the need for professional input. The provision of technical / professional reports is required when significant works or felling is proposed. When significant tree works are necessary, it is strongly recommended that a professional tree surgeon is hired anyway, as such works should not be undertaken by untrained personnel due to their dangerous nature - thus the challenge of contracting a professional is not warranted solely, if at all, by the presence of a TPO.

4. CONCLUSION AND RECOMMENDATION

- 4.1 Officers consider that the TPO is warranted and does not unduly impact on the objector's property, with there being scope to prune to alleviate concerns. The recommendation is therefore to confirm the TPO.

5. LEGAL IMPLICATIONS

- 5.1 Preparing, serving confirmation and contravention of TPO's are services dealt with by the Council's Legal Section.

6. FINANCIAL IMPLICATIONS

6.1 None.

7. EQUAL OPPORTUNITIES IMPLICATIONS

7.1 None.

8. SUSTAINABILITY IMPLICATIONS

8.1 The aim of the TPO's is to secure trees of high amenity value for present and future generations to enjoy. Trees also have high environmental benefits through their absorption of polluted air and creation of wildlife habitats.

9. BACKGROUND DOCUMENTS

9.1 Register of Tree Preservation Orders

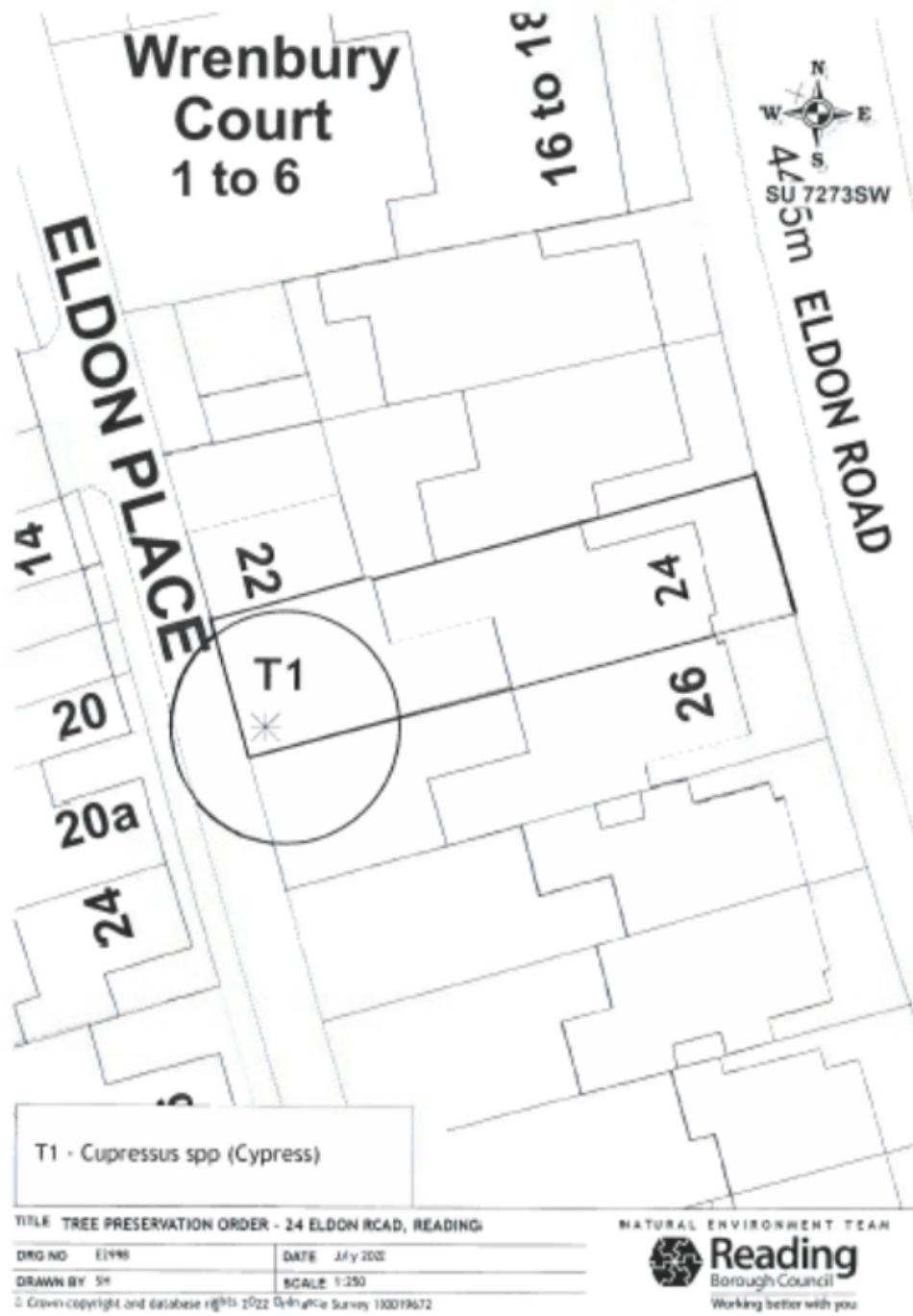
9.2 Plan of TPO 4/22, relating to 24 Eldon Road, Reading (Appendix 1)

9.3 Decision notice for Tree Works Notice 220929 (Appendix 2)

Officer: Sarah Hanson



Appendix 1 - TPO 4/22



Appendix 2 - Decision Notice for 220929/TCA



Mr J Dattani
24 Eldon Road
Reading
RG1 4DL

Frances Martin
Executive Director for
Economic Growth and
Neighbourhood Services

Civic Centre, Reading, RG1 2LU
☎ 0118 9373787

Our Ref: 220929/TCA
Your Ref:

Direct: ☎01189 374294
Email: andrei.nazare@reading.gov.uk

27th July 2022

Your contact is: Nazare Andrei, Planning, Development & Regulatory Services

Dear Mr Dattani,

RE: PROPOSED FELLING OF ONE MONTEREY CYPRESS AT 24 ELDON ROAD, READING - SUBJECT TO CONSERVATION AREA STATUS.

You initially wrote to us on 19th May 2022 asking about the protection status of the Monterey cypress growing in the rear garden of the 24 Eldon Road. Following my e-mail with advice on the Conservation Area status and on how to submit a tree works notice, you submitted a notice to fell on 24th of June accompanied by a location plan and photographs of the tree. As the reason for felling, you stated the *'tree is causing significant damage as evidenced in the photos, the surrounding wall is now at an angle, and it is uprooting the area around it. [...] the tree is [...] currently hazardous, it is not going to settle or improve and will simply continue to cause damage to our property and the neighbours, potentially felling our back garden wall onto the public pavement.'*

The photographs you provided show that there had been significant level changes around the base of the tree and up to against the wall through piling up excess soil, rocks, and various other debris or rubble. It appears from the photographs there are soil and debris (parts of wall removed) pushing against the remaining wall into the direction it is leaning. The part removal of the wall could also have affected its stability. The level changes were apparent when we compared your photographs with those we have on record from 2019. However, the photographs do not demonstrate the tree directly affects the wall as none of its sizeable roots are visible. It is also apparent from the photographs that one branch was removed a short while prior to the photographs being taken, which is a matter I have already raised in my e-mail of 24th June 2022 as we have no tree works notification on

record for this.

I note that aside from the above stated reason for felling and the provided photographs, you have not provided any evidence to demonstrate the wall is indeed affected by the tree or its roots.

Further to your notification of 24th June 2022 to fell one Monterey cypress tree at the above address and my colleague Sarah Hanson's visit of 11th July 2022, I can confirm the following:

The tree in question appears to be in good condition and provides amenity value to the surrounding area. The amenity value assessment agrees with the findings of the Eldon Square Conservation Area Appraisal, which states that green spaces, trees and other natural elements are of special interest to the Eldon Square Conservation Area. Specifically, the appraisal stated that '*trees are few and because of their scarcity they make a significant contribution to this urban conservation area's special character and sense of identity*'. It also identified that loss of rear gardens (i.e. greenery) to parking and garages has a negative impact on the historic character and appearance of the conservation area.

In addition, 24 Eldon Road is located within the Air Quality Management Area meaning that tree retention is important in order to help mitigate poor air quality effects on residential areas, in line with Local Plan Policy EN15 and objective 4 of our Tree Strategy.

The Council have therefore placed a Tree Preservation Order on this tree as the proposed felling is not acceptable, a copy of which is attached (a copy has also been posted to you at the property)

The Tree Preservation Order has been served to all interested parties and is in effect as of today 27th July 2022. This is in advance of 5th August 2022, i.e. six weeks from the date of your notification.

Following the service of the Tree Preservation Order, if you still wish to carry out works or fell the tree, an application for works under the TPO must be submitted for formal consideration. You can do this via the Planning Portal, a link to which is provided on our website: <https://www.reading.gov.uk/planning-and-building-control/trees-hedges-and-environment/trees/>. However, additional information to justify felling of a protected tree will be required on submission of the application, such as a report following an inspection of the tree and the wall from appropriate professionals. If the works are subsequently refused, the appeal process can be followed, details of which will be given at the time.

During her visit, my colleague noted additional branch breakage over and above that raised in my 24th June e-mail. We are now aware of the tree's current condition based on both the photographs you have provided, Sarah's visit and an additional visit undertaken today and, as you have been told to avoid damage, any additional damage will be taken as 'wilful damage' under the 202C of the Town & Country Planning Act 1990 and Regulation 13 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and may result in formal enforcement proceedings. Please liaise with your tenants or any

contractors who may be undertaking works on your property so that they are aware about this.

You can object to the Tree Preservation Order served today within 28 days of service i.e. by 24th August 2022. The objection procedure is provided in the covering letter to the Tree Preservation Order (posted to you at 24 Eldon Road).

If you require any further assistance, please do not hesitate to contact me on the above number.

Yours sincerely,

Andrei Nazare

Andrei Nazare
Assistant Natural Environment Officer

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COMMITTEE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 5 October 2022

Ward: Abbey

Application No.: 221049/HOU

Address: 33 Jesse Terrace

Proposal: Replacement of wooden windows with uPVC (retrospective)

Date valid: 19th July 2022

Target Decision Date: 13th September 2022

RECOMMENDATION:

GRANT retrospective planning permission subject to the following conditions:

CONDITIONS TO INCLUDE:

1. Plans approved
2. Development to be retained in accordance with approved specifications only

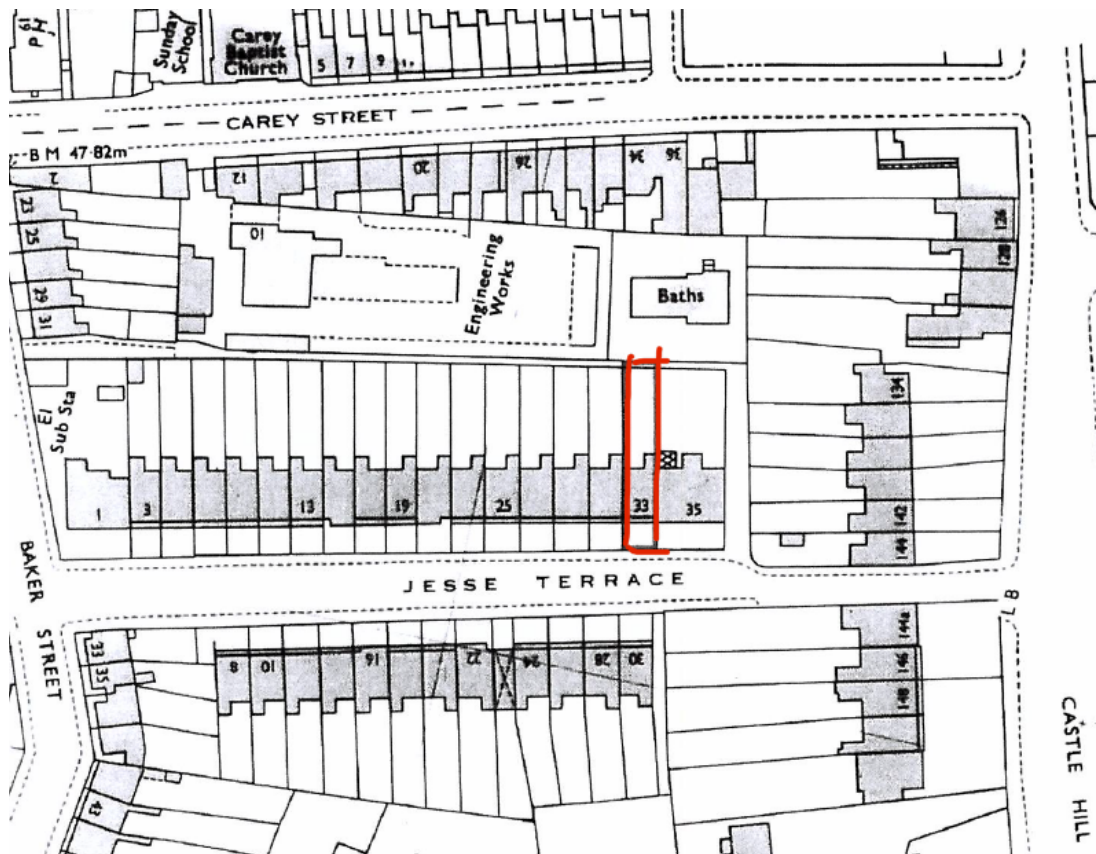
INFORMATIVES TO INCLUDE:

1. Article 4 Advisory
2. Positive and Proactive
3. Terms and Conditions of this Permission
4. Community Infrastructure Levy - Not Liable
5. Separate approval under the Building Regulations required
6. This planning permission relates to the front basement and front first and second floor level windows only

1. INTRODUCTION

- 1.1 The application site is located on the east side of Jesse Terrace and contains a three-storey Victorian era mid terrace dwelling dating from circa. 1850-1860. The terrace of buildings displays a white render/stucco finish at ground floor level but with red/orange brick at first and second floor level, slate roofs and front projecting veranda at ground floor level covering the entrance doors and ground floor windows to the dwellings.
- 1.2 The site is located within the Russell Street, Castle Hill and Oxford Road Conservation Area which is characterised by Georgian and Victorian terraces. The Russell Street, Castle Hill and Oxford Road Conservation Area Appraisal (CAA) identifies the terraces of buildings on either side of Jesse Terrace, of which the application site forms part of, as being buildings of Townscape Merit.

- 1.3 The CAA sets out that Buildings of Townscape Merit are buildings within conservation areas that contribute significantly to the character of the area and are important to retain and enhance, but are not Listed Buildings. (There are no Locally Listed buildings within conservation areas and buildings are either Listed Buildings, Buildings of Townscape Merit or undesignated within a conservation area within the Borough). It is the uniformity and well-proportioned red brick terraces, with decorative ground floor front verandas, retention of many original features (windows, doors and chimneys) and small front gardens which contribute to the character and significance of the Conservation Area.
- 1.4 Jesse Terrace has strong historical connections to the Jesse Family who were prominent developers in this part of Reading between 1850 and 1880. The Jesse family's contribution to the development of Victorian housing in Reading was considerable. Three generations of the Jesse family lived at 154-160 Castle Hill and while they developed sites throughout Reading, they figured most notably in the development of the Conservation Area. All three generations included developers, each generation passing the business down from an uncle to a nephew. The family-built Jesse Terrace in groups of approximately four at a time, with only the earliest group (Nos. 1-13) being in place prior to 1853. The Terrace was largely completed by the mid-1870s and there are subtle differences in each of the groups that are notable to this day. The large single-family homes have a trademark concave metal-roofed veranda, a look repeated on nearby Heritage Court and at 162-164 Castle Hill, properties along Castle Hill which the Jesse family also developed.
- 1.5 The terraces of dwellings on either side of Jesse Terrace have since 2004 also been covered by an Article 4 Direction which removes some of the normal development rights that are available to property owners. The Article 4 direction for Jesse Terrace removes all permitted development rights including those relating to extensions and alterations to the properties which would front on to the highway (Jesse Terrace). The aim of the Article 4 Direction is to conserve key locally distinctive buildings that contribute to the sense of place in Reading and in the case of Jesse Terrace, the aim is to preserve the architectural features of the buildings. The Article 4 direction to the properties within Jesse Terrace also removes the ability to change use from C3 dwelling house use to C4 small houses in multiple occupation use using permitted development rights.
- 1.6 Whilst an Article 4 direction does not prevent development taking place it does mean that planning permission is required.
- 1.7 The Application is on the Planning Application Committee agenda at the request of Councillor Page as an Abbey Ward Councillor given the retrospective nature of the application within the Article 4 area.



Location Plan (red line area)

2. RELEVANT PLANNING HISTORY

None.

3. PROPOSALS

- 3.1 The application seeks retrospective planning permission for replacement of timber sash windows with timber effect uPVC sash windows. As discussed above, planning permission is required because the site is covered by an Article 4 direction which has removed permitted development rights. The application is for retrospective planning permission because the works subject of the application (replacement of the windows) have already taken place.
- 3.2 Planning permission is sought only in relation to the basement, first and second floor level front windows which have been replaced. The larger ground floor front French style windows have not been replaced and remain as timber. As discussed above the Article 4 direction relates to works fronting the highway only and therefore whilst replacement uPVC windows have also been installed to the rear of the property these do not require planning permission.



Front of no. 33 with 1st and 2nd floor timber windows



Front of no. 33 with 1st and 2nd floor replacement uPVC windows



Front of no. 33 with 1st and 2nd floor timber windows



Front of no. 33 with 1st and 2nd floor replacement uPVC windows

- 3.2 Under Class A (Enlargement, Improvement or Other Alteration of a Dwellinghouse) of Part 1 Schedule 2 of the General Permitted Development Order 2015 (as amended) (the GPDO) replacement windows within a conservation area would not normally require planning permission as long as the materials used in any exterior work (other than materials used in the construction of a conservatory) are of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Therefore, if the site was not located within the Article 4 area, the replacement windows would not require planning permission given they are of a similar appearance to the original windows.
- 3.3 The application is retrospective in nature as a result of incorrect advice given by the Local Planning Authority to the Applicant which advised that the Article 4 direction did not prevent windows from being replaced using permitted development rights.
- 3.4 The Applicant has advised that the reasons for replacement of the windows were as a result of their deteriorating appearance, draughtiness and poor thermal and energy efficiency.

4. CONSULTATIONS

4.1 Conservation and Urban Design Officer - No objection

33 Jesse Terrace is within a conservation area and part of a group of mid-19th century, 3- storey red brick terraces on both sides of the street. The group of buildings is covered by an Article 4 Direction, which requires a planning application for new replacement front windows.

The building is identified as a Building of Townscape merit in the Conservation Area Character Appraisal, which makes it a Non-Designated Heritage Asset (NDHA), and as such it is in NPPF terms a Material consideration.

The issues raised by the application are quite complex. The guidance and advice from Historic England and other LPAs vary. Generally, the guidance for existing heritage windows is very simple: if the original windows are in place, then repairs should be carried out or new timber replacements should be made. uPVC is generally not supported for heritage buildings or conservation areas.

The main point, which needs to be considered in relation to material consideration is do the new windows match or enhance existing joinery. UPVC windows have improved in style and appearance with thinner frames. They are a much better fit than the older style UPVC fat frames, as well as being a reasonable fit, visually and there are some planning case studies where UPVC has been considered acceptable. Guidelines on what is acceptable for conservation areas is not as stringent as that for Listed buildings.

The new installed windows in visual terms are on balance a reasonable match for the original windows, except for the horns on the upper sash and marginally

thicker frames compared to the timber examples within the Terrace. However, these differences are small and not readily noticeable in general terms when viewed from the street. The visual appearance of the new windows only makes a small impact on the character or appearance of the terrace group of buildings. In terms of sustainability of the windows, it should be noted that UPVC is not the best replacement option with a shorter lifetime than well maintained timber windows.

Given the design of the new replacement windows, which more closely replicate the traditional style and appearance of original timber windows of the terrace, they are generally acceptable and better than older style thick style uPVC sash windows that are clearly not acceptable. As such, the level of harm identified to the significance of the terrace as a building of townscape merit (non-designated heritage asset) and to the conservation area is considered to be very minor, as a result of loss of historic detailing and materials. This is considered to result in very minor detracting from the uniformity of the terrace and its contribution to the significance of this part of the conservation area where much worse examples of replacement UPVC windows already exist and detract from the character of the area. In conclusion although the harm on the character of the building and conservation area identified is minimal, it is in planning terms 'less than substantial' in the context of paragraph 202 of the NPPF and should therefore be balanced against the public benefits associated with the development.

4.2 Reading Conservation Advisory Area Committee - Object. Reasons summarised below:

- Object to the installation of UPVC wood effect sash windows to replace wooden sash windows at 33 Jesse Terrace. The appearance of the frontage of the property and impact on the street as a whole is our main concern. Reading Borough Council provided incorrect advice to the owner and the windows have been already installed.
- Over and above this individual case, the general visibility on the RBC website of Article 4 directions covering architectural features and/or patterned brickwork is poor. All that is provided is a list of the properties covered. This deficiency should be rectified by copies of the Article 4 directions being placed on the council's website with a plain English explanation of the features covered by each direction.
- Reading CAAC cannot accept that this is a satisfactory outcome for the applicant or for the residents of Jesse Terrace and other properties in Reading covered by Article 4 directions of this kind. RBC should pay for the cost of installing wooden sash windows to the front elevation of 33 Jesse Terrace.

Public Consultation

4.3 A site notice was displayed at the application site on 28th July 2022 and the adjoining properties of no.31 and no. 35 Jesse Terrace were notified of the application by letter:

4.4 One objection to the application has been received from a resident of Jesse Terrace. The comments received can be summarised as follows:

- When the Article 4 direction was made to Jesse Terrace in 2004 paperwork was provided to all homeowners detailing the scale and impact of the direction.
- The Application is as a result of incorrect advice given by the Council and granting of the application would do nothing but create a future precedent.
- Should permission be granted it should be made clear that this does not relate to the ground floor front French windows have not been replaced and are still timber.
- The Council should make it clearer to all residents of Jesse Terrace and on their website regarding the existence and implications of the Article 4 direction.
- The application should be rejected, and replacement wooden windows only specified.

4.5 Two letters in support of the application have been received from residents of Jesse Terrace. The comments received can be summarised as follows:

- The replacement windows installed are of the original visual period design and of significant quality and open and close as period sash windows do.
- The replacement windows are more energy efficient resulting in saving on heating fuels, better insulation and protection from road noise.
- The owner has invested in maintaining the property at significant cost, unlike some owners of other properties within the conservation area.

5. LEGAL AND PLANNING POLICY CONTEXT

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.

5.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.3 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

5.4 Reading Local Plan 2019

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC2: SUSTAINABLE DESIGN AND CONSTRUCTION

CC3: ADAPTATION TO CLIMATE CHANGE

CC7: DESIGN AND THE PUBLIC REALM

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT

EN3: ENHANCEMENT OF CONSERVATION AREAS

5.6 Other

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

6. APPRAISAL

6.1 Paragraph 199 of the NPPF (2021) refers to considering the impacts of proposed development upon designated heritage assets and states 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.* In this case the designated heritage asset is the Russell Street, Castle Hill and Oxford Road Conservation Area.

6.2 Paragraph 203 of the NPPF (2021) refers to considering the impacts of proposed development upon non-designated heritage assets and states that *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.* In this case the non-designated heritage assets are the terraces of buildings within Jesse Terrace which the Conservation Area Appraisal (CAA) identifies as being buildings of Townscape Merit.

6.3 Policy EN1 (Protection and Enhancement of the Historic Environment) requires that all proposals should 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 and that any harm to or loss of a heritage asset should require clear and convincing justification.

- 6.4 Policy EN3 (Enhancement of Conservation Areas) states that special interest, character and architecture of Conservation Areas will be conserved and enhanced.
- 6.5 Policy CC7 (Design and the Public Realm) sets out that all development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located, and that developments should 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.
- 6.6 The CAA states that the Jesse Terrace is located within the ‘Russell Street and Streets East’ character area of the Russell Street, Castle Hill and Oxford Road Conservation Area and that the significance of this part of the Conservation Area is created by the wide range of Georgian and Victorian residential architecture in a mix of modest and grand properties.
- 6.7 The CAA also acknowledges that many of the buildings in the area are in a poor state or repair and collectively create an overall air of neglect despite some well-maintained exceptions. However, the CAA does go on to state that the area’s architectural planform remains intact and identifies the uniform and well-maintained character of Jesse Terrace as amongst the Conservation Area’s finest streetscapes.
- 6.8 In terms of materials within the conservation area, the CAA notes that red brick is prevalent, and that multi-pane single glazed windows and doors are increasingly being lost to uPVC windows and doors resulting in an overall degradation of the special interest of the Conservation Area. The CAA also identifies the view looking south along Jesse Terrace towards Castle Hill which displays the neat symmetry of matching terraced houses along either side of the road, as being ‘a view of interest’ within the Conservation Area.
- 6.9 The special contribution of the buildings within Jesse Terrace as buildings of Townscape Merit to the character and significance of the Conservation Area is by way of the uniformity and well-proportioned appearance of the red brick terraces incorporating decorative ground floor front verandas, good level of retention of original features (windows, doors and chimneys) and presence of small front gardens.
- 6.10 The CAA sets out that the Article 4 directions placed in Jesse Terrace (protecting the façades in July 2004 and controlling small HMOs in January 2016) have had a positive effect on protecting the character and balance of the street. As such, this has had the effect of creating a notable dichotomy between that street and Waylen Street lying just the opposite side of Baker Street which has no Article 4 Direction put in place to protect external features.
- 6.12 The timber windows that have been replaced were original sashes with wooden frames and single vertical window bars and were of the style and materiality of

the windows that would have originally served the terraces of buildings within Jesse Terrace and the wider Conservation Area. Windows have been replaced to the front and rear of the property but as discussed above the Article 4 direction applies only to works ‘fronting the highway’ and therefore it is a single basement level window the first and second floor level windows to the front of the property only (a total of five) windows) which require planning permission and are subject of this retrospective application. The larger ground floor level front French windows have not been replaced and are also not subject of this application.



Timber sash windows at no.s 25 to 31 Jesse Terrace

- 6.13 The replacement windows have not significantly changed the proportion, position or size of the window openings within the front elevation of the building which remain as per the original window proportions found to the other dwellings within the terrace. Similarly, the sills and header detailing of the windows and other architectural features of the building have not been altered and remain in keeping with the rest of the terrace. Whilst the five windows subject of this application that have been replaced are uPVC and therefore of a different material, they are timber effect and present a very similar appearance to the former timber windows being sliding sashes and incorporating single vertical astragal window bars.
- 6.14 The windows are not considered to be a basic uPVC window and are designed in order to accurately reflect the appearance of a traditional timber sash window. From street-level and views of the terraces within the Conservation Area from the junctions at either end of Jesse Terrace with Baker Street and Castle Hill officers consider that the replacement windows appear very similar to the timber windows found to the majority of other dwellings within the terrace. The most notable difference with the uPVC windows is that the frames and horizontal meeting rail appear slightly chunkier, loss of single pane float glass and more prominent locking mechanism compared to the timber equivalents, but these differences are not obviously visible to views of the terrace generally.



The replacement uPVC sash windows at no. 33 (right) next to the timber sash windows at no. 31 (left) which is the adjoined building in the terrace

- 6.15 Officers are of the opinion that the five replacement uPVC windows that have been installed to the front of the building are of high-quality design and are effective at replicating the appearance of the timber sash windows that have been replaced (see photograph above). The windows are significantly better quality than the few examples of other replacement uPVC windows found within Jesse Terrace where non-sliding-sash top-opening windows have been used (see photograph below) which detract from the character of the terrace, and its contribution to the setting of the Conservation Area.



Poor quality replacement non-sash style uPVC windows elsewhere within Jesse Terrace

- 6.16 It is the collective value, uniformity and retention of original features, such as windows, to the terraces on either side of Jesse Terrace that contribute to the significance of this part of the Conservation Area and the status of the terraces as buildings of Townscape Merit.
- 6.17 The loss of timber sash windows and their replacement with similar and albeit high quality uPVC sash windows is considered to have resulted in a degree of harm to the collective value and significance of the non-designated heritage asset (the terrace) through further loss of uniformity and characterful detailing. The uniformity of the terrace and retention of original features on either side of the street when viewed from within Jesse Terrace and surrounding roads is also key to the significance and setting of the Conservation Area. Therefore, a degree of harm to the significance of the Conservation Area is also identified.

- 6.18 The level of any harm to both the non-designated heritage asset in terms of the buildings of townscape merit and the designated heritage asset in terms of the conservation area must be considered in the context of the existing character of the terraces where there already some much poorer quality examples of replacement windows in the form of top opening uPVC windows which significantly detract from the character and significance of the terraces and the conservation area. Therefore, a visible lack of uniformity already exists within the terrace. There are also examples of subtle differences in the style of timber sash windows present (some more Georgian in style and some more Victorian in style with thicker window bars and ‘horns’). This is likely as a result of the period the terraces were built but also as a result of timber replacement windows being added previously prior to the existence of the Article 4 Direction which further adds to the lack of uniformity within the terrace.
- 6.19 As set out in paragraphs 6.13 to 6.15 above it is also considered that the replacement windows subject of this application are high quality and are effective at replicating the appearance of timer sash windows to views of the terrace from within Jesse Terrace and the wider conservation area from the junctions of Castle Hill and Baker Street. In this respect officers conclude that any harm and conflict with Policies EN1 and EN3 is very minor in nature.
- 6.20 In the context of the significance of the conservation area as a designated heritage asset such a low level of identified harm is considered to be ‘less than substantial harm’. Paragraph 202 of the NPPF sets out that less than substantial harm to a designated heritage asset must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.21 The benefits of the proposals are considered to be the improved noise, energy and thermal efficiency of the uPVC double glazed windows compared to the former single pane timber windows. Whilst these are largely private benefits to the occupier of the dwelling the improvements in turn facilitate continued occupation and general upkeep of the building as a residential dwelling within the conservation area, which is considered to the optimum viable use of the building. Officers acknowledge that such benefits could have been achieved via alternative routes such as double-glazed timber windows albeit at greater cost, however the application can only be assessed on the basis of the works that have been carried out. Given the very minor level of harm identified to both the buildings of townscape merit and conservation area the public benefits of the proposals, whilst also limited, are considered to outweigh the identified harm

Other

- 6.23 This retrospective planning application relates to replacement windows only and there are not considered to be any other relevant material planning considerations in this instance.
- 6.24 Concern has been raised that this proposal would set a precedent for replacement of other windows within Jesse Terrace. However, precedent is not a material

planning consideration and each planning application is determined on its own merits and determined on the basis of the level of harm/benefits. The application does not impact upon the integrity of the Article 4 direction (the direction does not prevent windows being replaced, rather it requires a planning application to be submitted for such works). As is the case of the current application, this allows the Local Planning Authority to determine whether or not any works proposed are acceptable or not in the context of the appearance and heritage value of the buildings, as well as any other relevant material planning considerations.

- 6.25 Comments received have suggested that if retrospective planning permission is granted a condition should be attached to the decision notice to advise that front ground floor French windows (which are not subject of this application and have not been replaced) shall be retained. However, a condition to control this is not reasonable given replacement of the French window would in itself require a separate application for planning permission. However, an informative could be attached, were permission to be granted.
- 6.26 Comments received regarding the visibility of information about the Article 4 direction on the Council's website and of notifying local residents regarding the direction are noted but are not material considerations in the assessment of this planning application.
- 6.27 All other matters raised in representations are considered to have been addressed in the Appraisal section of this report.

Equalities Impact

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

7. Conclusion

- 7.1 The replacement windows are considered to integrate satisfactorily with the character of the existing dwelling and terrace, which is a building of townscape merit and important to the significance of this part of the conservation area. Officers conclude that the replacement windows have resulted in a very minor degree of harm to the significance of Jesse Terrace as a building of townscape merit non-designated heritage asset and to that of the Russell Street, Castle Hill and Oxford Road Conservation Area. However, in accordance with paragraph 202 of the NPPF the public benefits of the replacement windows in terms of facilitating the continued occupation and wider upkeep of the building as a dwelling within the conservation area are considered to outweigh the very minor level of harm identified.

7.2 The development is considered to adhere to the relevant policies of the Development Plan as set out in the Appraisal section of this report above. Therefore, the application is recommended for approval subject to the conditions set out in the recommendation box at the top of this report.

Drawings and Documents Considered Submitted:

- Renaissance - Window Specification
- Location Plan ref. BK182989

Received by the Local Planning Authority on 19th July 2022

Case Officer: Matt Burns

Plans and Drawings:



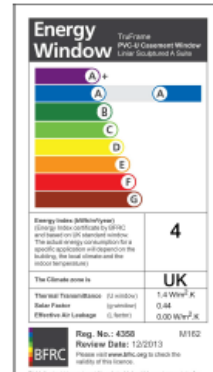
Renaissance Vertically Sliding Sash Window - Vertical slider

Qty:1



Glazing
B Rated Toughened Unit Clear
<small>WER Door Rating is only an equivalent</small>
Spacer Black Warm Edge+ Argon
Panel
Glazing Feature
Clear

Location:	Bedroom	Left front
Width:	1100mm	
Height:	1700mm	
Frame colour	White Foil	
Bottom Rail	Standard	
Sash Horns	Run through sash horns	
Furniture colour	Chrome	
Cill	At discretion of surveyor	
Cill colour	White Foil	
Draught Seal	Grey	
Restrictors	Chrome	
Quick Release Arms	No	
Arched/Shaped Head	No	
Fire Escape	No	
Lift Hooks	D Handles	
Secure by Design	No	



WER Rating is for guidance only. Exact rating is subject to frame variations decided from survey



Renaissance Vertically Sliding Sash Window - Vertical slider

Qty:1

All products Viewed from the outside



Glazing

B Rated Toughened Unit
Clear

WER Door Rating is only an equivalent

Spacer

Black Warm Edge+ Argon

Panel

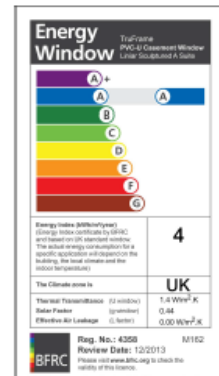
Glazing Feature

Clear

Location: Bedroom
Width: 1100mm
Height: 1700mm

Right front

Frame colour White Foil
Bottom Rail Standard
Sash Horns Run through sash horns
Furniture colour Chrome
Cill At discretion of surveyor
Cill colour White Foil
Draught Seal Grey
Restrictors Chrome
Quick Release Arms No
Arched/Shaped Head No
Fire Escape No
Lift Hooks D Handles
Secure by Design No



WER Rating is for guidance only.
Exact rating is subject to frame variations decided from survey



Renaissance Vertically Sliding Sash Window - Vertical slider

Qty:1

All products Viewed from the outside



Glazing

B Rated Toughened Unit
Clear

WER Door Rating is only an equivalent

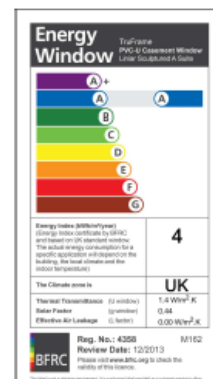
Spacer
Black Warm Edge+ Argon

Panel

Glazing Feature

Clear

Location:	Basement 2	Front
Width:	1180mm	
Height:	1320mm	
Frame colour	White Foil	
Bottom Rail	Standard	
Sash Horns	Run through sash horns	
Furniture colour	Chrome	
Cill	At discretion of surveyor	
Cill colour	White Foil	
Draught Seal	Grey	
Restrictors	Chrome	
Quick Release Arms	No	
Arched/Shaped Head	No	
Fire Escape	No	
Lift Hooks	D Handles	
Secure by Design	No	



WER Rating is for guidance only. Exact rating is subject to frame variations decided from survey



Renaissance Vertically Sliding Sash Window - Vertical slider

Qty:1



Glazing
B Rated Toughened Unit Clear
<u>WER Door Rating is only an equivalent</u> Spacer Black Warm Edge+ Argon
Panel
Glazing Feature
Clear

Location:	Bedroom	Upper font left
Width:	1100mm	
Height:	1400mm	
Frame colour	White Foil	
Bottom Rail	Standard	
Sash Horns	Run through sash horns	
Furniture colour	Chrome	
Cill	At discretion of surveyor	
Cill colour	White Foil	
Draught Seal	Grey	
Restrictors	Chrome	
Quick Release Arms	No	
Arched/Shaped Head	No	
Fire Escape	No	
Lift Hooks	D Handles	
Secure by Design	No	

WER Rating is for guidance only.
Exact rating is subject to frame variations decided from survey



Renaissance Vertically Sliding Sash Window - Vertical slider

Qty: 1



Glazing
B Rated Toughened Unit Clear
<i>WER Door Rating is only an equivalent</i>
Spacer Black Warm Edge+ Argon
Panel
Glazing Feature
Clear

Location:	Bedroom	Upper Right front
Width:	1100mm	
Height:	1400mm	
Frame colour	White Foil	
Bottom Rail	Standard	
Sash Horns	Run through sash horns	
Furniture colour	Chrome	
Cill	At discretion of surveyor	
Cill colour	White Foil	
Draught Seal	Grey	
Restrictors	Chrome	
Quick Release Arms	No	
Arched/Shaped Head	No	
Fire Escape	No	
Lift Hooks	D Handles	
Secure by Design	No	

WER Rating is for guidance only.
Exact rating is subject to frame variations decided from survey

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COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 5 October 2022

Ward: Battle

App No.: 220776/FUL

Address: Land at 362 Oxford Road, Reading, RG30 1AQ

Proposals: Erection of a mixed-use development comprising two commercial units on the ground floor (157.5 sqm), 26 residential units, associated landscaping, car and cycle parking.

Applicant: Stonegate Homes (Reading) Ltd

Deadline: 25 August 2022 (extension tbc)

RECOMMENDATION:

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to:

- i) **GRANT** full planning permission, subject to the satisfactory completion of a s106 legal agreement or
- ii) Refuse full planning permission if the legal agreement is not completed by 7th December 2022 (unless officers on behalf of the Head of Planning, Development and Regulatory Services agree to a later date for completion of the legal agreement)

The legal agreement to include the following heads of terms:

To secure affordable housing consisting of three units (11.5% provision) on site, to be two no. two-bedroom units and one no. one-bedroom unit. To be let at Reading Affordable Rent capped at 70% market rent as per published RAR levels.

In the event that a Registered Provider is not secured for the provision of the Affordable Housing on site, the Units to be offered to the Council to be provided by the Council as Affordable Housing. In the event that neither a Registered Provider or the Council can come forward to provide Affordable Housing on-site, the developer to pay to the Council a default sum equivalent to 5.75% of the Gross Development Value of the development for provision of Affordable Housing elsewhere in the Borough. To be calculated (the mean average) from two independent RICS valuations to be submitted and agreed by the Council prior to first occupation of any market housing unit. To be paid prior to first occupation of any market housing unit and index-linked from the date of valuation.

Together with a **Deferred Payment Mechanism** in accordance with the Affordable Housing SPD 2021 - to secure a 50/50 profit share in excess of 17.4% on Gross Development Value (GDV) on an open book basis capped at a total sum of £454,155 [four hundred and fifty four thousand one hundred and fifty five pounds] (being *equivalent to 30% total AH provision*). The review to be carried out following substantial completion of the 19th dwelling and to be paid in full prior to occupation of the 23rd dwelling.

To secure an Open Space contribution of £64,700 [sixty four thousand seven hundred pounds] towards the improvement and extension of facilities within Kensington Recreation Ground and Portman Road Park - payable before first occupation.

To secure a construction phase Employment Skills and Training Plan or equivalent financial contribution. As calculated in the Council's Employment Skills and Training SPD (2013) -

payable on commencement.

All financial contributions index-linked from the date of permission

And subject to the following conditions (wording to be the same as extant permission 201391):

1. TIME LIMIT (STANDARD)
2. APPROVED PLANS
3. DWELLING MIX (RESTRICTION)
4. MATERIALS (TO BE APPROVED)
5. SAP ASSESSMENT MAJOR - AS BUILT (TO BE APPROVED)
6. DETAILS OF PHOTOVOLTAIC ARRAY(S) (TO BE APPROVED, INCLUDING IMPLEMENTATION)
7. SUSTAINABLE DRAINAGE (TO BE IMPLEMENTED)
8. LANDSCAPING LARGE SCALE (TO BE APPROVED)
9. HABITAT ENHANCEMENT SCHEME (TO BE APPROVED)
10. SECURED BY DESIGN (TO BE APPROVED)
11. NOISE MITIGATION SCHEME (AS SPECIFIED)
12. HOURS OF DELIVERIES/WASTE COLLECTION
13. HOURS OF OPENING/OPERATION
14. MECHANICAL PLANT (NOISE ASSESSMENT REQUIRED)
15. CONTAMINATED LAND ASSESSMENT (TO BE SUBMITTED)
16. REMEDIATION SCHEME (TO BE SUBMITTED)
17. REMEDIATION SCHEME (IMPLEMENT AND VERIFICATION)
18. UNIDENTIFIED CONTAMINATION
19. HOURS OF CONSTRUCTION/DEMOLITION
20. CONSTRUCTION METHOD STATEMENT (TO BE SUBMITTED)
21. NO BONFIRES
22. REFUSE AND RECYCLING (AS SPECIFIED)
23. VEHICLE PARKING (AS SPECIFIED)
24. VEHICULAR ACCESS (DETAILS TO BE APPROVED)
25. CYCLE PARKING (TO BE APPROVED)
26. PARKING PERMITS 1
27. PARKING PERMITS 2
28. DELIVERY AND SERVICING MULTI-UNIT (TO BE APPROVED)
29. EV CHARGING POINTS
30. ADAPTABLE UNITS
31. EXTERNAL LIGHTING (TO BE APPROVED, IF ANY IS PROPOSED)
32. ARBORICULTURAL METHOD STATEMENT (TO BE SUBMITTED)
33. TREE PROTECTION MEASURES (TO BE SUBMITTED)
34. PROVISION/RETENTION OF LIFTS

Informatives

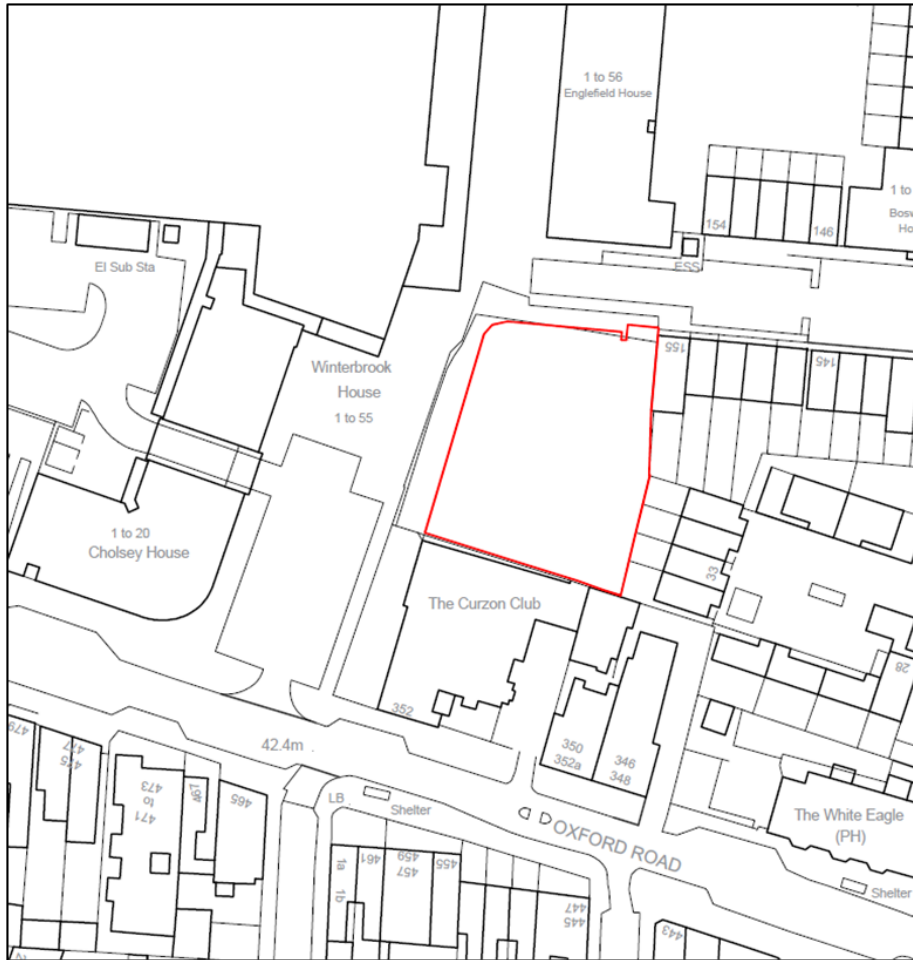
1. Positive and Proactive Working - approval
2. Pre-commencement conditions

3. Highways
4. S106
5. Terms
6. Building Control
7. Complaints about construction
8. Encroachment
9. Contamination
10. Noise between residential properties - sound insulation of any building
11. Community Infrastructure Levy (CIL)
12. Parking Permits
13. Ongoing information conditions
14. Access construction
15. Canopies and structures overhanging the highway

Delegate to the Head of Legal Services and Head of Planning Development and Regulatory Services to make such changes or additions to the conditions and obligations as may reasonably be required in order to complete/issue the permission.

1. INTRODUCTION

- 1.1 The site forms a broadly rectangular 0.3 piece of land to the west of Reading town centre. The site adjoins a parade of shops and short stay car park to the south-west, the large Tesco Extra superstore to the north-west, residential buildings to the north and east and the Conservative club (the Curzon Club) to the south which fronts Oxford Road. The site has been vacant for many years since the hospital vacated the land.



1.2 The site is an allocated housing site within the Local Plan under Policy WR3j (Land at Moulford Mews). It also adjoins the northern boundary of the Oxford Road West district or local centre. There are no listed buildings on or adjoining the site, it is not located within a Conservation Area, and is not within an area of high flood risk. Vehicular access is gained from the north along Moulford Mews. The site can also be accessed by pedestrians from the south, via Oxford Road and the short stay car park.



- 1.3 The site formed part of the former Battle Hospital site, which was comprehensively redeveloped. The Battle Hospital Planning Brief (2005) showed a health centre on the site. However, this was not subsequently required by the NHS Trust and the site was subsequently allocated for housing in the Reading Local Plan (2019). The requirement for a health centre therefore fell away with the adoption of the new Local Plan.
- 1.4 The site is bounded by Englefield House to the north, a 5-storey block of flats, the 3-storey townhouses along Curzon Street to the northeast, 2-storey houses on Battle Place to the east, the Curzon Club to the south and beyond that the Oxford Road, the 3 storey Cholsey House to the West, and 4-storey Tesco store to the northwest, which has residential over (see Fig 2 above).

2. PROPOSAL

- 2.1 The application seeks permission for the redevelopment of the site to provides a mixed-use development comprising of two commercial units on the ground floor and 26 residential units on upper floors. The residential element would comprise of 5 x 1 bedroom, 13 x 2 bedroom and 8 x 3-bedroom dwellings.
- 2.2 The two flexible commercial units would total approximately 157.5 sqm and have active frontages onto the public plaza in front of the site and with Curzon Street/Moulsford Mews. Secure cycle parking, 22 car parking spaces, and 4 electric car charging units will be provided.
- 2.3 The development will take the form of 4 to 6 storey building, with a mixture of integral balconies and private terraces. The scheme would also include four separate living green walls to the eastern and northern elevation, green roofs, and a roof mounted solar PV array.



Fig 3 - CGI visual of proposal (view from Oxford Road)

2.4 SUBMITTED PLANS AND DOCUMENTS:

Drawing No: LOC 01 Rev P1 - Location Plan
Drawing No: BLOC 01 Rev P1 - Block Plan
Drawing No: 050 Rev P1 - Existing Site Plan
Drawing No: 200 Rev P1 - Proposed Site Ground Plan
Drawing No: 210 Rev P1 - Ground Floor Plan
Drawing No: 211 Rev P1 - First Floor Plan
Drawing No: 212 Rev P1 - Second Floor Plan
Drawing No: 213 Rev P1 - Third Floor Plan
Drawing No: 214 Rev P1 - Fourth Floor Plan
Drawing No: 215 Rev P1 - Fifth Floor Plan
Drawing No: 216 Rev P1 - Roof Plan
Drawing No: 240 Rev P1 - Existing Street Elevations Sheet 1
Drawing No: 241 Rev P1 - Existing Street Elevations Sheet 2
Drawing No: 242 Rev P1 - Proposed Street Elevations Sheet 1
Drawing No: 243 Rev P1 - Proposed Street Elevations Sheet 2
Drawing No: 244 Rev P1 - Proposed Elevations - Sheet 1
Drawing No: 245 Rev P1 - Proposed Elevations - Sheet 2
Drawing No: 260 Rev P1 - Natural Environment Plan

Design and Access Statement by ECE Architecture dated September 2020
ref: DO.02;

Planning Statement;

Air Quality Assessment by Phlorum dated May 2022 report ref 9879.S Rev 3;

Land Contamination Preliminary Risk Assessment by Phlorum dated May
2022 project no. 9879 Rev 0.1;

Drawings by Groundsure Insights 1-18 pages;

Drawings by Groundsure Insights 1-20 pages including Appendix C -
Qualitative Risk Assessment, Appendix D - Site Photos, Appendix E -
Conceptual Model;

Preliminary Ecological Appraisal by Phlorum dated May 2022 project no. 9879 Rev 1;
Noise Statement - v2 dated 6th May 2022 by Phlorum;
Utility Statement by UCML revision 3 dated 19/05/2022;
Schedule of Accommodation - DO.01;
BREEAM Pre-Assessment Report by Phlorum dated May 2022 project no. 9879 Rev 1;
Daylight & Sunlight Report by eb7 dated May 2022;
Energy Statement by Phlorum dated May 2022 project no. 9879 Rev 2;
Sustainable Drainage Assessment by GeoSmart Information dated 25/05/2022 report ref: 73227.01R1;
Transport Statement by i-Transport dated 12th May 2022 ref: BH/BB/ITB16072-004A-R;

Arboricultural Development Statement by CBA Trees dated May 2022 ref: CBA11394 v2; and
Financial Viability Assessment by Montague Evans dated 26th May 2022

The following amended plans were submitted on 5th September 2022:

Drawing No: 243 Rev P2 - Proposed Street Elevations Sheet 2
Drawing No: 245 Rev P2 - Proposed Street Elevations Sheet 2

3. PLANNING HISTORY

06/00011/FUL (wider Battle Hospital site)
Erection of 434 no. dwellings and health care/social care/community care facility with associated car parking, open space, landscaping and new access arrangements. Granted 10/11/2006

201391 - Erection of a mixed-use development comprising of two commercial units on the ground floor (157.5 sqm), 26 residential units (including 30% affordable housing), associated landscaping, car and cycle parking (amended description).

4. CONSULTATIONS

4.1 Transport

No objection subject to conditions.

4.2 Environmental Protection

No objections, see discussion below in Appraisal section.

4.3 RBC Ecology

(As per comments received under 201391) No objection subject to conditions.

4.4 Natural Environment Team (Landscape)

(As per comments received under 201391) Object to the removal of the Sycamore tree on site.

4.5 RBC Leisure Team

(As per comments received under 201391) A contribution of £63,700 is sought for improvements to existing open space facilities as a result of the development.

4.6 Crime Prevention Design Advisor

(As per comments received under 201391) No objection subject to conditions.

4.7 Public representations

Letters were sent to various properties in the area and a site notice was displayed at the site.

No representations have been received.

4.8 RBC Housing

No comments to date on recently negotiated Affordable Housing - any comments will be reported to Committee in an Update

5. RELEVANT PLANNING POLICY AND GUIDANCE

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) which states at Paragraph 11 “Plans and decisions should apply a presumption in favour of sustainable development”.

5.2 Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

National Planning Policy Framework (NPPF) (2021)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

5.3 Reading Borough Local Plan 2019

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CC2: SUSTAINABLE DESIGN AND CONSTRUCTION

CC3: ADAPTATION TO CLIMATE CHANGE

CC5: WASTE MINIMISATION AND STORAGE
CC6: ACCESSIBILITY AND THE INTENSITY OF DEVELOPMENT
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
CC9: SECURING INFRASTRUCTURE

EN1: PROTECTION AND ENHANCEMENT OF THE HISTORIC ENVIRONMENT
EN10: ACCESS TO OPEN SPACE
EN12: BIODIVERSITY AND THE GREEN NETWORK
EN14: TREES, HEDGES AND WOODLAND
EN15: AIR QUALITY
EN16: POLLUTION AND WATER RESOURCES
EN17: NOISE GENERATING EQUIPMENT
EN18: FLOODING AND DRAINAGE

EM3: LOSS OF EMPLOYMENT LAND

H1: PROVISION OF HOUSING
H2: DENSITY AND MIX
H3: AFFORDABLE HOUSING
H5: STANDARDS FOR NEW HOUSING
H6: ACCOMMODATION FOR VULNERABLE PEOPLE
H10: PRIVATE AND COMMUNAL OUTDOOR SPACE

TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR4: CYCLE ROUTES AND FACILITIES
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING
WR3j LAND AT MOULSFORD MEWS

5.4 Supplementary Planning Documents
Sustainable Design and Construction (2019)
Planning Obligations under Section 106 SPD (2015)
Employment, Skills and Training SPD (2013)
Affordable Housing SPD (2021)
Revised Parking Standards and Design (2011)

5.5 Other Reading Borough Council Corporate documents
Reading Tree Strategy (2021)
Reading Open Space Strategy Update Note (2018)
Reading Open Space Strategy (2007)
Waste Management Guidelines for Property Developers, Reading Borough Council

5.6 Other material guidance and legislation
National Planning Practice Guidance
The Community Infrastructure Levy (CIL) Regulations (Amended 2015)
Berkshire (including South Bucks) Strategic Housing Market Assessment - Berkshire Authorities and Thames Valley Berkshire Local Enterprise Partnership, Final Report, February 2016, prepared by GL Hearn Ltd
Site Layout Planning for Daylight and Sunlight: a guide to good practice (BR 209), P. Littlefair, 2011

6. APPRAISAL

- 6.1 The extant permission 201391 is identical to the current proposal in all respects except for the amount of Affordable Housing proposed. Little has changed in terms of the circumstances on and surrounding the site since that permission was granted and the main policy context remains the 2019 Local Plan. That being the case, the extant permission is a significant material consideration in the determination of this current application and should be afforded significant weight. The matter for consideration in this particular application is Affordable Housing and the contribution that it makes to meeting identified housing needs and achieving mixed and balanced communities. This report focuses on this as the main issue. All other matters are essentially a repeat of those reported under 201391 but repeated here in full given this is a new planning application.

Affordable Housing and Housing Need

- 6.2 The extant permission 201391 secures eight affordable dwellings on site, equating to 30% provision which complied with Policy H3 which requires proposals of over 10 dwellings to provide 30% of the total dwellings to be Affordable Housing. The current proposal seeks a reduction in this. The policy does state that *“In all cases where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.”* The acceptability of the current proposals are therefore heavily dependent on a more detailed consideration of these matters.
- 6.3 Paragraph 4.4.19 of the Reading Borough Local Plan provides some background to the policy and summarises the large amount of evidence that the Council has in respect of the critical need for Affordable Housing that exists within the Borough:
- “The Berkshire (with South Bucks) Strategic Housing Market Assessment (SHMA, 2016) has once again emphasised the critical need for affordable housing within Reading as well as the remainder of Berkshire. The SHMA identified a need for 406 new affordable homes per year in Reading, which represents the majority of the overall housing required. The consequences of not providing much-needed affordable homes would be severe, and would include homelessness, households in temporary or unsuitable accommodation, overcrowding and younger people having to remain living with parents for increasing periods. Insufficient affordable housing will also act as an impediment to economic growth, as firms will face increasing problems with accommodation for their workforce. Meeting even a substantial proportion of the identified housing need presents significant challenges, and it is therefore critical that new residential development of all sizes makes whatever contribution it can.”*

- 6.4 RBLP para 4.4.23 states *“The target set in the policy has been determined as the result of an assessment of the viability of development of sites of various sizes in the Borough in accordance with the requirements of the NPPF. This will be the expected level of affordable housing provision.”*
- 6.5 This is qualified to some extent by RBLP para 4.4.24 which states that *“...the Council will be sensitive to exceptional costs of bringing a site to market such as for reasons of expensive reclamation, or infrastructure costs, or high existing use values. Where applicants can demonstrate, to the satisfaction of the Council, exceptional difficulties in bringing a site to market, the Council will be prepared to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement...”*
- 6.6 The NPPF and the Council’s policies allow for viability considerations to reduce the provision but only in specific circumstances. Paragraph 58 of the NPPF 2021 states that *“The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.”*
- 6.7 Policy H3 places the onus on the developer/landowner to justify any lower affordable housing contribution. The supporting text to Policy H3 refines this, explaining that costs need to be *“exceptional costs of bringing a site to market”*. It is considered that the types of costs referred to in the Local Plan relate to problems with a site itself; expensive reclamation, infrastructure costs, or high existing use values etc. The cost of a particular design, or design choices, is not considered to fall within this type of exceptional cost; unless the design options are so limited as to prejudice the site coming forward for development in general. It is also not necessarily the role of the LPA to insulate a developer against financial risk associated with downturns in the market or rising development costs.
- 6.8 Both the applicant and the Council’s Valuer agree that the current scheme is in significant deficit and based on the figures provided it would not be financially viable to build, particularly due to the increase in build costs since the previous permission was granted. In fact, the advice received is that the scheme would still be unviable even if no Affordable Housing were to be provided.
- 6.9 Within this context it is apparent that the original proposal of zero percent Affordable Housing falls far short of policy requirements. The viability assessment presented indicates that it is largely an increase in build costs which have resulted in the profitability issue. However there do not appear to be any ‘exceptional costs’ inherent in developing the site which would justify relaxing expectations under the terms and guidance associated with Policy H3. Equally the increase in build cost is a challenge

to the wider construction market and not specific to this site. Ultimately it is not the role of the LPA to insulate or insure developers against risk associated with fluctuations in the market.

- 6.10 The need for general housing (i.e. not Affordable Housing) is a consideration. However, the Council has a healthy supply of housing overall in contrast to the significant undersupply of Affordable Housing in the Borough compared with identified need. As such, the provision of housing would not outweigh the harm that would result in terms of failure to meet the critical need for Affordable Housing within Reading Borough and the associated need to provide for sustainable and inclusive mixed and balanced communities.
- 6.11 Officers have raised these matters with the applicant and have made it clear that the initial zero percent offer (the basis on which the current application was submitted) would result in such significant harm to meeting housing need and achieving mixed and balanced communities when weighed against the critical need for Affordable Housing that the application would not be recommended for approval on that basis.
- 6.12 A negotiated position has since been arrived at whereby 11.5% of the housing units would be secured on-site, comprising two 2-bedroom flats and one 1-bedroom flat. The remaining 18.5% would be subject to a deferred payments mechanism to capture any increased profitability for further investment into Affordable Housing elsewhere in the Borough. The heads of terms are set out in the recommendation at the head of this report.
- 6.13 The negotiated 11.5% on site is a significant improvement on the initial offer. However, it remains well below the 30% required by Policy H3 and is considered harmful in terms of meeting housing need on the basis that the 30% requirement is the product of detailed assessment of this need as evidenced during the preparation and adoption of the policy, especially on allocated sites such as this.
- 6.14 The remaining 18.5% is proposed to be subject to a deferred payments mechanism. In determining this application and deciding on the weight to give to this it should be remembered that the viability assessment suggests a significant shortfall in profitability and a significant increase in profit would need to occur before any deferred payments would be triggered (at profits above 17.4%).
- 6.15 The proposed heads of terms secure three Affordable dwellings on site. Officers are mindful of the fact that developers are not always successful in securing a Registered Provider to purchase the units, particularly where numbers of units are relatively low. It is therefore necessary for a 'cascade' mechanism to be included to allow such units to be offered to the Council as Housing Authority, and failing that, to secure an equivalent financial contribution known as a default payment for off-site provision. Paragraph

5.10 of the adopted Affordable Housing SPD explains that, “*The most appropriate way to calculate the contribution is to calculate the Gross Development Value (GDV) of the entire proposed development. The financial contribution will usually be directly proportionate to the GDV of the scheme assuming it is 100% private sales. As the financial contribution required by an RP to fund one unit is 50% of a unit’s market value, the financial contribution equates to 50% of the proportion required under policy.*” For this particular application, 11.5% provision has been agreed as a negotiated position. The equivalent off-site contribution is therefore 5.75% in this instance.

- 6.16 In conclusion in respect of Affordable Housing matters, all parties agree that the submitted assessment places the scheme in significant deficit. However, the *reasons* for this unviability do not fully justify a reduction in the amount of Affordable Housing when considered against policy tests. The unviability lies in general increases in build costs rather than exceptional costs associated with the constraints of the site and associated difficulties in bringing it to market.
- 6.17 Significant harm has been identified in terms of the failure to fully meet policy requirements for this allocated site in terms of a critical need for Affordable Housing and the associated aims of achieving mixed and balanced communities is contrary to Policy H3. This harm will need to be weighed against other material considerations, including the wider benefits of the scheme if the proposals are to be considered acceptable. The provision of part of the policy requirement (11.5%) should be given weight in the decision making, as should the proposed deferred payment mechanism (to a lesser extent due to the inherent uncertainties involved). This is addressed within the overall planning balance at the end of this report.

Other matters relevant to the current proposal are as follows and largely repeat the assessment of the extant permission 201391:

Land Use Principles

- 6.18 The principle of residential development is established under Local Plan housing allocation Policy WR3j (Land at Moulford Mews), which allocates the site for residential development.

“WR3j LAND AT MOULSFORD MEWS Development for residential. Development should:

- Address air quality impacts on residential use; and*
- Address any contamination on site.*

Site size: 0.16 ha 10-16 dwellings”

- 6.19 Any development on this allocated site should address air quality impacts on any residential use and address any contamination on site. Both matters

concerning air quality and contamination will be dealt with later in this report.

- 6.20 In terms of the proposed flexible commercial space at ground floor level, Local Plan Policy RL1 relates to the network and hierarchy of district and local centres. This policy highlights the need for new development to maintain and enhance the vitality and viability of these centres. Although the site is not allocated for any retail, and it is not within a district or local centre, as mentioned, the site adjoins the boundary of the Oxford Road West District Centre. Local Plan Policy RL3 (c) states that: *“Within and adjacent to district, major local and local centres, all new development should provide some ‘centre uses’ at the ground floor, unless it can be clearly demonstrated that this would not be possible or appropriate.”*

Housing Mix and Density

- 6.20 The NPPF seeks to ‘boost significantly the supply of housing’ and deliver a wide range of homes, of different types and tenures. Achieving an efficient use of the land within the context of any central and sustainably located site is a key priority both at a national and local level. The NPPF states that LPAs should actively *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”*. In general terms, officers support those urban design principles which encourage an ambitious approach to density on such sites.
- 6.21 Policy CC6 ‘Accessibility and the intensity of development’ makes the important link between the scale and density of development and its inherent level of accessibility by walking, cycling and public transport to a range of services and facilities, with opportunities for increased density taking place in the most accessible locations. This does not override other planning considerations, but is an important element of meeting the Borough’s development needs in the most sustainable way. Policy H2 which specifically considers density and mix, requires that the appropriate density of residential development is informed by the character and mix of uses of the area in which it is located and its current and future level of accessibility.
- 6.22 Within the Local Plan, indicative densities for different areas are set out in Local Plan extract Figure 4.5. This indicates such a site located within the and urban district centre would have an indicative density of between 60-120 dwellings per hectare. The supporting text goes on to acknowledge that the criteria discussed above may indicate that different densities are appropriate, despite the indicative density range indicating otherwise.
- 6.23 A density of 162.5 dwellings per hectare is calculated across the site. Whilst this is higher than envisaged in the allocation, this is similar to the adjoining flats at Englefield House opposite Tesco and consistent with the

Local Plan’s aim to ensure density positively assists in meeting identified needs in highly sustainable locations. Given the proposed format of development (a dual core L-shaped block fronting existing commercial and higher density residential), the resultant quantum of development and density does not cause any conflict with policy or depart significantly from the density of other existing or recently approved developments on the former Battle Hospital site. However, notwithstanding the conclusion that such density may be appropriate in this location, this does not negate the need for careful attention to be paid to design, character of the surrounding area, and wider planning merits which will be covered below.

- 6.24 Policy H2 also identifies that wherever possible, residential development should contribute towards meeting the needs for the mix of housing in the Borough, and in particular for family homes of three or more bedrooms. As detailed below, the proposal would provide a mix of units, including a high proportion of three-bedroom units.

Units size	Number of units
1 bed, 2 person	5
2 bed, 3 person	5
2 bed, 4 person	8
3 bed, 5 person	8
Total	26

Figure 4 - Proposed unit mix

- 6.25 When considered against the requirements of the Local Plan, the following proportions are calculated:

Units size	Proportion
1 bed units (5 units)	19.3%
2 bed units (13 units)	50%
3 bed units (8 units)	30.7%

5 - Proposed unit mix proportions

- 6.26 The proposal therefore provides a higher proportion of larger units (3-bedroom) than smaller units (1-bedroom). Furthermore, the provision of 2-bedroom units is composed of two sizes, 3 or 4-person occupancy. Based on the characteristics of the site and the appropriateness for range of units in such an arrangement, the overall mix is supported and complies with the objectives of Policy H2.

Character and design

- 6.27 **The proposals are the same in terms of impacts on the character of the area as those approved under 201391.**
- 6.28 Section 12 of the NPPF ‘Achieving well-designed places’, reinforces the importance of good design in achieving sustainable development, by

ensuring the creation of inclusive and high-quality places. Paragraph 127 of the NPPF includes the need for new design to function well and add to the quality of the surrounding area, establish a strong sense of place, and respond to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

- 6.29 The Government's National Design Guide 2019 (NDG) is clear that well-designed places contribute to local distinctiveness. This may include introducing built form and appearance that adds new character and difference to places. Policy CC7 'Design and the Public Realm' sets out local requirements to design and requires that all developments must be of high design quality that maintains and enhances the character and appearance of the area in which it is located.
- 6.30 Any proposal will be considered carefully against these local and national policy objectives, including heights, building lines, and plot coverage. These points will be considered under the following sub-headings.

Layout

- 6.31 The proposed development is considered to build on and respect the existing layout of surrounding development, providing continuity and enclosure through appropriate relationships between the building and spaces in front of it. The proposed footprint and frontages continue to align with the historic approval for the health centre on site and those created by adjoining buildings along Curzon Street. The inclusion of chamfered glazed commercial frontages at ground floor provides welcome activity to the public realm at the end of Moultsford mews and adjacent to the existing short stay car park. Currently, parts of Moultsford Mews are not well surveyed and existing hording around the site provides for an unpleasant pedestrian and resident experience. As such, the extent and position of the building line along both the northern and western frontages is welcomed.
- 6.32 To the rear, the building set back from the eastern boundary and neighbouring rear gardens. The eastern and southern parts of the ground floor layout comprise of a residential parking area. The southern part of the building steps away from the Curzon Club boundary. Given the extensive flat roof element of the Curzon Club and established frontage to the short stay car park, the proposal is not considered to prevent any reasonable future development aspirations or of that site. Therefore, in this respect the proposal is considered to respond positively to its local context and reinforce the existing street structure which exists at this part of West Reading.

Scale

- 6.33 The application site occupies a corner position, adjoining varying scales of built form. These consist of the large plain four storey rectangular building

of Winterbrook House which accommodates both Tesco and flats above, five storey Englefield House on Moulford Mews, the three storey modern terrace of Curzon Street, the pitched roof mixed use parade of Cholsey House, and finally the rear of the three storey Curzon Club on Oxford Road



Surrounding development

- 6.34 The proposal would see a 4-storey element to the north west closest to the three storey town houses along Curzon Street. The building steps up to a 6-storey block at the north west corner of the site. The 4-storey element is considered to maintain a respective scale to those dwellings along Curzon Street, visually reducing the mass as seen from the street and approach (See figure 8 below).
- 6.35 A 5-storey element would face south, addressing the Curzon Club and distant views form Oxford Road. The massing of the proposed building is concentrated in the north west corner of the site, adjacent to the existing block of flats along Moulford Mews and the adjacent Tesco store.



Proposed street scenes

- 6.36 The location of the taller element to the northwester corner is considered to fulfil a number of key urban design principles. The proposal is properly able to address the corner, as no blank elevation is presented to the public realm. This ensures the building turns the corner successfully. The highest part of the proposal addresses the corner, with strong vertical emphasis. This creates a central focus to the development with the tallest elements addressing the adjacent similarly scaled block of flats opposite. This allows the building to perform a positive role on the corner, marking a visual termination along Moulsoford Mews at ground level but also helps improve the continuity of the frontage. The stepping down of levels to the Curzon Club also has benefits aside from visual transition, it allows south facing sedum roofs at fourth and fifth floor level.
- 6.37 In summary, the site occupies a prominent corner plot where the relationship of any new building is largely determined by its position fronting onto a public plaza and busy supermarket forecourt. When considering the general scale and proportions of this proposal, the building will be primarily read from Moulsoford Mews and or the short stay car park to the west when travelling north from the Oxford Road. In responding to this context, the scale of the development is considered acceptable in context.



CGI looking south east

- 6.38 The ground floor entrances to the commercial units are considered well-articulated, successfully defining the building at street level and provide this corner plot with much-needed definition, surveillance and activity at street level.
- 6.39 Overall it is considered that the development at this scale sits comfortably on the site and make the most of the opportunities presented by the disparate scale and uses of surrounding buildings.

Detailing

- 6.40 Turning to the detailed design of the building, the local area benefits from a contrast between more traditional/historic (Oxford Road) and modern styles found within the former Battle Hospital site.
- 6.41 The proposal has deeply recessed balconies, which are considered to add depth to the façade whilst enabling the building to front the public realm. The stacking of windows and balconies add welcome rhythm and a verticality to the façade. The same applies to the rhythm of the stairwell windows. As described above, the ground floor commercial units feature large areas of glazing, adding interest to the edge of the public realm and create a visual focus at the end of Curzon Street and Moulford Mews.
- 6.42 The appearance of the development and the proposed materials reflect the style and materials traditionally used within the local area but employ a much more contemporary and robust style when compared to much of the rendered blocks of flats within the former Battle Hospital site. A single colour of brick forms the primary material, punctuated by the balconies,

creating relief in the facade and interest. Areas of perforated brick work and recessed panels of textured brick work add interest across the building. Brick piers and anthracite framed glazing are used to help define the ground floor and mark the entrances to the commercial units, is considered to create a visually interesting street level public realm.

- 6.43 The rear elevations are clad in white and grey cladding panels, helping reduce the mass of the rear elevation by breaking up any extensive areas of brick work. Balcony reveals are clad in white glazed brick work to reflect the local vernacular architecture where glazed bricks are used for banding on Victorian/Edwardian terraces. The glazed bricks would contrast against the red brick whilst reflecting light further into the plan of the building.
- 6.44 Further to the above, the building as much as possible, provides opportunity for both human interaction and additional soft landscaping at street level. This led to the introduction of two living green walls to the two principal ground floor elevations. These frame the commercial entrances and providing welcome relief to what is recognised is a rather urban environment. These features combined are not only considered to enliven and enhance what is currently a harsh and poorly-surveyed part of Oxford Road, but in conjunction with the proposed flexible commercial use, will encourage greater public interaction and reinforce the site's prominent corner plot position. In this respect the development is considered to perform a positive role.

Amenity

- 6.45 **The proposals are the same in terms of impacts on amenity as those approved under 201391.**

Privacy

- 6.46 The site is within a densely built-up area with a mixture of large blocks of flats adjoining high-density terraced housing. This is reflective of the site's location directly adjoining a district parade of shops, the large Tesco Supermarket and the commercial offer contained along Oxford Road. The proposal would introduce primary active frontages at all levels facing onto the public realm (North and west). Windows and some balconies would face the rear towards the rear gardens of those houses along Battle Place and the adjoining terrace on Curzon Street.
- 6.47 Due to the layout and orientation of the application site, the closest rear facing windows would be approximately 19.6m from the rear elevation of the end terrace house on Battle Place. Only an oblique view would be attainable, furthermore due to nature of the rooms served by these windows (bedrooms), this is not considered to give rise to any serious privacy concerns. On the eastern elevation of the scheme, the more direct

view attainable from bedrooms are greater than 24m. These distances are in excess of good practice and existing relationships in question.

- 6.48 To the north facing Englefield House, the distances are closer (approximately 14m, but are reflective of prevailing front/front separation distances within the wider Battle Hospital development to the north.
- 6.49 It must be recognised that by virtue of occupying a vacant and undeveloped site, any new development in this location is likely to cause a greater perception of change and associated overlooking and loss of privacy towards surrounding buildings. However as per the extant permission, no new views (which are not already attainable into adjoining gardens) would be created and the inter-relationship between the site and its surroundings would not be substantially different or more harmful proximity to that which already exists in this urban area, and therefore this scheme is considered acceptable in terms of Policy CC8.

Daylight and sunlight

- 6.50 The applicant has provided a daylight/sunlight assessment with the application - the same as the extant permission. The report shows that the scheme would not have a significant detrimental impact upon adjoining properties in terms of daylight/sunlight. In addition, the proposed development would provide all proposed flats with sufficient daylight/sunlight.

Living conditions of future occupiers

- 6.51 All dwellings have been proposed to meet or exceed the nationally described space standard (as outlined in Policy H5) for the type of dwelling/number of bedrooms. As such, all flats are considered acceptable in this regard.
- 6.52 Policy H10 states that “... *flats may be provided with communal outdoor space, balconies and/or roof gardens*”. In this instance, each proposed dwelling has a private balcony/terrace. Proposed balconies spaces have been orientated towards the north and west to avoid possible overlooking of gardens to the east of the site. Each balcony/terrace is accessed off of the primary living space by either glazed door or a set of Bi-fold doors. The balcony/terraces sufficient size to allow a table and chairs. The recessed balconies feature a bespoke metal balustrade and the internal faces of the balconies are clad in glazed bricks to reflect additional light into each dwelling.
- 6.53 Despite balcony/terraces providing sufficient private amenity space for each flat, future residents would be reliant on public open spaces for informal recreation. The site is well located for access to Battle Square Park (1 min walk away) which contains a LEAP (Local Area Equipped for Play), the Council run Kensington Recreation Ground (5 mins walk away)

and Portman Road Park (6 mins walk away) which both contain a wider range of facilities.

- 6.54 As such, officers consider it necessary and appropriate to secure a contribution for improvements to these existing facilities as a result of the development, particularly given the over-emphasis on larger units and the lack of on-site amenity space. Based on the standard formula provided for by the Council's Open Space Officer, a contribution of £63,700 will be sought and secured via Section 106 Agreement.

Accessibility and lifetime homes

- 6.54 Policy H5(f) requires that on all developments of 20 or more new build dwellings, at least 5% of dwellings will be wheelchair user dwellings in line with M4(3) of the Building Regulations. Any market homes provided to meet this requirement will be 'wheelchair adaptable' as defined in Part M, whilst homes where the Council is responsible for allocating or nominating an individual may be 'wheelchair accessible'.
- 6.55 The development includes this provision and officers are satisfied that the accessibility/adaptability of the units can meet these requirements. To ensure these units are provided and maintained as such, a compliance condition is recommended to state that a policy compliant proportion of wheelchair user dwellings are ready prior to first occupation and are retained as such thereafter.

Crime prevention

- 6.56 A number of suggestions have been received from the Thames Valley Police Crime Prevention Design Advisor relating to security on the site. These elements are considered necessary and reasonable and could be covered by the recommended condition, consistent with the extant permission.

Natural Environment

- 6.57 **The proposals are the same in terms of impacts on the natural environment as those approved under 201391.**
- 6.58 The Local Plan recognises the importance of natural features, the valuable contribution they can make to a place and to people's quality of life, especially in a developed urban area like Reading. There is a need for development in such locations to take all opportunities realistically available to integrated additional natural features into the overall design. These include natural and designed landscapes, a high public realm, and trees, grass, planting etc. This is a key aspect in demonstrating the Council's ambition and commitment to tackling climate change and supported through the Council's Tree Strategy.

- 6.59 The proposed development site is within Area Tree Preservation Order (TPO) 103/03 which protects all trees that were growing on the former Battle Hospital site, when the Order was served (in 2003). It is also located within Battle Ward, which has the lowest tree canopy cover in the borough.
- 6.60 The site is currently vacant, largely cleared and surrounded by hording. The site contains a single Sycamore tree located at the south east corner of the site. Just outside of the southwest boundary is a London Plane tree.
- 6.61 The Sycamore tree is proposed to be removed and replaced with a smaller tree. This tree is covered by the TPO 103/03. The Tree Survey conducted by the applicant's tree consultant confirms the condition of this tree is good and estimates it has a remaining contribution of 20+ years. This indicates as a starting point that this tree should be retained.
- 6.62 The extant permission report noted that in the original 2006 planning permission for West Village (06/00011/FUL), this tree was not proposed to be retained, and this portion of the health centre was covered by the parking area for the health centre. Alternative smaller canopy trees were proposed along the eastern boundary. A similar approach is proposed under this proposal with a replacement (smaller) tree being located to the south-eastern corner of the resident's car park. This was not considered to constitute a like-for like replacement nor result in any net gain in on site tree planting. Accordingly, the Natural Environment Team expresses concern that the proposal did not include sufficient enhancements to outweigh the removal of this tree. However, as with any consequence of development, this must be considered alongside any wider environmental benefits of the development as a whole in addition to any identified social and economic benefits to be outline later in this report.
- 6.63 The London Plane tree is to be retained and protected via tree protection measures. However, whilst clearly outside the site boundary, it appears the exact position of this tree remains unconfirmed. This being the case, the Council require further confirmation as to the exact tree protection methods that will be undertaken in accordance with the Tree Protection plan. Officers are of the view this can be reasonably secured via conditions.
- 6.64 Wildflower green roofs are proposed to all flat roof elements. This type of green roof is compatible with the proposed rooftop Solar PV panels which will be discussed later in this report.
- 6.65 In addition, four separate areas of 'green wall' facing the public realm. These livings walls would frame either side of the ground floor commercial units on the northern and western elevation.
- 6.66 Where 'in the ground' planting is not feasible, it is recognised the benefits both green walls and green roofs can bring. These two features ensure that natural landscaping is incorporated whilst also improving the appearance of

the buildings, which is particularly important in an urban area such as this, and also contributes to reducing the hard ‘canyon’ effect which is currently created by the existing hoarding that encloses the site.

- 6.67 Both the green wall and green roofs are considered a potentially very effective means of improving the sustainability credentials of the building, increasing thermal insulation and providing pollution filtration. Given the limited space between the frontage and the pavement, it is considered a positive and creative way of allowing this site to contribute positively and practically with green infrastructure. The green wall in conjunction with the glazed active façade is considered to create a welcoming and enlarged public realm around the building. The details of the green wall, alongside its ongoing maintenance, would be secured via a specific landscaping condition and this is considered appropriate in the circumstance.
- 6.68 The proposal also seeks to maximise soft landscaping through the provision of additional box planters, large shrubs and climbers to the car parking area. The full planting specification, along with ongoing management and maintenance will be secured via condition to be determined post approval. The Council’s Ecologist has raised no objection to the proposal subject to conditions ensuring habitat enhancement measures be secured.
- 6.69 In considering the level of greening that can be realistically secured on a constrained site in a urban district location, officers are of the view that the proposal now provides a meaningful contribution to the adjoining District Centre’s environment, and performs a considerably greater role than the site does at present. The four green walls, green roofs, replacement tree planting and soft landscaping is a positive package that maximises green infrastructure on this site and is considered sufficient to outweigh the loss of the Sycamore tree. This overall contribution is afforded great weight in the overall balance.

Sustainability

- 6.70 **The proposals are the same in terms of sustainability credentials as those approved under 201391.**
- 6.71 Local Plan Policy H5 ‘Standards for New Housing’ seeks that all new-build housing is built to high design standards. In particular, new housing should adhere to national prescribed space standards, water efficiency standards in excess of the Building Regulations, zero carbon homes standards (for major schemes), and provide at least 5% of dwellings as wheelchair user units. Policy CC2 (Sustainable Design and Construction) and Policy CC3 (Adaption to Climate Change) seeks that development proposals incorporate measures which take account of climate change. Policy CC4 (Decentralised Energy) seeks that developments of more than 20 dwellings should consider the inclusion of combined heat and power plant (CHP) or other form of decentralised energy provision.

- 6.72 The applicant has submitted a sustainability and energy report as part of the application which follows the relevant policies and Sustainable Design and Construction SPD guidance.
- 6.73 The information submitted demonstrates that through the measures outlined in the energy strategy, it is anticipated that a 37.4% improvement below Building Regulations Part L compliant baseline is achievable. In terms of decentralised energy, the inclusion of a decentralised system is not financially viable for a development of this size, however roof mounted Photo Voltaic cells are included and positively support the development in achieving the above energy improvement below Building Regulations.
- 6.74 A sustainable drainage strategy (SuDs) has also been submitted as part of the application. No objection is raised by the Local Flood Authority (RBC Transport), subject to conditions to secure a timetable for its implementation and details of management and maintenance of the scheme and its implementation in accordance with the approved details.
- 6.75 As per the extant permission, the proposals demonstrate a good standard of sustainability and in particular the requirement adhering to zero carbon homes standards and therefore the development is policy compliant in this regard.

Transport

- 6.76 **The proposals are the same in terms of transport considerations as those approved under 201391.**
- 6.77 As described the site formed part of the 2006 planning application for the redevelopment of the former Battle Hospital site (06/00011/FUL). A Healthcare centre was proposed for the site within the application, but the site was never developed. A total of 16 car parking spaces were proposed for the health centre. The proposed development consists of the construction of two small commercial units on the ground floor. A total of 22 car parking spaces is proposed for the site.
- 6.77 Vehicular access is proposed via Curzon Street and will take the form of a vehicle crossover. A small section of Curzon Street (western end) is currently unadopted. As the granting of planning consent does not confer any rights of access, it should therefore be noted that the red line area does not extend to the adopted section of Curzon Street. The applicant has confirmed that full access rights are in place (although this is not strictly speaking a planning matter).
- 6.78 The site is located in Zone 2, Primary Core Area, of the Revised Parking Standards and Design SPD. It is close to the A329 Oxford Road, the main transport corridor between central Reading and the west and is well served by public transport, with buses continuing either into or out of the Central

Core Area whilst Reading West Railway Station is located circa 700m walk to the east of the site.

- 6.79 In view of this, a methodology has been agreed which uses the existing car ownership data from the local area to forecast the demand and parking requirement for the development. As described, 22 car parking spaces is proposed for the development equating to 0.84 spaces per residential apartment. This takes into account the sustainability of the site, proximity of public transport services and the presence of a car club. These factors contribute towards lower levels of car ownership within the area.
- 6.80 The development will provide a total of 4 electric vehicle charging spaces which is above the required provision as outlined in Policy TR5. This will be secured by condition. In addition, there is a 'Co-Wheels' car club on Oxford Road in the vicinity of the site. This is publicly accessible so anyone who lives on the site can register to become a member and then book the car.
- 6.81 No parking is proposed for the two small commercial units. It is agreed that these commercial units make use of the existing short stay car park to the west of the site and the short stay on street parking bays along Oxford Road, which customers and deliveries for existing commercial units already make use of. The commercial units provide the opportunity for linked trips between the existing and proposed commercial uses within the area.
- 6.82 A secure store is proposed on site which can accommodate 32 long stay cycle parking spaces in tiered racking. However, it would be a preference to see the residential and commercial cycle parking separated to improve security. This can be specified and covered by condition.
- 6.83 The refuse stores are located adjacent to the main vehicular entrance on the northern boundary of the site to allow servicing to occur from Curzon Street. The bin store has been enlarged on the amended plans to accommodate the required number of bins.
- 6.84 Swept path drawings have been provided demonstrating that delivery vehicles and refuse vehicles can gain access to the site. Given that there is no turning head on Curzon Street, it is assumed that refuse vehicles currently reverse the length of Curzon Street to service the existing residential properties. However, the proposed site access provides the opportunity for refuse vehicles and larger delivery vehicles to use the site access as a turning area. Swept path analysis drawings have been produced to demonstrate that a refuse vehicle is able to turn at the eastern end of Curzon Street utilising the site access.
- 6.85 As described, the commercial uses will complement the existing commercial uses in the area. Potential uses could include non-food retail, hairdressers, beauticians, a small café or a takeaway use. These types of uses will only generate a very small number of servicing and delivery vehicle movements, with the majority of deliveries undertaken by smaller

transit van type vehicles. Swept path analysis drawings have been produced to demonstrate that a 7.5 tonne delivery vehicle is able to enter the site and undertake a three point turn within the parking area. This is acceptable given the size of the commercial units, however, a Delivery and Servicing Plan is required prior to first occupation of the units to ensure deliveries are appropriately managed once the end users are known.

- 6.86 In light of the above no transport or access objections to this application area raised subject to those recommended conditions.

Environmental Protection

- 6.87 **The proposals are the same in terms of EP impacts as those approved under 201391.**

Air quality

- 6.88 The site is located close to the Oxford Road, and within an Air Quality Management Area. As such, the impact of air pollution on new occupants is of particular concern. In support of the application, an Air Quality Assessment was submitted.
- 6.89 During construction, adopting appropriate mitigation measures is considered able to adequately prevent any significant air quality effects on the surrounding area. The proposed development is not expected to introduce new receptors into an area of existing poor air quality, nor is it anticipated to significantly impact local air quality. The development would include four electric vehicle charging bays, sharing two charging stations, 32 cycle storage spaces, two green wall elevations, sedan roofs and replacement tree planting on a site.
- 6.90 The Council's Environmental Protection officers have reviewed the Air Quality Assessment and recommend conditions securing implementation in line with these reports would be acceptable and ensure appropriate noise/air quality for the proposed development. Construction hours, control of noise and dust during construction will also be conditioned. As such, the proposed development is considered to positively contribute to improve air quality and comply with all relevant local and national air quality policy subject to relevant conditions.

S106/Community Infrastructure Levy

- 6.91 The proposals would be liable for CIL and the approximate liability based on the previous scheme would be £198,398 subject to indexation. This may be subject to further change for a variety of reasons, as the applicant could apply for relief on the on-site affordable housing units for instance.

- 6.92 A construction phase Employment Skills and Training Plan would also be secured via the Section 106 legal agreement as per the Council's Employment Skills and Training SPD. This could be in the form of a site-specific plan or equivalent a financial contribution. As such, the S106 will secure this in a flexible manner covering both options.
- 6.93 With regard to a planning obligation, a Section 106 Agreement would be required to secure the following heads of terms as described in this report:
- o Secure the agreed level of on-site affordable housing with cascade to affordable housing providers and default and deferred payment mechanisms,
 - o £64,700 [sixty four thousand seven hundred pounds] Open Space contribution to improve and extend facilities within the nearby **Kensington Recreation Ground and Portman Road Park**;
 - o Secure a construction phases Employment Skills and Training Plan or equivalent financial contribution. As calculated in the Council's Employment Skills and Training SPD (2013).
- 6.94 Policies CC9 (Securing Infrastructure) and DM3 (Infrastructure Planning) allow for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. It is considered that each of the obligations referred to above would comply with the NPPF and Community Infrastructure Levy (CIL) in that it 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.

Other Matters

Equalities Impact

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

7. CONCLUSION

- 7.1 The report for the extant permission 201391 rehearsed the wider benefits of the scheme as set out in the conclusion to the previous report. This determined that, having regard to all matters raised, the limited adverse impacts caused by this development would be significantly and

demonstrably outweighed by those identified benefits when assessed against the relevant policies as a whole and applying an overall critical planning balance of all material considerations presented. The benefits referred to included the policy compliant amount of Affordable Housing proposed at that time. The application was recommended for approval on that basis.

- 7.2 The current application diminishes the benefits by introducing an element of additional harm to be weighed within the overall balance in terms of the failure to meet identified housing need due to the shortfall in Affordable Housing proposed (11.5% instead of 30%). The provision of an (albeit lesser) amount of affordable housing on site should nevertheless be given some weight, as should the safeguards offered by default and deferred payment mechanisms in the event that profitability increases against predicted levels. In this particular instance officers are particularly mindful of the regeneration benefits of bringing this long-term vacant site forward for development, as well as the wider benefits previously identified under the extant permission. On balance, it is considered that the harm arising from the shortfall in Affordable Housing is marginally outweighed by the overall benefits and that permission should be granted on that basis as set out in the recommendation at the head of this report.

Case Officer: Steve Vigar

Drawings



Ground Floor Plan



Second Floor
1:100
Typical Floorplan (2nd Floor)



North Elevation



West Elevation

North and west street elevation



South Elevation



South and east street elevation

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COMMITTEE REPORT

BY THE EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 5 October 2022

Ward: Whitley

Application No. 212037/REG3

Address: Land adjacent to Reading Sewage and Treatments Works, Island Road, Reading

Proposal: A gypsy and traveller transit site intended for short-term use while in transit. It will comprise 7 pitches, bin store, outdoor seating area, play area, and a new access onto Island Road. Each pitch comprises a kitchen/toilet block and space for two caravans and two cars

Applicant: Reading Borough Council

Date Valid: 11/01/2022

Application target decision date: Extension of time agreed until 14 October 2022

RECOMMENDATION:

GRANT temporary planning permission (ten years).

Conditions to include:

1. TL1 - Standard three year time limit
2. Temporary permission - ten years' use (from date of the decision notice) to cease and all caravans and associated equipment to be removed and the site decommissioned, in accordance with a plan which has been submitted to and approved in writing by the Local Planning Authority
3. Approved plans and documents
4. Contaminated land submission of remediation scheme (pre-commencement)
5. Contaminated land implementation of scheme
6. Contaminated land reporting of any unexpected/unidentified contamination
7. Pre-commencement submission and approval of flood mitigation and resilience works
8. Pre-commencement submission and approval of details of flood compensation in subsurface area to achieve compliance with accordance with volume as stipulated in Flood Risk Assessment
9. Pre-commencement submission and approval of a flood warning evacuation plan
10. Pre-commencement submission and approval of a warning plan for an emergency event at AWE Burghfield.
11. Welfare office details - submission and approval pre-commencement
12. Pre-commencement submission and approval of detailed landscaping scheme
13. Pre-commencement submission and approval of ecological mitigation scheme
14. Pre-commencement submission and approval of a Construction and Environmental Management Plan (CEMP)
15. Pre-commencement submission and approval of site management plan, to include maximum stay for residents of no more than three months in any six month period
16. Provision of oil interceptors (pre-occupation)
17. External lighting details (pre-occupation)
18. Submission and approval of details of boundary treatment, including noise suppression characteristics to align with noise study (pre-occupation)
19. Submission and approval of details of privacy screens between pitches (pre-occupation)
20. Waste and recycling collection arrangements (pre-occupation)
21. Submission of a landscaping and ecological maintenance plan (pre-occupation) and

such a plan shall be applicable for the lifetime of the development (ten years)

22. The use shall not be occupied by any persons other than members of the travelling community
23. There shall be no more than seven pitches on the site, maximum 70 persons on site at any one time
24. On each of the seven pitches hereby approved there shall be no more than two caravans (as defined in the Caravan Sites & Control of Development Act 1960 and the Caravan Sites Act 1968) stationed at any time
25. There shall be no commercial activities undertaken at the site, including the external storage of goods or materials not ancillary to the residential use
26. No vehicles over 3.5 tonnes shall be stationed, parked or stored on the site at any time
27. Use of electrical connections for caravans only and no use of petrol/similar portable generators within the development
28. Provision and retention of access
29. Set back of gates
30. Provision and retention of refuse and recycling area
31. Space within the site shall be retained for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.
32. The parking and turning areas shall be retained and maintained for their designated purposes.
33. Maintenance and retention of communal facilities (picnic and play areas)
34. The internal floor levels of each mobile home on the site shall be set not less than 300mm above finished slab level (yard level)

Informatives to include:

- S.59 Highways Act 1980 (damage to Highway)
- Thames Water informatives
- Environment Agency informatives: permits and guidance
- Positive and proactive requirement
- Separate Building Regulations approval required
- Community Infrastructure Levy (CIL)
- Gas bottle storage - safety considerations

1. INTRODUCTION

- 1.1 The application site comprises a narrow strip of land totalling 0.32 hectares to the south of Island Road, between the Re3 Recycling Centre to the west and the Reading Sewage Treatment Works (STW) to the east. At its nearest point, the River Kennet is approximately 200 metres to the north beyond the large industrial/warehouse buildings to the north of Island Road.
- 1.2 There are a number of site constraints and designations:
- -To the immediate west of the site is the Green Park Flood Relief Channel, a watercourse leading from Green Park in the south to the Kennet to the north.
 - The site is situated within the Detailed Emergency Planning Zone (DEPZ) of the Atomic Weapons Establishment (AWE) Burghfield site, which is approximately 3 kilometres from the site in West Berkshire District.
 - The site is within Flood Zone 3, as advised by the Environment Agency.
 - The site is located close to the Kennet and Holy Brook Meadows Major Landscape Feature to the north.
 - Near to the Kennet/Kennet and Avon Canal Local Wildlife Site (LWS) and the Berkshire East Biodiversity Opportunity Area.
 - The site forms part of a designated Green Link in the Local Plan.
 - The site is adjacent to areas of contaminated land (neighbouring commercial uses).
 - There are local cycle routes to the north, west and east of the site.
- 1.3 Members of the Planning Applications Committee are due to attend a Member site visit on 29 September.

Location Plan (not to scale)



Aerial View





2. PROPOSAL

- 2.1 Full planning permission is sought for the use of the site as a Gypsy and Traveller 'transit site'. National planning policy for Gypsies and Travellers describes this group as, "*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such*".
- 2.2 The proposal seeks to address an identified need for transit pitches. For the purposes of this application, a 'transit' caravan site is a site used for temporary periods by Gypsies and Travellers. The typical duration of stay would be a minimum of 1-3 days and the maximum length of stay currently anticipated would be three months. The proposal comprises seven transit pitches where each pitch would normally accommodate a single family group. The precise number of vehicles and occupants varies, but it is expected that if the site was at full capacity, there may be some 70 people on site. The site would be a walled yard with privacy screens separating the caravan pitches. Each pitch would be provided with its own individual sanitary block containing a toilet, basin, shower and washing area/sink provision, and an electrical connection to the caravan(s).
- 2.3 A communal play area and picnic area are proposed towards the north of the site. Other on-site facilities would include a welfare office and waste/recycling facilities. The development would include necessary ground engineering, landscaping and habitat works and secure boundary treatment and gates.
- 2.4 Supporting Documents submitted with the application include:
- Planning application form
 - Proposed plans and sections
 - Planning supporting statement
 - Air Quality Assessment
 - Arboricultural Statement
 - Design and Access Statement

- Lighting plan
- Ecological Appraisal
- Ground Investigation Report
- Flood Risk Assessment
- Surface Water Drainage Strategy
- Noise Impact Assessment
- Transport Statement

2.5 This planning application is being reported to your meeting as this is a Regulation 3 (Council-own) application.

3. PLANNING HISTORY

3.1 None for the application site itself. Pre-application discussions were undertaken with your officers before application submission.

4. CONSULTATIONS

Consultation responses:

4.1 The following is a summary of consultation responses received. Please refer to Appendix 1 for these responses in full.

RBC Transport Development Control

4.2 No objection, subject to the use of planning conditions and informatives. Full discussion of the relevant issues in the Transport section of the Appraisal below.

RBC Waste Services Manager

4.3 No objection, providing that adequate facilities are provided and content with refuse and recycling vehicles stopping at Island Road and no need to enter the site.

RBC Environmental Protection

4.4 No objection following the submission of further information, but highlights the following remaining issues:

- Noise impacts on future residents of the site, in particular from tonal reversing alarms from vehicles within the adjacent Re3 recycling centre, and queries whether these can be controlled
- Air quality impacts on residents, from the A33, but also from the sewage treatment works (STW) to the east, where there are current concerns for odour suppression and control already affecting surrounding residential properties, although these are in the process of being addressed with the operator, see separate email at Appendix 1; and
- Historic land uses have indicated the presence of contaminants in the soil, therefore conditions are recommended to ameliorate the site to a suitable standard.

RBC Planning Natural Environment (Tree Officer)

4.5 Objection. The site is part of the Kennet Major Landscape Feature. Advises that there will be unavoidable tree loss as a result of the proposals. Some aspects of the proposals, such as the landscaping principles and the proposals for coppicing

Willow, are positive, but overall there will be the loss of seven trees, seven further trees will suffer truncation of their root systems and concerns for the impact of the retaining wall on the watercourse.

AWE Offsite Planning Group

4.6 Objection. The AWE Offsite Planning Group is led by West Berkshire Council and is a multi-agency group concerned with provision of the AWE off-site emergency plan. At least 27 different agencies are involved in its production. The Group has considered this planning application and the conclusions are as follows:

4.7 The application site is within the DEPZ of AWE (B) site but outside the area where urgent protective actions are necessary.

Recommendation to Planning Authority: Considering all the above points the AWE Off-site planning group considered the impact of the application on the AWE Off-Site Plan. It was noted that all agencies that identified an impact on their response to an AWE Offsite incident were in support of this recommendation. Granting permission for this site would set a precedence that sheltering in this type of accommodation [concrete welfare blocks] is acceptable for any future application at this site or any other DEPZ in the UK. As a result, due to the impact on responding agencies and the potential impact on the occupants of the proposed development the AWE Offsite Planning Group recommended that the Planning Authority refuse the application.

RBC Emergency Planning and Business Continuity Officer

4.8 Objects for same reasons as the AWE Offsite Planning Group. Further response received and relayed on behalf of the Offsite Group, which responds to a later briefing note on safety issues from the applicant but the Officer advises that it *'..remains the view of the AWE Offsite Planning Group that this application is recommended for refusal'* (see full text of this email response at Appendix 1)

Joint Emergency Planning Unit [the joint Emergency Planning Team covering Bracknell Forest, Royal Borough of Windsor and Maidenhead) and West Berkshire Councils]

4.9 Objection. As the owners of the AWE Off-Site Emergency Plan, we support RBC Emergency Planning and the AWE Off-Site Planning Group's response to advise against this application.

Office for Nuclear Regulation (ONR)

4.10 Objection. Emergency Planners at RBC have not been able to provide the ONR with adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.

RBC Planning Policy Manager

4.11 Support. A comprehensive response is set out at Appendix 1, but the Policy Manager's concluding remarks are as follows: In my view, the proposal is generally in accordance with relevant planning policies, and provides a unique opportunity to help to address an issue that currently impacts negatively on both the settled and travelling community. I support the proposal, subject to a planning condition that requires submission and approval of a warning and evacuation plan to cover both flooding and an emergency event at AWE Burghfield, prior to first occupation.

RBC Ecologist

- 4.12 Objection. The application site is sensitive, given the location next to a watercourse (leading to the Kennet LWS and being part of a Green Link, which will be fragmented. There will not be a net gain in biodiversity. This will not comply with Local Plan policies EN11 or EN12.

Berkshire Archaeology

- 4.13 No objections and no archaeological works/investigations required.

Crime Prevention Design Advisor (CPDA) at Thames Valley Police (TVP)

- 4.14 No objection.

Environment Agency

- 4.15 Objection. The site is within Flood Zone 3. Considers the use to be 'highly vulnerable' within the zone, as the site includes caravans/park homes which could be capable of permanent residency. Mitigation/compensation measures are inadequate. Concerns for the environmental harm and lack of a buffer zone to the flood relief channel. Also questions the compatibility with national guidance (sequential and exceptions tests) for location of this land use.

Thames Water

- 4.16 Objection. Does not consider the location adjacent to the Sewage Treatment Works (STW) to be appropriate due to amenity issues for the future residents because of the 24-hour nature of the STW site (noise and light impacts) and air quality/odour issues. Applying the 'agent of change' principle in the NPPF suggests that the applicant should ensure that the amenity conditions will be suitable for residents by funding any studies and any appropriate mitigation measures advised by such studies.
- 4.17 The following objections are provided here in summary form only and not reproduced at Appendix 1:

North Reading Safer Neighbourhoods Forum

- 4.18 Support. Recognises that there will be local issues with the location of such a facility and this site is outside the Forum's area (North Reading/Caversham), however, encampments can place pressure on local facilities and Reading has a limited amount of space. Supports the provision of a planned site.

Circle Health Group (Circle Reading Hospital, Drake Way, Kennet Island)

- 4.19 Objects for the following reasons:
- Location: inappropriate due to surrounding land-use constraints (noise/odour), and would restrict them. Location would perpetuate social exclusion. Residential use is not appropriate in the adopted commercial Major Opportunity Area. Conflicts with Local Plan Policy SR1.
 - Pollution: unsuitable air quality/odour from landfill and STW and reports flawed. Noise levels (within caravans) highlighted in the noise study as being inappropriate

-Flood risk: development is in the 'highly vulnerable' category. Both the Environment Agency and the NPPF indicate that this site is unsuitable for intensification of residential use being within flood zone 3

-Ecology: there would be harm to habitats and wildlife

-Safety: patients and members of staff at the hospital say they will no longer use the hospital due to personal safety fears connected with the nature of occupants at the site *Officer comment: this issue is discussed at various parts of this report, but this supposition is not a valid material planning consideration to this application's assessment*

-Considered to be an unsustainable location, economically, socially and environmentally and therefore conflicts with the NPPF and the national Planning Policy for Traveller Sites (PPTS).

4.20 Any further consultation responses received will be reported to your meeting.

Public consultation

4.21 Four site notices were displayed at the site. Letters were sent to multiple addresses in the area. The Update report will provide information on the location of the site notices, confirm the addresses consultation letters were sent to and the total number of representations received. The Appraisal below will deal with majority of objection points received. The main issues raised in objections were:

1. Noise, odour and environmental concerns
2. Site location/lack of connection to Reading
3. Concerns for crime and anti-social behaviour
4. Effect on Kennet Island and Green Park
5. Traffic and parking
6. Location with Detailed Emergency Planning Zone (DEPZ)
7. Size of site
8. Location within a flood plain
9. Impact on ecology and landscaping
10. Impact on infrastructure
11. Impact on character and appearance of area
12. Impact on existing residential amenity
13. Consultation concerns
14. Other matters raised

4.22 Please see Appendix 2 for these objection areas in a fuller form. A range of issues have also been raised in supporting representations, which will be listed in the Update report.

5. RELEVANT LEGISLATION

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', which means 'approving development proposals that accord with an up-to-date development plan without delay' (NPPF paragraph 11).

5.2 The Council has a duty Under the Equality Act 2010, Section 149, to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.3 Planning policy

National Planning Policy Framework (NPPF) (2021)

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

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

National Planning Practice Guidance (NPPG), including 'Flood Risk and Coastal Change'

Planning Policy for Traveller Sites (PPTS), DLUHC/MCLG (2012)

Designing Gypsy and Traveller Sites (DCLG, 2008)

Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change

CC5: Waste Minimisation and Storage

CC6: Accessibility and the Intensity of Development

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN2: Areas of Archaeological Significance

EN11: Waterspaces

EN12: Biodiversity and the Green Network

EN13: Major Landscape Features and Areas of Outstanding Natural Beauty

EN14: Trees, Hedges and Woodland

EN15: Air Quality

EN16: Pollution and Water Resources

EN17: Noise Generating Equipment

EN18: Flooding and Drainage

H1: Provision of Housing

H13: Provision for Gypsies and Travellers

OU2: Hazardous Installations

TR1: Achieving the Transport Strategy

TR3: Access, Traffic and Highway-Related Matters

TR4: Cycle Routes and Facilities

TR5: Car and Cycle Parking and Electric Vehicle Charging

Relevant Supplementary Planning Documents (SPD)

Revised Parking Standards and Design (2011)

Other relevant documents includes

Reading Borough Council: Gypsy and Traveller Travelling Showpeople and Houseboat Dweller Accommodation Assessment (the GTAA) (2017)

Reading Borough Council Tree Strategy (2021)

Reading Biodiversity Action Plan (2021)

Reading Borough Council Emergency Planning strategy documents

6. APPRAISAL

6.1 The main issues are considered to be:

1. The principle of provision of Gypsy and Traveller sites
2. The principle of the application site for the proposed use
3. Impact on the local environment
4. Transport matters

1. The principle of provision of Gypsy and Traveller sites

- 6.2 There is support at National level for provision of sites for Gypsies and Travellers both in law and planning policy. The NPPF at paragraph 62 requires local authorities (LAs) to produce planning policies for sites and the Government's 'Planning Policy for Traveller Sites' (PPTS) requires that local planning authorities maintain a rolling five-year supply of specific, deliverable Gypsy and Traveller sites together with broad locations for growth within 6-10 years and where possible 11-15 years. In addition, the PPTS stipulates that LPAs should use a robust evidence base to establish accommodation needs to inform the preparation of local plans and making planning decisions. Furthermore, Section 225 of the Housing Act 2004 requires local housing authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers relating to their Borough. Government policy states that a lack of a five-year supply should be a significant material consideration in any subsequent planning decision when considering applications for the grant of a temporary permission.
- 6.3 Paragraph 4 of the PPTS states that LAs are to develop fair and effective strategies to meet needs; promote more private site provision; increase the number of sites in appropriate locations; address under-provision and maintain an appropriate level of supply; and enabling the provision of accommodation from which travellers can access education, health and other services.
- 6.4 Reading Borough Council, as the Local Planning Authority, has a duty to assess the need for sites on which Gypsy and Travellers can live. The Reading Borough Local Plan 2019 does not specifically allocate any sites for Gypsies, Travellers or Showpeople (although there is a site with an established use for Travelling Showpeople at Scours Lane). The Council's Gypsy and Traveller, Travelling Showpeople and Houseboat Dweller Accommodation Assessment (GTAA) was undertaken in 2017 to inform the then emerging Local Plan. It identified a need for 10-17 permanent residential pitches and a 'transit site' for five pitches (with each pitch accommodating two caravans, meaning ten caravans in total).
- 6.5 RBC Planning Policy then took steps to identify land to meet these needs, including specifically asking for nominations of privately owned land, and undertaking a comprehensive and considered spatial review of 80 potential Council-owned locations for a transit/permanent Gypsy and Traveller sites. This review resulted in the identification of one potentially suitable transit site at Cow Lane, which was included in the submission version of the Local Plan but was removed at examination as it was not available. The adopted Local Plan therefore did not identify any suitable transit or permanent sites. However, Policy H13 (Provision for Gypsies and Travellers) recognises that the need remains and sets out how new sites proposed to meet the need will be considered.
- 6.6 After the Local Plan examination the 80 Council-owned sites were reconsidered against a number of factors resulting in two of these sites emerging as worthy of

further consideration, with only the application site coming forward as a planning proposal. There are currently no existing permanent or transit pitches within Reading and since the publication of the GTAA, there have been no new proposals for gypsy and traveller pitches and no other changes in circumstances to suggest that the need has lessened.

- 6.7 The need for transit pitches in the GTAA stems from the large number of unauthorised encampments that have been experienced in Reading (Borough) in recent years. There were 87 unauthorised encampments within Reading between April 2016 and March 2017, the majority of which were on Council land and the frequency of these encampments has increased since the publication of the GTAA. There have been numerous occasions when the Council has had to take legal action to remove Gypsies and/or Travellers who have occupied Council land without permission. There is considered to be an ongoing issue with unauthorised encampments which causes issues for local residents, the Council as landowner, the Police and, importantly, the travellers themselves, who lack ‘transit’ (ie. temporary stay) provision in the local area.
- 6.8 The supporting text to Policy H13 states, at paragraph 4.4104 that, *“the Council is exploring with its neighbours whether there are options for meeting the permanent need outside the Borough and continues to look for opportunities to make transit provisions within Reading”*.
- 6.9 Officers advise that whilst there may be possible options for providing permanent pitches for travellers in adjoining authorities, there is a clear and persistent need for transit pitches in Reading Borough and this strategic housing need, currently unfulfilled, should be given significant weight in the overall planning balance when considering this planning application. This is because transit provision within the area, i.e. the discretionary powers under Section 62A E of the Criminal Justice and Public Order Act 1994, only apply if there is a transit site within the local authority area.
- 6.10 Regarding eligibility for the use of the site, this facility should be available for the whole travelling community, which includes, *inter alia*, Irish travellers, English, Roma, New Age travellers or similar. The site is not suitable for Travelling Showpeople, as the size of the site would not allow for the parking and storage of heavy vehicles and the Highway Authority requires that the parking of vehicles over 3.5 tonnes would need to be precluded by planning condition. Throughout this report the phrase, ‘Gypsies and Travellers’ therefore refers to all of these travelling groups and a specific planning condition is recommended to ensure that the site is made available for these groups only. This is an unusual condition and it is not usually necessary or valid to personalise to a particular social group or groups; but in this instance it is important that this facility is kept available for Gypsies and Travellers only, who are not provided with other accommodation options and are at the moment, excluded from legal siting of their vehicles in the Borough.

2. The principle of the application site for the proposed use

(i) Introduction

- 6.11 As referred to above, Policy H13 (Provision for Gypsies and Travellers) is relevant to the determination of this planning application and provides detailed criteria for suitable sites, which are offered by such ‘windfall’ planning applications:

Proposals should:

- i) Have safe and convenient access onto the highway network;*
- ii) Have good access to a range of facilities including education and healthcare by a choice of means of travel, including walking;*
- iii) Not have an unacceptable impact on the physical and visual character and quality of the area;*
- iv) Not result in an adverse impact on the significance of a heritage asset;*
- v) Be located in line with national and local policy on flood risk, and not involve location of caravans in Flood Zone 3;*
- vi) Not have an unacceptable impact on the amenity of existing residents in surrounding areas, or on future residents of the proposal; and*
- vii) Not result in the loss of biodiversity or important trees, and provide a net biodiversity gain where possible.*

6.12 These criteria shall be referred to as relevant in the remainder of this report.

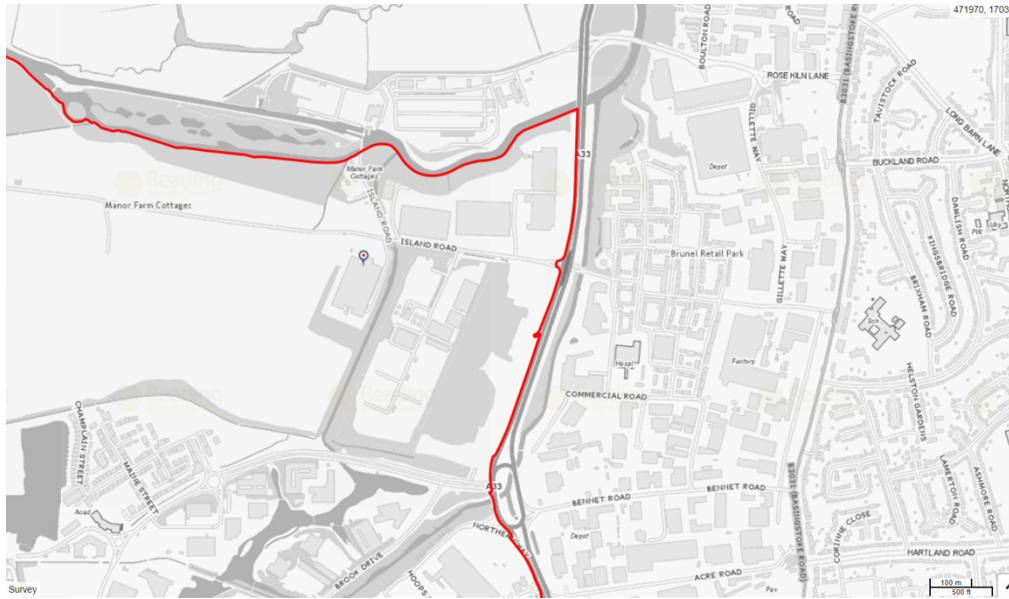
- ii) Risk posed to residents in a nuclear emergency

6.13 Local Plan Policy OU2 (Hazardous Installations) states that:

Proposals for hazardous substances consent, or development in the vicinity of hazardous sites or pipelines, will not be permitted unless it has been satisfactorily demonstrated that the amount, type and location of hazardous substances would not pose adverse health and safety risks to the surrounding population and environment; and that any necessary special precautions to limit other potential societal risks to acceptable degrees would be put in place prior to the development commencing.

6.14 This is not a proposal for hazardous substances consent, the hazard (AWE) exists; the consideration is therefore the safety and security of nearby residents affected by any incident. The site is within the Detailed Emergency Planning Zone (DEPZ) of AWE Burghfield. The boundary of the DEPZ in this part of Reading Borough is the River Kennet and A33. Although the site was not within the minimum area for Urgent Protective Actions (UPA) identified by AWE (the ring with a radius of 3.16 kilometres from the AWE site) - the DEPZ was defined by West Berkshire as the relevant lead emergency local authority and includes the application site. This is partly due to the approach to defining the DEPZ in accordance with the legislation and the code of practice, in particular the need to not split communities and manage the alerting process.

6.15 The map extract below shows the boundary of the DEPZ in the local area running along the west side of the A33 and then westwards along the River Kennet.



- 6.16 The various Emergency Planning authorities and the Office for Nuclear Regulation (ONR) have objected to the proposals, citing inadequate protection from dust/emissions which would be provided by caravans/campervans in the unlikely event that a nuclear emergency were to occur. The Offsite Planning Team for AWE objects to the proposal on the basis that the proposed brick sanitary buildings are too small for shelter and will not permit cooking; this would increase the risk of residents feeling the need to return to unsuitable shelter (presumably their caravan) or attempt to leave the area. The shelter provided would need to accommodate the maximum number of occupants of the site with suitable facilities for sleeping / cooking and hygiene. In short, the Council's Emergency Planning Team and the Offsite Planning Group are not supportive of the proposed arrangement. While the construction standard would be adequate, the emergency groups advise object to the lack of space/facilities suitability for 48 hours shelter required. They advise that this would add a response burden/ impact to responding agencies in an already complex and populated off-site planning sector of the DEPZ.
- 6.17 Emergency Plans for RBC usually seek to provide a 2.4 sq.m. area for each person in an emergency refuge situation, but this space requirement would apply to space available in say, a community hall, which is not an available option to this site, hence the need for a more contained, 'stay put' approach. It is agreed that the sanitary blocks are modest buildings, but would be solid in construction and suitable for a refuge. Additional emergency supplies could be sited in these buildings, to allow family groups to shelter throughout the 48-hour period. Cooking is probably not possible due to the confined space.
- 6.18 Given the above facilities, in an emergency event, it is therefore going to be important that caravan residents are directed quickly to shelters and remain in them until the danger has passed. The applicant proposes that a detailed site-specific emergency plan would need to be drawn up which would include the following details:
- Implementing the 'stay-put' policy for 48 hours, managed by a newly-appointed Gypsy Transit Site Liaison Officer (GTLO);
 - Traffic in and out of the area will be stopped with roadblocks as part of the wider emergency plan thereby preventing any travel from the site;

- The addition of a site office by the gates along with a telephone landline for AWE warning messages to be conveyed. Calls to the landline will be directed to the GTLO's mobile when he is off-site; and
 - RBC will work with the Emergency Planning Team to link this site into the wider emergency plan for other Island Road and Re3 occupants to provide a united response for joint refuge.
- 6.19 The GTLO's responsibility would be to manage the transit site and this will include making sure residents understand procedures in the event of an emergency emission event, and that residents will be told who they should contact in the absence of the officer and in case of emergencies. Provision of a nominated officer is welcomed, however, the wording provided in the application suggests there may be periods of time that there would not be someone available on-site. This would not appear to officers to safely meet the '24/7' requirement to alert residents of an incident and there could be delays in relaying messages or corralling people, especially if an incident occurred out-of-hours. Instructions may not be heeded and residents may flee/not stay put, making the job of the emergency authorities more difficult. A more robust method of warning and informing the site occupants would be required in order for them to shelter correctly in time to avoid exposure to any airborne emissions and this person would also be required to enforce the lockdown of the site to protect residents and ensure they are quickly directed to the refuges (sanitary blocks) for the duration of the incident. The Council's Emergency Planning Team advise that there may be an improvement to the national notification system in such alerts which may help in streamlining response times to allow an off-site response system to work, but at the time of writing, officers consider that an on-site physical presence is considered to be necessary to ensure residents' welfare and safety.
- 6.20 Should the application be approved, officers recommend that a warning and evacuation plan to include an on-site officer, which given the current arrangement, should be present at all times to manage the site (littering, recycling, sanitary facilities/connections, utilities) as well as the welfare/safety of the residents in an emergency situation. In doing so, the welfare officer's hut must also be suitable in terms of the 'stay put' plan and details of this building/hut will need to be secured by condition.
- 6.21 Due to the above concerns, in particular the close proximity of the site to the AWE site boundary and increase in population of a vulnerable group (those living within a mobile home/caravan), it is considered that the negative impact on the AWE Off-Site Emergency Plan and the adverse health risk to the occupants would be contrary to Policy OU2 of the Reading Borough Local Plan. Officers advise, however, that with the provision of suitable refuge accommodation and a clear emergency plan, residents will be kept safe for the relevant emergency period in the unlikely situation of such an event taking place. It is accepted that a family stuck for 48 hours in a sanitary block is not going to be a pleasant experience; but the relevant emergency planning specialists are not advising that they would be unsafe in doing so, if they heed the instructions. Rather, the emergency groups' concern is for the precedent that this lockdown/stay put approach would have for Gypsy and Traveller transit sites in other similar situations.
- (ii) Accessibility to local services
- 6.22 Policy H13 (Provision for Gypsies and Travellers) states that proposals should *ii) Have good access to a range of facilities including education and healthcare by a*

choice means of travel, including walking. Policy CC6 requires developments to be suitable in their intensity with regard to accessibility to facilities.

- 6.23 Although there are no facilities within the usually-accepted 400 metre walking distance (this is a five-minute walk, which tends to be used to gauge accessibility on foot to bus-stops and local services), the site is approximately 600 metres from facilities in the centre of Kennet Island, and just over a kilometre from existing primary schools in Whitley. It is also around 1.2 kilometres from the Whitley District Centre. The A33 to the east of the site carries fast bus links into central Reading. Cycling is also possible, given flat terrain and a choice of cycle routes, including along the Kennetside. Given that gypsy and traveller sites are frequently located in quite isolated locations, it is considered that this represents comparatively good accessibility by a choice of means of travel.

(iii) Flood risk: the sequential test and the exceptions test

Flooding policy and guidance

- 6.24 Local Plan Policy EN18 (Flooding and Sustainable Drainage Systems) requires that development is directed to areas at lowest risk of flooding and that wherever possible development should be designed to reduce flood risk both on- and off-site. Policy EN18 then sets out a sequential, risk-based approach to development. This approach is to be undertaken by means of the Sequential Test, which should demonstrate that there are no reasonably available sites appropriate for the development in areas with a lower probability of flooding. If that test is met, the Exception Test should then demonstrate that there would be wider sustainability benefits to the community which would outweigh the flood risk. This adopted policy position is consistent with national guidance in the NPPF and the application of flooding policy is set out in the relevant Planning Practice Guide: *Flooding and Coastal Change*. Also pertinent to this application is Local Plan Policy H13 (Provision for Gypsies and Travellers) which states that proposals should: v) *Be located in line with national and local policy on flood risk, and not involve location of caravans in Flood Zone 3.*

The flood zone

- 6.25 Based on the most recent Strategic Flood Risk Assessment (SFRA) in 2017 the application site is partly within Flood Zone 3b (the 'functional floodplain'), partly within flood zone 3a (at a high risk of flooding) and partly in zone 2 (at a medium risk of flooding).
- 6.26 The objection from the Environment Agency (EA) states that they consider that the site is within flood zone 3, ie. at high risk of flooding (one in 100 year event or greater). Parts of the site may be within zone 3b, particularly the western part, which is on the eastern bank of the Flood Relief Channel. Historic maps indicate that in the past, this area of the Borough has flooded completely. The EA's response advises that it may be possible, through further research, for the applicant to demonstrate that the site is partially at a lower risk of flooding. Whilst officers consider that there may actually be a more nuanced situation in terms of detailed flood zones which could be demonstrated, on the basis of the information currently presented, a precautionary principle should be taken and for the consideration of this application, officers advise that this is being considered as being with flood zone 3b and forms part of the functional flood plain.

The vulnerability of the use

- 6.27 Flood vulnerability classifications are set in Planning Practice Guidance and are also at Annex 3 of the NPPF. In terms of the use proposed, the EA advises that the application proposal should be considered a ‘highly vulnerable’ use within flood zone 3, as they consider the caravans are capable of being permanent residential accommodation. However, the flooding PPG states that sites for holiday and short-let caravans are ‘more vulnerable’, subject to them being under a specific warning and evacuation plan. The PPG does not specifically identify Gypsy and Traveller transit sites.
- 6.28 Officers consider that the ‘more vulnerable’ category is more appropriate/accurate given that the nature of stay is more akin to short-term holiday accommodation. The length of stay proposed would be anywhere from a few days to up to three months and it is proposed that the maximum stay is controlled within a site management plan condition, and an evacuation plan in the event of a flood is also controlled by condition. With these controls, officers are content that this is a ‘more vulnerable’ use and distinct from a ‘highly vulnerable’ use as there would be no permanency involved.

The Sequential Test

- 6.29 Having confirmed that this is a ‘more vulnerable’ use within flood zone 3, the PPG requires that the Sequential test is then applied. The PPG requires that the area to apply the test to will be defined by local circumstances relating to the catchment area for the type of development proposed. In this instance, as has been demonstrated by the discussion above in Section 1, it is clear that the relevant catchment area is the entire borough and it has been established that there are no other reasonably available sites. Further, it should be noted that a transit site in this location will be beneficial to areas/users beyond the borough as well. Officers advise that there are no other reasonably available sites for the proposed use identified by the Authority, the Local Plan or any other recent planning applications. Officers therefore confirm that the Sequential Test has been passed.

The Exceptions Test

- 6.30 If considering on the basis of a precautionary principle (as officers advise above), the site is within flood zone 3b (undeveloped land as part of the functional floodplain), then National policy is that development in such areas should be ‘water compatible’ only, and the Exceptions Test does not apply.
- 6.31 On the basis of the above, whilst the application has passed the Sequential Test and so complies with the NPPF and Policy EN18, it remains in conflict with criterion v) of Policy H13.

iv) Residential amenity

- 6.32 Policy CC8 (Safeguarding Amenity) 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. Specific to this application Policy H13 (Provision for Gypsies and Travellers) also states that proposals should vi) *Not have an unacceptable impact on the amenity of existing residents in surrounding areas, or on future residents of the proposal.*

Existing residents

- 6.33 The closest residential properties are Manor Farm Cottages, located over 100 metres to the north-west of the site. The Kennet Island estate and Green Park Village, to the east and south respectively, are located over 350 metres away.

Given the significant separation distances and the existing natural and physical boundaries that lie between the application site and the nearest dwellings, the proposed development does not raise any concerns with respect to the physical impacts of development, such as any potential loss of light, loss of outlook, or any overbearing impacts.

- 6.34 Representations received raise concerns about anti-social behaviour on, or involving the residents of the site. The proposed use is for a Gypsy and Traveller transit site and there is nothing to indicate that the use itself of the site would inherently result in a loss of amenity in relation to anti-social behaviour. Any issue that might arise relating to anti-social behaviour or other criminality would only be attributable to individuals rather than the use or the people/ groups provided for by the facility. Issues of anti-social behaviour (ASB) are controllable under other legislation. As such, these concerns are not given any weight in the determination of this application accordingly, and no conflict with Policy CC8 is identified in this regard.

Amenity of residents of the proposed Transit Site

- 6.35 The proposed layout shows that the pitches would be provided with adequate room for accommodation and privacy screens between the pitches. The pitches would be approximately seven metres wide and the details of the privacy screens should be subject to a submission for a planning condition. The caravans must be no closer than seven metres apart for fire safety (to meet the requirements in the Government advice document, '*Designing Gypsy and Travellers Sites Good Practice Guide*') although the privacy screens can be in between, so long as these are not made of combustible materials. There are no Local Plan standards as to pitch sizes/separation distances to consider proposals against, however the spacing between pitches and nature of development are considered to ensure suitable amenity and privacy levels would be provided for residents of the proposed development. All of the pitches would be sufficient in size and provide privacy for the occupants.
- 6.36 The site is narrow and located between the Re3 Recycling Centre to the west and the Sewage Treatment Works (STW) to the east.
- 6.37 With regard to noise, caravans would result in future occupiers receiving a higher level of noise than from a 'brick and mortar' property. The Council's Environmental Protection (EP) Team had a number of queries with the noise report originally produced and requested further information to ensure that the surrounding retaining and boundary walls would sufficiently contain the sound from the A33 and surrounding industrial noises and it was considered that they would. However EP further questioned whether the noise from reversing alarms at the recycling facility can be adjusted but your officers advise that this is not appropriate/controllable, and the NPPF sets out clearly that the 'agent of change principle', ie. it is not the purpose of the planning system to restrict the operation of an existing land use to fit with an incoming use such as residential. It is accepted that caravans are particularly sensitive form of accommodation and there is no obvious mitigation that can be put in place at the application site, although the nature of the boundary treatment and privacy screens are likely to have a beneficial effect in this regard. A condition would need to ensure their effectiveness in terms of meeting the levels in the updated noise report. The tonal noise of the reversing vehicles at the recycling facility will produce a certain level of disturbance during operating hours. Similarly, the operator of the sewage treatment works considers that the lighting and general disturbance from this 24-

hour infrastructure facility would mean that neighbouring residential use is not appropriate. Overall, officers accept that in terms of light and noise, there will be a certain level of detriment to amenity, but given the temporary nature of stay allowable at the proposed transit site, this is acceptable in this instance.

- 6.38 The proposal specifies that the pitches will have connections for electricity. As an alternative, petrol-powered electricity generators are often used in temporary sites. However, in this case, they would cause noise and air pollution to the residents themselves and possibly in noise terms, also the nearest residential areas, as well as environmental harm to local habitats. Therefore, a condition requiring use of the connections and no generators is considered to be appropriate. It is also considered necessary to restrict business operations or storage on site. This is not a usual residential site where ancillary business use for a C3 property can be accommodated. The site is largely an open yard, where uncontrolled storage or business operations may affect access to pitches or create disturbance to other residents. The PPTS indicates that it is suitable such activities to limited parts of the site, but given the restricted area involved in this case, it should be prohibited. The PPTS also suggests conditions to control visitor numbers, over and above the normal site capacity (for family events, etc.) but again, given the site area, it is considered suitable that the overall limit of 70 persons is the best way to control disturbance overall in this case.
- 6.39 With regard to air quality, officers consider that the site is suitable for the intended use, given the distance to the A33 and the temporary nature of the accommodation. The nearest part of the Air Quality Management Area, which runs along the A33, is over 250 metres east of the application site. In terms of odour, advice from the Council's Environmental Protection Team is that from time to time, living conditions may be adversely affected by unpleasant and undesirable odour emissions from the Sewage Works. Although no statutory Notices have been served against the STW operator, the Council's Environmental Protection officers are in dialogue with the operator and a plan is in place for the operator to improve maintenance of the facility which has been lacking in recent years and has led to unpleasant odours in the area. This should lead to a general improvement for surrounding residents including the future occupants of the transit site over the coming months, therefore this issue may even have been substantially addressed by the operator themselves by the time of implementation of this proposal, were planning permission to be granted. The most recent response from the EP Team on this matter (the text of an email response to Cllr Eden) is provided at Appendix 1. An objection suggests odour from the recycling centre as a concern, however, this has not been highlighted by the EP Team and odours from this facility are considered to be much more localised than for a traditional landfill site.
- 6.40 In accordance with the MCLG guidance, the layout includes a recreation/picnic area and a children's play area. Whilst there are no Local Plan standards for such provision, these facilities are welcomed and suitable and they should be maintained and retained by condition. The guidance also recommends the use of soft landscaping within these areas, and this would be welcomed too, although the site's constraints may leave relatively little opportunity for this and these are likely to need to be in planters, given the concrete slab that the yard will be constructed from.
- 6.41 Overall, officers advise that the amenities of existing (residential) and future (short-term residential) residents would be adequately protected/provided to a suitable level and comply with Policies CC8 and H13.

3. Impact on the Local Environment

(i) Design and visual impact

- 6.42 Local Plan Policy CC7 (Design and the Public Realm) seeks to ensure that new development enhances and preserves the local character of Reading in which it is situated. Planning Policy for Traveller Sites (PPTS) also states that local planning authorities should attach weight to sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness. The PPTS at paragraph 26 further advises that weight should also be attached to *effective use of previously developed (brownfield), untidy or derelict land*. Specific to this application Policy H13 (Provision for Gypsies and Travellers) also states that proposals should *iii) Not have an unacceptable impact on the physical and visual character and quality of the area*. To the north, north-west of the site, on the opposite side of Island Road is the Kennet and Holy Brook Meadows Major Landscape Feature. Policy EN13 (Major Landscape Features and Areas of Outstanding Natural Beauty) states that planning permission will not be granted for any development that would detract from the character or appearance of a Major Landscape Feature.
- 6.43 The land adjoining the site is predominantly industrial in nature, due to the Recycling centre to the west, sewage plant to the east and commercial depot buildings to the north. No alternative brownfield sites that are available or suitable have been identified. The site is nevertheless a relatively narrow green, undeveloped, vegetated strip between the recycling centre and the sewage plant offering some visual relief to the otherwise industrial character. The majority of vegetation on site would be replaced by hardstanding and the sanitary blocks, with landscaping pushed to the edges of the site. Any lighting required on site would need to be carefully controlled to minimise light-spill and details of this would need to be required by condition.
- 6.44 The single storey nature of the caravans would minimise the visual impact to a degree, as would the retention of some of the mature trees around its boundaries and the further landscaping proposed to screen the development. However, it is apparent that, overall, the proposals would further consolidate the industrial character of the developments around and that this would result in a degree of harm due to further erosion of the setting of and views from within the Major Landscape Feature, although the MLF is to the north. As a temporary permission is recommended, this would however, allow the opportunity the openness to be re-provided at the end of the temporary period.

(ii) Landscaping and ecology

- 6.45 The sensitivity of the application site itself largely stems from its relationship with the watercourse and its immediate environs, including its function as a designated green link, which is evident from its appearance with trees and shrubs lining the Flood Relief Channel. From Island Road, there is currently not the opportunity of a clear view of the site itself, given the density of the established vegetation.
- 6.46 Policy CC7 (Design and the Public Realm) seeks that development is of high design quality and maintains and enhances the character of the area in which is it located including landscaping. Policy EN14 (Trees, Hedges and Woodlands) requires new development to make provision for tree retention and planting. Local Plan Policy EN12 (Biodiversity and The Green Network) requires that new development should provide a net gain for biodiversity where possible and should incorporate

biodiversity features into proposals where practical. Policy EN11 (Waterspaces) states that there will be no adverse impact on the functions and setting of any watercourse and its associated corridor and that proposals should be set at least ten metres back from the watercourse wherever practicable and appropriate to protect its biodiversity significance. Specific to this application Policy H13 (Provision for Gypsies and Travellers) also states that proposals should *vii) Not result in the loss of biodiversity or important trees, and provide a net biodiversity gain where possible.*

- 6.47 The EA objection also refers to the lack of a suitable buffer to the flood relief channel, where development would normally wish to retain a minimum 10 metre distance, to allow for a wildlife corridor. Although narrow, the application site is clearly part of this valuable 'green link' and under usual circumstances these should not be harmed, protected from development and where possible enhanced.
- 6.48 Trees will be lost as a result of the proposals and others may have their root systems harmed. Further information was sought by the Natural Environment Team in relation to harm to trees caused by the insertion of the retaining wall that would be necessary towards the edges of the site due to the changes in ground levels, as it effectively creates a 'podium' on which to create the yard for the transit site. This will have an impact on retained trees. Roots will be severed although a landscaping scheme should be secured to mitigate the direct loss (seven trees) and further potential loss from the root impacts (another seven trees), hence a suitable replacement landscaping scheme must provide for at least 14 replacement trees, which the indicative landscaping scheme, although broad-brush, appears to indicate. A pre-commencement landscaping condition is recommended which will secure planting details to include the species, maintenance and management schedule. Given the length of permission and the degree of harm to the natural environment, a separate condition should stipulate that the length of the maintenance period should be extended.
- 6.49 Officers concur with the Ecologist's concerns that the development would result in the loss of much of the vegetated area within the site boundary (as well as bankside vegetation) and it is considered that the proposals would to a large extent, break/ certainly 'fragment' the designated Green Link. The retaining wall, sited in close proximity to the eastern edge of the flood relief channel, would provide very limited ability for planting and would reduce the effectiveness of the wildlife corridor on this bank, although there is no indication that this would adversely affect the channel itself. In the event that the application is approved, it is considered that mitigation measures could be secured through submission of a landscaping scheme, habitat/biodiversity enhancement scheme and construction environmental management plan (CEMP) to ensure construction-related impacts to the watercourse and local wildlife site are avoided or mitigated as far as possible.
- 6.50 The applicant has confirmed that there will be no direct discharge into the watercourse and that a site management plan will monitor littering (and take appropriate action). It is also important that no oils from the residents' vehicles enter the watercourse, which could harm wildlife and water quality and one or more oil interceptors would be necessary. Should the application be granted, these matters could be secured by way of conditions.
- 6.51 Officers advise that there will inevitably be damage to the green link, however the watercourse itself be unaffected, but the area to the immediate east of it will be harmed through the proximity of the retaining walls, the reduction in the bankside area being available as a wildlife corridor and its natural setting harmed by the

urbanising presence of vehicles, caravans, the buildings and retaining and boundary walls. To a certain extent, the visual harm to the natural environment will be lessened by the softening provided by the landscaping and ecological scheme, which needs to be fully established, hence the need for a longer maintenance period.

Technical flooding considerations

- 6.52 On the matter of reducing flood risk (by water volume), this will largely be down to the successful application of the engineering solution proposed in the planning application. This needs to be designed to reliably attenuate rainwater storm events and ensure that such surge volume is released into the flood relief channel at a rate which does not overwhelm the channel or the wider water network, including providing a suitable allowance for climate change. The proposal aims to raise the site into flood zone 1 via installing a piled concrete structure, thereby providing dry access to Island Road. The Environment Agency does not object to the FRA's aims regarding volume compensation, but considers that insufficient details have been provided to demonstrate that this is a viable method of flood compensation for the storage volume lost due to the proposed spacing of pilings. However, this part of the Agency's objection is considered to be manageable by requiring that the flood volume anticipated to be compensated for is achieved, and it will be for the detailed engineering of the substructure to provide this. Officers advise that this detail could be managed by a pre-commencement planning condition. This may indicate a slight re-working of the location and diameter of the supporting columns as shown on the submitted plans.
- 6.53 In summary, whilst there will be mitigation provided to lessen the impact of the proposals, it is accepted that the application would overall remain harmful to the natural environment, contrary to adopted Local Plan Policies EN11, EN12, EN14 and H13.

4. Transport matters

- 6.54 Local Plan policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) seek to address access, traffic, highway and parking related matters relating to development. Specific to this application Policy H13 (Provision for Gypsies and Travellers) also states that proposals should *i) Have safe and convenient access on to the highway network.*
- 6.55 The consultation response from the Highway Authority above provided in full at Appendix 1) advises that the proposals are considered appropriate in all highway and parking regards, subject to usual construction and facilities conditions. Of note is that cycle parking is not specified and given the use, officers are content that this is not required, as the site itself will be secured and any residents cycles will be kept on the vehicles.
- 6.56 Officers do not agree with the recommended condition for the use of electric charging points as they are not applicable to this use, given the temporary nature of the permission, the limited space on site and the fact that there are very unlikely to be electric towing vehicles.
- 6.57 The Council's Waste Operations Manager has advised that the application is acceptable. Given the limited available on-site turning space, the refuse and recycling vehicles would stop outside the site on Island Road. Given the proximity

of the bin store to the proposed stopping/waiting area, this is a suitable arrangement.

- 6.58 Officers advise that the proposal is appropriate in transport terms and given the nature of the use, suitably sited in terms of local facilities and the proposal is in accordance with Policies TR1, TR3, TR5 and H13.

Other matters

Infrastructure

- 6.59 This report does not identify any requirement for planning obligations or contributions as a result of the proposal. This would not be a CIL-liable development.

Disabled persons access

- 6.60 Local Plan Policy CC7 requires developments to create safe and accessible environments. Given the nature of the accommodation and the restricted space in the sanitary blocks, there are going to be situations where this requirement is not able to be met. But it is considered that there are special circumstances here and if the needs of the identified group are to be accommodated on the site available then this will not allow for space-hungry adaptations. Officers advise that the proposals are considered suitable in this specific circumstance and this element of Policy CC7 is not proposed to be complied with as it would not be feasible to do so.

Heritage impacts

- 6.61 There is a criterion under Policy H13 to consider the impact of the proposals on Heritage Assets. It is advised that there is no harm to Heritage Assets as a consequence of the siting or design of the proposal. Officers note the response of Berkshire Archaeology above, where no further archaeological measures are considered necessary.

Sustainability

- 6.62 Given the nature of this development, there are considered to be relatively limited relevance or opportunities for energy conservation which are applicable, but the application does include photovoltaic panels on the roofs of the sanitary blocks to provide power to these blocks themselves, which are considered an appropriate design response, given the context and scale of the proposal.

Contaminated land

- 6.63 The ground investigation report identifies contaminants at the application site, hence the need for contaminated land conditions to ensure that there is no migration of these during construction and that the site is safe for its intended use.

Public Sector Equality Duty

- 6.64 The Public Sector Equality Duty is also engaged by the application. The legislation provides that:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

The protected characteristic relevant to this case would be any existing and proposed occupiers' Gypsy and Traveller status.

- 6.65 With regard to future occupier Gypsy/Traveller status, particular consideration should be given to provision 3b of the Public Sector Equality Duty which specifies that: *..“having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular to the need to...take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.”*
- 6.66 The need in question is for Gypsy and Traveller pitches, which has been established as being unmet in the Borough. The granting of planning permission for this development would therefore make a significant contribution to meeting the need for gypsy/traveller pitches in the Borough and would significantly contribute to parts (b) and (c) of the PSED by providing an increased number of pitches specifically for Gypsies and Travellers in a sustainable location and would result in an authorised and well laid out transit site which has the potential to integrate with the settled community and foster good community relations.

Other matters raised in objections

- 6.67 The objection from Circle Hospital claims a conflict with the proposal and RBLP Policy SR1 (Island Road Major Opportunity Area). However, the Policy Manager has confirmed that the site is outside the defined SR1. The part of the SR1 allocation to the north (SR1b) is now complete. There is no indication that this proposed use would prevent the former speedway stadium or the landfill sites coming forward for development.
- 6.68 Many of the representations from the public make direct or indirect reference to Anti-Social Behaviour (ASB) associated with unauthorised traveller encampments. The proposal is for an authorised transit site with on-site regulations and would be instrumental in allowing measures to be taken against unauthorised encampments throughout the Borough. Providing Gypsies and Travellers with places to go should also reduce the need for unauthorised encampments and the associated tensions with local communities.
- 6.69 The perception that the Gypsy/Traveller community does not want sites such as that proposed and will not make use of it, is noted. Nevertheless, this report has described how National planning policy requires the Local Planning Authority to identify requirements for transit sites through an assessment of housing needs and demand. The assessment for Reading identified that there was a need for a site which Policy H13 of the Local Plan seeks to meet by setting out criteria for consideration of planning applications for new, or expansions of, transit sites.
- 6.70 Assumptions that crime rates would rise in the local area or that Gypsies and/or Travellers using the site would cause ASB are not material to the determination of

this planning application and are considered to be potentially discriminatory and have not been given any weight in this assessment.

- 6.71 Environmental pollution from fires, litter and external light pollution could be partly controlled by planning conditions and partly by other legislation. Devaluation of property is not a material planning consideration.
- 6.72 A number of other matters have been raised by local residents and these are set out in the tables at Appendix 2. Any matters not responded to in this report will be covered and clarified in the Update report to your meeting, as necessary.

7. Conclusion

7.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Officers have also given specific thought to the three tenets of sustainable development (as set out in the NPPF but also replicated in Policy CC1) which are Economic, Social and Environmental. The determination of all planning applications requires a balancing of material considerations and often competing policy requirements and objectives. The following sets out how officers have approached reaching their recommended decision.

7.2 From the discussion within this report, the following weighs in favour of granting planning permission:

1. It has been adequately demonstrated that there is a need for a transit site in the Borough and there is Policy support (H13) in the adopted Local Plan;
2. the applicant has demonstrated that a site search has established that the proposed use is not able to be accommodated on any other site within the Borough and has explained that the Council, as a Local Authority, is currently failing to provide accommodation for these people;
3. the proposed transit site is considered to be comparatively well-located in terms of accessibility to services and facilities; and
4. in terms of flooding and strategic site suitability, the proposal is found to be acceptable.

7.3 There are significant considerations that weigh against approval but the report describes how these concerns can be mitigated through design details and management plans as follow:

1. There are objections and policy conflict in respect of emergency safety, however officers consider that with suitable safety refuges provided on site and with on site management the safety of residents will be adequately protected. A detailed emergency plan, to cover evacuation in a flood event or an incident at AWE Burghfield (resulting in the 'say put' strategy), are recommended via planning conditions;
2. there would be adverse environmental impacts at the site (loss of trees, ecological impacts and landscape impacts) but it is possible to reduce this harm through mitigation and conditions are recommended to achieve this; and
3. The local environmental context makes this site unsuitable for permanent residential accommodation, but is suitable for the use as a temporary residential transit site as proposed. Conditions are recommended to prevent long term residence.

- 7.4 Officers have carefully considered the strongly worded objections from the Emergency Planning professionals raising understandable concerns should a serious event occur at AWE and the policy conflicts are acknowledged in this report.
- 7.5 Officers have also carefully considered the equally strong case for the proposed use in meeting the everyday problems caused to many individuals and organisations through unauthorised traveller sites in the Borough and the absence of any alternative site weighs strongly in favour of granting planning permission.
- 7.6 Officers consider that the granting of a temporary planning permission would be appropriate in this situation given the concerns raised, as this would allow the outcome of the use of the site to remain under the control of the Local Planning Authority in the medium to long term. It is considered that this safeguard would be sufficient and tip the balance marginally in favour of the proposal.
- 7.7 For the above reasons, the application is recommended to you for approval with conditions as set out above.

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Application 212037 application for a Gypsy and Traveller site, Island Road- full consultation responses received by the Local Planning Authority.

RBC Transport Development Control

The proposed development is located on the south side of Island Road, between the RE3 Recycling Centre and a Thames Water sewage treatment works (STW). Island Road is accessed from a 4-arm signalised junction off the A33. Island Road is a two-way industrial estate type access road with a 30mph speed limit and a continuous footway on the north side. Across the site frontage on the south side, there is a footway with dropped kerbs to enable uncontrolled crossing between the two footways, to provide a continuous route. All traffic on Island Road is for access only (there is no through route).

There are no parking restrictions on Island Road in the vicinity of the site frontage, except for a short length of double-yellow lines associated with the entrance to the RE3 facility.

The transit site will comprise 7 pitches, bin store, outdoor seating area, play area, and a new access onto Island Road. Each plot comprises a kitchen/toilet block and space for two caravans and two to four light vehicles and/or an OGV1 [Other Goods Vehicle 1 (OGV1) Classification Includes all rigid vehicles over 3.5 tonnes gross vehicle weight with two or three axles] plus trailer and provision of an EV charging point.

The proposed development will be accessed off Island Road via a priority junction. The new junction is to have tactile crossing points, and a 1.8m wide footway leading into the pedestrian entrance. The distance between the proposed new access and the nearest existing access on Island Road is 22m (based on midpoints). Access will be controlled by a lifting barrier arm linked to CCTV / access control. The barrier arm is set back 11.9m from the edge of the carriageway which will ensure that a car and twin axle caravan can wait at the barrier and not protrude out into the carriageway. In addition, a sliding gate is provided, set back 10.1m from the edge of the carriageway which will be open during the day and only shut over-night or under exceptional circumstances.

Tracking diagrams have been included in appendix 1 of the TS to demonstrate a car and twin axle caravan entering the site but not accessing the individual pitches. However, the applicant has stated that once the caravan is towed into position adjacent to a pitch, the resident will then use a combination of vehicles and jockey wheels to position the caravan within the pitch, as per standard practice. Given that the access road width is in excess of 10m wide, this is considered acceptable.

It is stated that each pitch is booked as an entity. The main vehicular entrance will be controlled via an automatic rising barrier with overhead height restriction. The applicant has clarified that the site will be a transit site and residents will be able to live on that pitch for a maximum of 3 months. Pitches will have to be pre-booked based on the Council's allocations policy. The Council will keep forms to book a pitch at the local housing offices and with the GTLO (Gypsy Travelling Liaison Officer) to ensure that visitors do not travel to the site unless there is availability.

A dedicated waste and recycle bin storage area is provided with direct internal site access, as well as external access adjacent to Island Road for ease of waste collection. There is insufficient space to turn a refuse vehicle on-site, so it is proposed that refuse vehicles will pull into the site access to enable waste collection to occur off the carriageway. Given that Island Road is a non classified road and the anticipated traffic generation from the development will be low, I do not object to this arrangement. However, I would suggest that the Council's Waste department are consulted on this application to determine whether the arrangements are acceptable.

The Trip Rate Information Computer System (TRICS) database has been used to calculate the proposed trip rate and subsequent trip generation for the proposed development. However, there is no data available for a gypsy and traveller transit site within TRICS, and trip rates have been established using privately owned residential houses. It is anticipated that the development is likely to generate four trips in AM peak (08:00-09:00) and three trips in PM peak (17:00-18:00). I query whether the use of TRICS data for privately owned residential houses provides the most accurate assessment for a gypsy and traveller site, however, given the small scale of the development, the estimated total vehicle trip generation is likely to reflect a worst case scenario and is acceptable.

The Council's Local Plan was adopted in November 2019 and this includes a requirement at Policy TR5 for each new house to be provided with an electric charging point. The applicant has confirmed that each pitch includes the provision of an EV charging point.

Pitches will have to be pre-booked to ensure that visitors do not travel to the site unless there is availability to ensure that there is no waiting on the public highway. Therefore, there is no transport objection to this application subject to the conditions below.

Suggested conditions

- DC1 VEHICLE PARKING (AS SPECIFIED)**
- DC3 VEHICULAR ACCESS (AS SPECIFIED)**
- DC8 REFUSE AND RECYCLING (AS SPECIFIED)**

DC11 SET BACK OF GATES

Any gates provided shall open away from the highway and be set back a distance of at least 10 metres from the nearside of the carriageway of the adjoining highway.

REASON: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

DC24 EV CHARGING POINTS

No plot shall be first occupied until the electric vehicle (EV) charging Scheme for the development has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.

REASON: In the interests of environmentally sustainable transport in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

IF3 Highways

RBC Waste Services Manager

Under The Controlled Waste (England and Wales) Regulations 2012, the waste from this site would be classed as household waste. This means that they would need to adhere to our capacity etc. for the amount of pitches. If additional waste capacity is required in excess of this, then there would be a collection charge.

The capacity (with no charge) would be;

- 3x1100 general waste
- 3x1100 recycling

These would be collected on a fortnightly collection.

All of the bins would need to be within 10 metres of the vehicle. I think we would be able to stop on the road to collect, rather than having to enter the site, but all would need to be within this walking distance. Does the highways officer OK with this?

There is also further generic advice - [Waste management guidelines - Reading Borough Council](#)

RBC Environmental Protection

Initial comments received 17th January 2022:

Noise impact on development

The noise assessment indicates that there will be an impact on the site from external noise, in particular from the waste transfer station and the A33.

It is not completely clear in the assessment what the resultant noise levels will be in terms of BS4142 and BS8233 assessment, with the retaining wall in place. This needs to be clarified.

Whilst some lee-way can be allowed in terms of the noise levels due to the residents not living there permanently, it will be important that they are not exposed to noise from the waste transfer station that are at nuisance levels particularly at night when this could cause sleep disturbance and also place the facility at risk in terms of restrictions should a nuisance be found to exist.

Are there any mitigation measures that can be put into place in terms of improvements to the retaining wall or operational adjustments to the waste transfer facility (e.g. change of the reverse alarms from tonal ones to white noise) in order to reduce the risk of adverse noise impacts?

Air Quality - Increased exposure

The air quality assessment concludes that there may be an impact on the occupants from odour from the sewage treatment works and the waste transfer facility, due to the proximity.

We do occasionally receive complaints about odour from the sewage treatment works but this is usually only when an element of the process has gone wrong, as the process is a closed system that is intended to be low odour. However there is an increased risk of complaint as the proposed site is so close to the facility.

If possible, further assessment should be undertaken regarding the potential impact of odour from the waste transfer station and the STW as the on site assessment was carried out in cold weather so was not worst case. Whilst the residents may be more tolerant of odour given they are not resident permanently on site, it will be important to establish the severity of any potential odour and how often it may occur, if possible.

Contaminated Land

The contaminated land assessment concludes that some remediation will be required (placement of hard standing, use of cover soils for soft landscaping, some gas protection measures for permanent buildings) therefore a remediation strategy is required.

Recommended conditions

➤ **CO4 REMEDIATION SCHEME (TO BE SUBMITTED)**

No development shall commence on site including demolition and any preparatory works until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: These details are required due to insufficient information being contained within this submission and to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

➤ **CO5 REMEDIATION SCHEME (IMPLEMENT AND VERIFICATION)**

The approved remediation scheme under Condition INSERT shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) shall be submitted to and approved by the Local Planning Authority before construction above foundation level.

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

➤ **CO6 UNIDENTIFIED CONTAMINATION**

In the event that contamination is found at any time when carrying out the approved development not previously identified, development shall be halted on that part of the site the contamination reported in writing to the Local Planning Authority.

An assessment of the nature and extent of contamination shall be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, shall be submitted in writing to the Local Planning Authority for its written approval.

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

REASON: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy EN16 of the Reading local Plan 2019.

Further to revised and additional information, further comments received 11th July 2022:

The assessment with the proposed 4 m wall is showing noise levels reduced by around 7 dB which means the actual noise levels are (just) acceptable. There does still remain the risk of complaints about noise from Re3 because, as stated in the assessment, the noise from the activities there will remain above background noise levels. It appears from the assessment that the main noticeable noise source is the tonal reverse alarms therefore I would strongly recommend that the development team consult with Re3 to understand if there is any option to phase these out and replace with white noise reverse alarms. White noise alarms are considered good practice in any case. If this is not something that can be negotiated then Re3 need to be made aware that if the development goes ahead and complaints are received then we are likely to require that to be carried out.

Further to revised and additional information, further comments received 26th July 2022:

There are currently 18 complaints from Kennet Island and Green Park Village residents about odour from the Sewage Treatment Works. As it stands it is assumed that the proposed development would also be impacted by this unpleasant odour.

The Sewage Treatment Works should be able to operate without odour escaping to the surrounding area when their odour abatement unit is working. Unfortunately, they appear to have let this run into disrepair and it's now going to take a while to completely fix. If this is repaired and then maintained properly the proposed development should be fine.

11/7/22 email from EP to planning case officer

Thanks, the assessment with the proposed 4 m wall is showing noise levels reduced by around 7 dB which means the actual noise levels are (just) acceptable. There does still remain the risk of complaints about noise from Re3 because, as stated in the assessment, the noise from the activities there will remain above background noise levels. It appears from the assessment that the main noticeable noise source

is the tonal reverse alarms therefore I would strongly recommend that the development team consult with Re3 to understand if there is any option to phase these out and replace with white noise reverse alarms. White noise alarms are considered good practice in any case. If this is not something that can be negotiated then Re3 need to be made aware that if the development goes ahead and complaints are received then we are likely to require that to be carried out.

For information: extract of an EP Team email text to Councillor Rachel Eden providing an update to local residents on measures to address odour issues at the Sewage Treatment Works:

The Council has received a number of complaints from residents with regards to the unacceptable odour issues being experienced around the Thames Water treatment plant. In response the Council has been in contact with Thames Water on behalf of local residents. Thames Water have assured the Council it is doing everything it can to resolve the issue. Following Council officers investigations, these actions have been taken by Thames Water to date to try to resolve the issue:

- Broken roller shutter door on the inlet building is now closed, meaning that the building is closed for the odour control to extract as required.
- Work on the inlet Odour Control Unit commenced on 29th August. Once completed this unit will be in full working order.
- Order placed to replace a fallen odour stack outside the inlet building. Unfortunately Thames Water has said this has a 40 week lead time so will not be completed until next year.
- Funding granted for repairs to sludge building OCU. A procurement process has been started to get contractors on board. The Council does has not yet been given a timescale for the completion of this work by Thames Water

The inlet building odour control units are likely to have the biggest impact on the reduction of odours at the site, so we are hopeful that things should have already improved considerably. This seems to be holding true at the moment as residents' complaints have reduced but we will of course continue to monitor it.

RBC Planning Natural Environment Tree Officer)

Initial comments received 15th February 2022:

The site is close to a Major Landscape Feature (to the north-west), directly adjacent to an Area of Identified Biodiversity Interest (watercourse to the west) and is within a low canopy cover Ward (as defined in the Tree Strategy). Proposals therefore demand due regard to the trees, vegetation and adjacent watercourse and require mitigation for loss of vegetation.

With reference to **Proposed Block Site Plan P1 00**, I note that the refuse areas and the pitches (largely) are on the east side, away from the watercourse to the west, which is positive.

With reference to the **Planning Statement, ref RP20211216, from Shrimpin**, this confirms in 3.2 that the site *'is overgrown scrubland. It is enclosed by mature, dense tree belts which will be retained'* and in 6.10 *'that the scheme will not result in a loss of biodiversity or important trees and will provide ecological mitigation'*.

With reference to the **DAS from HCC**, this reiterates in 2.02 that the *'mature, dense tree belts to the east and west which will be retained'*. 5.03 advised that *'The site is to be fully protected with a new 2m high brick boundary wall..'*, with 5.06 stating that *'Ground levels are to be raised generally across the site to form a level accessible and safe access into and across the site'*. Details of the increase in ground level is given in the **Flood Risk Assessment**, with the executive Statement saying:

'Modifications to the current site topography are required to create safe platforms for development above the flood level. The remodelling of the site will also require construction of a storage area underneath the development area to offset the volume of floodplain lost. It is proposed to increase the site level of 39.44 mAOD..' and 6.1 of the FLA states *'The site raising will be achieved through installation of a piled concrete structure with a concrete slab forming the site surface'*

I am unclear on the works involved in this and would welcome clarification.

Section 5.24 of the DAS details proposed works to retained Willows.

The Soft Landscape section of the DAS suggests that 10 trees will be planted around the swale to the south of the site, with potentially new planting in the soft play area and playground.

With reference to the **Arboricultural Impact Assessment from SJ Stephens Associates dated 30 November 2021:**

This confirms that 10 trees are to be removed (as detailed in 6.1) and three early mature crack willow (T1, T2 and T3) will be topped at 1.8m and allowed to re-shoot and T7 and T9a will be cut to ground level and allowed to re-shoot. 6.3 states that *'Trees alongside the river will be removed to allow installation of the new retaining wall'*. I will take the details in 6.1 and the tree survey table to be the proposed removals and tree works and assume this supersedes the statements about tree retention within the aforementioned documents.

5.4.1 details the 'no-dig' constructions areas, the details of which are expanded on in 5.5, and the hand excavations on the west side for the retaining wall, the details of which are expanded on in 5.6. Tree protection measures (fencing and ground protection) are given in Section 5.4 - these are all shown on the TPP.

In relation to the trees overhanging from the east, I note that no works are proposed to these. Given the low canopy height of the majority of these, as stated in the Tree Survey table, this should be checked, particularly in light of the proposed increase in ground level.

Existing trees

The proposals result in unavoidable tree loss. I note the intention to effectively coppice the Willows on the west side rather than remove altogether, which is positive.

The need to works to trees overhanging from the east needs to be clarified.

The AIA does not sit well with the proposed ground level work recommended in the FLA and should be reconsidered with this in mind, e.g. comparison of the piled concrete slab with the no-dig cellular confinement system. The TPP shows tree protective fencing, albeit it is difficult to see due all the other coloured lines on the plan, but I question whether this is necessary as a separate element or whether there would be site hoarding in the same location for the majority of the build which would act as tree protection? It will need to be established at what point in the construction the wall (around the perimeter) is being built and factored into the need for separate protection for vegetation.

A revised AIA is required.

Landscaping

Principles are included and could be secured via condition L2 (landscaping etc). I assume the landscaping will be maintained by RBC?

In conclusion, and subject to Ecology comments, the principle of the development is supported but clarity is required within a revised AIA as detailed above prior to a decision long with clarity on the proposed ground raising.

Further to revised and additional information, further comments received 4th July 2022:

With reference to **Proposed Block Site Plan P2 00**, I note this now has a larger area within the red line of the site - wider towards the east and extending further south. Other than that, the proposals remain the same. I note this does not have structures numbered on the plan to go with the legend, as should be provided.

Other plans have been provided to assist with understanding the proposed levels across the site: **Structural Sections drawing P01, Level 00 Structure drawing P01 (Water Level Structure) and Foundation Level Structure drawing P01**. I find it hard to interpret these (see further comments in relation to the AIA below).

With reference to the revised **Arboricultural Impact Assessment from SJ Stephens Associates dated 22 March 2022:**

1.5 - I note this refers to the previous Proposed Site Plan P01 so needs updating.

5.2.3 states: *In addition, three early mature crack willow (T1, T2 and T3) will be topped at 1.8m and allowed to re-shoot.* This is contrary to the tree works stated on the Proposed Landscape Plan P1-00. Submitted documents should be consistent. Para 6.4 also refers to 1.8m.

The Tree Protection Plan is not based on the revised Site Plan and therefore needs updating.

A Proposed Detail Site Plan P1-00 is provided on the last page, which is not the revised layout (red line).

None of the Appendices are labelled, which would be helpful.

The AIA offers no commentary to aid the understanding of the ground level changes across the site, as shown in the aforementioned plans that have now been provided.

It is necessary to have that commentary to demonstrate that the works are arboriculturally acceptable. The AIA confines comment to the retaining wall alongside the river as a result of the required lifting of ground level.

In relation to the trees overhanging from the east, I note that pruning works are now proposed to these to: *Prune back any overhanging branches to clear new wall and buildings.*

I previously stated: *The TPP shows tree protective fencing, albeit it is difficult to see due all the other coloured lines on the plan, but I question whether this is necessary as a separate element or whether there would be site hoarding in the same location for the majority of the build which would act as tree protection? It will need to be established at what point in the construction the wall (around the perimeter) is being built and factored into the need for separate protection for vegetation.* It does not appear that this has been addressed.

A revised AIA is required.

Landscaping

Proposed Landscape Plan P1-00 includes principles for 4 different zones on the site. I note all Willow (wherever they are) are to be coppiced at 0.5m above ground level. The text explaining the principles for the north 'road' boundary does not state 'tree planting', as would be expected or which appears to be indicated on the plan. In relation to the south 'riverside meadow', new tree planting should avoid Cherry, as Prunus is an over-represented genus on Council land. I am unclear why or how it is feasible to plant so much Alder (*Alnus glutinosa*) in this area and would welcome clarification on this.

In conclusion, and subject to Ecology comments, the principle of the development is supported but clarity is required within a revised AIA as detailed above prior to a decision.

AWE Off-Site Planning Group

AWE Planning Consultation Considerations re 212037

Consideration	Details																									
Planning Application No	212037																									
Site Location:	Land adjacent to Reading Sewage and Treatment Works Island Road Reading																									
Description of development:	The application proposal is for a gypsy and traveller transit site. A transit site is "A site intended for short-term use while in transit. It will comprise 7 pitches, bin store, outdoor seating area, play area, and a new access onto Island Road. Each pitch comprises a kitchen/toilet block and space for two caravans and two cars																									
Is the proposed development within the relevant site DEPZ or area of Extendibility?	DEPZ																									
If yes, within which sites DEPZ or area of extendibility does the application fall within (Aldermaston/Burghfield):	AWE Burghfield																									
If yes which Sector is the proposal within?	B																									
Current Demographic Information within Sector the sector and 2 adjacent sectors. (In any incident at least, the sector affected and the 2 on either side are alerted in order to allow for drift etc)	<table border="1"> <thead> <tr> <th>Sector</th> <th>Residential</th> <th>Residents</th> <th>Commercial</th> <th>Employees</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>31</td> <td>74</td> <td>25</td> <td></td> </tr> <tr> <td>B</td> <td>1264</td> <td>3033</td> <td>85</td> <td></td> </tr> <tr> <td>C</td> <td>9</td> <td>21</td> <td>121</td> <td></td> </tr> <tr> <td>Totals</td> <td>1304</td> <td>3128</td> <td>231</td> <td></td> </tr> </tbody> </table>	Sector	Residential	Residents	Commercial	Employees	A	31	74	25		B	1264	3033	85		C	9	21	121		Totals	1304	3128	231	
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Is the proposal for:																										
Residential	Yes																									
What is the increase in Population Density within the Sector (Based on the average household size to be 2.4 persons per household and details in application relating to employees for business developments)	N/A																									
Commercial	No																									
Are there details of any Site Emergency Plan in place	No																									
Are there any vulnerable developments proposed?	No																									
What applications are approved in the sector but not completed (still valid)	Unknown at time of drafting this response																									

	Consideration	Impact on AWE Off-site Emergency Plan
1	Within DEPZ area or OPZ	DEPZ
2	Proximity to Site Boundary	3km
3	Impact on short term Sheltering – 24 – 48hrs	Caravans are not a suitable means of providing shelter from an incident at AWE. This Gypsy and Traveller site proposes to have brick-built utility blocks, but these are unlikely to be suitable for up to 48 hours of sheltering from a welfare perspective (adequate amounts of food, space for sleeping arrangements). Furthermore, the reliance upon a utility building may require those on the site to leave their accommodation to access the utility block for welfare purposes and this has the potential to increase exposure to airborne radioactive material.
4	Impact if requirement for Medium/Long term Sheltering 48hrs+	Caravans are not a suitable means of providing shelter from an incident at AWE for any period of shelter arrangements.
5	Requirement for Immediate Evacuation & Impact –including reception and rest centre	Due to the lack of suitable protective structures the residents are at a higher risk of immediate evacuation being required. In the event of evacuation being required, or post-sheltering permanent or temporary relocation, priority would need to be given to those in less suitable structures. This increases the resources required to respond to the emergency and has the potential to decrease the effectiveness of the arrangements due to delaying the evacuation/relocation of other, pre-existing, communities. This would also have an impact on the number of reception centres and rest centres required.
6	Impact if requirement for subsequent Evacuation—including reception and rest centre	Due to the application type, shelter would not be viable and therefore additional residents would need to be moved off site for radiation monitoring & possible decontamination. It is unlikely that vehicles would be able to be removed from site as they could be contaminated. Onward transportation would need to be sourced, placing a burden upon the Local Authority who would be asked to assist in these circumstances. This would also have an impact on the number of reception centres and rest centres required.
7	Impact on Warning & Informing processes	Normal warning and informing processes for the AWE system relies upon a live landline phone connection, the transient nature of the residents expected to occupy this proposed development will add to the challenges in communicating the required safety information/warning and informing advice, when there are no landline phones and community are unlikely to have seen the REPPIR public information booklet. The difficulty communicating with an even larger population in an incident are significant, especially around the differences to the possibility of lifting shelter for DEPZ but not the UPA.
8	Day time or night time impact	No difference to the impact
9	Vulnerable People considerations	Due to the transient nature of the proposal it would be unrealistic for the Local Authority to maintain accurate data on vulnerable residents.

AWE Offsite incident were in support of this recommendation. Granting permission for this site would set a precedence that sheltering in this type of accommodation is acceptable for any future application at this site or any other DEPZ in the UK. As a result, due to the impact on responding agencies and the potential impact on the occupants of the proposed development **the AWE Offsite Planning Group recommended that the Planning Authority refuse the application.**

RBC Emergency Planning and Business Continuity Team

First response is same as for the Offsite Planning Group (above)

Response to case officer by email 22/8/22:

Due to your deadline of the 7th September it has not been possible to convene a meeting of the AWE Off-Site Planning Group. Instead below is a summary of recommendations received by email from its members in response to the applicants comments contained in the briefing note received on 9th August 2022.

- The OPSG Demographic figures initially included in the planning considerations did not factor in the Reading Stadium in the adjacent sector (C) which has the potential to add 20,000+ people to the response requirements and associated pressure on emergency responders.
- 2.2.1 Site manager – this provision is welcomed but the wording suggest that there will be periods that a site manager will not be available ‘Residents will be told who they should contact in the absence of the Officer and in case of emergencies’ This does not meet the 24/7 requirements to alert residents of an incident. A more robust method of warning and informing the site occupants would be required in order for them to shelter in time to avoid exposure to any airborne contaminant.
- 2.3 - Site Emergency Plan
- *‘In the past, travellers have parked on Island Road. A specific site assigned for their use with a detailed emergency plan is therefore offered as an improvement to the current situation.’* – there has been significant development in the area and with it additional use of the area. The briefing note confirms there has only been one encampment in the past few years.
 - *A detailed plan will be drawn up in due course on the following basis:*
 - *In case of an emissions emergency, the site will follow a stay-put policy to be implemented by the GTLO* - The same concerns remain that caravans are not a suitable means of shelter, the stay put policy implementation would only be possible during periods that the post holder is on site. If time from the initial alert allowed any localised road blocks mentioned will require some form of deployment adding pressures to emergency responders and could require additional personnel being deployed to the area of risk.
 - *It is proposed that the static brick units provided on site would be used for the stipulated 48 hours.* – The proposed brick buildings make no provision for cooking or the required floor space to sleep for the required period of shelter, which would increase the chance of residents feeling the need to return to unsuitable shelter or attempt to leave the area. The shelter provided would need to suitably accommodate the maximum number of occupants of the site with suitable facilities for sleeping / cooking and hygiene.
 - *We propose the addition of a site office by the gates along with a telephone landline for AWE warning messages to be conveyed. Calls to the landline will be directed to the GTLO’s mobile when he is off-site.* – Whilst this is a welcomed addition, the alerting provision would be required on site 24/7 in order to ensure residents are able to shelter in a timely manner. Whilst it is not yet live, the soon to be launched UK push-notification emergency alerting system would go some way overcome the issue of not having landlines in place to cascade alerts, it is not yet known if the activation of the AWE offsite plan will be initially included in the governments emergency alert tiggers.

For the reasons stated above and that of the original feedback by the AWE Off-Site Planning Group, it remains the view of the AWE Offsite Planning Group that this application is recommended for refusal.

Office for Nuclear Regulation (ONR)

Dear Sir/Madam,

I apologise for the delay to our reply.

I have consulted with the emergency planners within Reading Borough Council, which is responsible for the preparation of the off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information Regulations) (REPPiR) 2019. They have not been able to provide me with adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.

Therefore, ONR advises against this development, in accordance with our Land Use Planning Policy (<http://www.onr.org.uk/land-use-planning.htm>).

I would be grateful if you would notify ONR of the outcome of the determination of this application via email to ONR-Land.Use-Planning@onr.gov.uk.

RBC Planning Policy Manager

The Council's Planning Policy Manager supports application 212037, subject to a planning condition that requires submission and approval of a warning and evacuation plan to cover both flooding and an emergency event at AWE Burghfield, prior to first occupation.

Introduction

It is worth firstly being aware for clarity that RBC Planning Policy led some of the early site identification and appraisal work that is cited in this planning application, and it was in a document prepared by RBC Planning Policy that this site was first identified as a potential location for gypsy and traveller use.

It should also be noted that the Planning Policy team is not resourced to be able to review every aspect of an application's compliance with adopted policy, particularly in relation to development management policies. My response therefore identifies selected matters which are considered to be of greatest importance in relation to an application. Where this response does not address an issue, it does not necessarily imply compliance with the respective policy.

Relevant planning policies

The main planning policy that is of relevance to this planning application is policy H13 (Provision for Gypsies and Travellers). Other development management policies that are of relevance include EN12 (Biodiversity and the Green Network), EN17 (Flooding and Sustainable Drainage Systems) and OU2 (Hazardous Installations).

Need for development

The Planning Statement submitted with the application contains a relatively full summary of the need for the development. It stems from a Gypsy and Traveller, Travelling Showpeople and Houseboat Dweller Accommodation Assessment completed in 2017 by Arc4. This was undertaken to inform the then emerging Local Plan. It identified a need

for 10-17 permanent pitches and a transit site for five pitches (with each pitch accommodating two caravans, meaning ten caravans in total). These needs were referred to in the Local Plan at paragraph 4.4.103 of the Local Plan. There are no existing permanent or transit pitches within Reading, and since the publication of the Assessment, there have been no new proposals for gypsy and traveller pitches and no other changes in circumstances to suggest that the needs have changed.

The need for transit pitches in the assessment stems from the large number of unauthorised encampments that have been experienced in Reading in recent years. Further information on these encampments has been assembled since the publication of the Assessment. These have increased over the last few years. For instance, there were 87 unauthorised encampments within Reading between April 2016 and March 2017, the majority of which were on Council land. There is a consistent and ongoing issue with unauthorised encampments which causes issues for local residents, the Council as landowner, the police and the travellers themselves who lack transit provision in the local area.

It is worth bearing in mind that, whilst there may be possible options for providing permanent pitches for travellers in adjoining authorities, this differs in the case of transit pitches. The police have discretionary powers under Section 62A-E of the Criminal Justice and Public Order Act 1994 to direct both trespassers and travellers to leave land and remove any vehicle and property from the land, but one of the conditions is that a suitable caravan pitch must be available within the authority. To make use of these powers therefore, transit pitches must be available within Reading Borough.

Therefore, there is a strong and evidenced need for transit pitches in Reading, and this proposal could accommodate 14 caravans which would meet the identified transit needs in full.

Identification of site

Options for finding a site for transit provision in Reading are extremely limited. The Council undertook significant steps to try to identify land to meet both permanent and transit needs as part of the Local Plan process, but was ultimately unable to identify a site.

In terms of private land, the Council specifically asked on a number of occasions for sites to be nominated for gypsy and traveller use, but none were put forward. The Council also wrote specifically to each landowner that had nominated land for other uses (other than sites for high density development in the town centre) to explore the possible inclusion of gypsy and traveller provision, but did not receive any positive response.

The focus for a site search so far has therefore been on the Council's own land. In 2017, planning policy officers undertook a search of all Council land of over 0.15 ha that did not include existing in-use buildings and was not covered by a protected open space designation or did not house statutory allotments. This led to the identification of 80 sites for further assessment, of which only one site, at Cow Lane, was considered to be potentially suitable. This work was published alongside a consultation on Cow Lane in September 2017.

Subsequently, the Cow Lane proposal was abandoned as the land was required for the Reading Festival and was also proposed to be part of a forthcoming secondary school site. The sites identified were reassessed, in particular with a fresh approach to flood risk relating to transit use, after it was noted that the vulnerability classification in Planning Practice Guidance (now in the NPPF itself) differentiates between permanent residential caravans and caravans for short-term let. Potential private sites for purchase were also considered. This led to feasibility work on the small number of sites which were

considered to have some potential, which came to the conclusion that only one site, the site of this application, was potentially feasible.

This means that a great deal of work has been undertaken by planning policy officers and colleagues to come to the conclusion that this is the only potential feasible and suitable site in Reading to meet the important transit need.

Principle of development

The principle of use of this site for a traveller transit use needs to be considered against the criteria in policy H13, which are as follows:

- “i) Have safe and convenient access onto the highway network;*
- ii) Have good access to a range of facilities including education and healthcare by a choice of means of travel, including walking;*
- iii) Not have an unacceptable impact on the physical and visual character and quality of the area;*
- iv) Not result in an adverse impact on the significance of a heritage asset;*
- v) Be located in line with national and local policy on flood risk, and not involve location of caravans in Flood Zone 3;*
- vi) Not have an unacceptable impact on the amenity of existing residents in surrounding areas, or on future residents of the proposal; and*
- vii) Not result in the loss of biodiversity or important trees, and provide a net biodiversity gain where possible.”*

Criteria i) and vii) are the subject of technical reports which are best addressed by other consultees.

In terms of criterion ii), there are few services and facilities in the immediate vicinity. However, the site is approximately 600m from some basic facilities in the centre of Kennet Island, and just over 1 km from existing primary schools in Whitley and Green Park. It is also around 1.2 km from the Whitley district centre. The A33 carries fast bus links into central Reading. Given that gypsy and traveller sites are frequently located in quite isolated locations, it is considered that this represents comparatively good accessibility by a choice of means of travel.

There is not expected to be an unacceptable impact on the character and quality of the area (criterion iii)), which is primarily industrial in nature, and there are proposals to screen the development and retain mature trees around its boundaries.

In terms of criterion iv), there are no identified heritage assets in close proximity to the site.

In terms of flood risk, in relation to criterion v), the site does propose to locate caravans in flood zone 3, and it therefore fails this element of the policy. However, this requires a balanced approach taking into account the significant benefits that the proposal could bring. The other element of the criterion is around compliance with national policy, and this is addressed in more depth below, albeit that some of the technical elements of the Flood Risk Assessment are for others to respond to.

There would not be any significant negative impact on the amenity of residents in surrounding areas (criterion vi)) given that the site does not adjoin any residential properties. Whilst there are residential areas within walking distance, this will always be the case within an authority such as Reading, and direct impacts on the amenity of those

residents would not be expected. In overall terms, the amenity of residents across Reading should be improved by provision of a transit site allowing unauthorised encampments, which frequently occupy parks and open spaces and may cause anti-social behaviour, to be enforced against more effectively.

In terms of the amenity of the residents on the site itself, the site is located between the water treatment works and the recycling centre. This is not a location that would have been likely to offer a good standard of residential amenity for permanent residential accommodation due to the industrial nature of the surroundings. However, as residents would only be present in the short term, and there are considerable landscape buffers both within and around the site, it is considered that this is acceptable.

Flood risk

The Planning Policy team is not in a position to comment on the technical aspects of the Flood Risk Assessment. However, I am in a position to give a view on the policy requirements regarding the sequential and exception test.

Vulnerability classification

The first element is to identify the vulnerability classification of the development, with specific reference to Annex 3 of the NPPF. In terms of use for caravans, the vulnerability classification considers sites for caravans, mobile homes and park homes intended for permanent residential use to be 'highly vulnerable', and therefore inappropriate for location within Flood Zone 3a under Table 3 of the Planning Practice Guidance on flood risk¹. The classification identifies sites used for holiday or short-let caravans and camping to be 'more vulnerable', subject to a specific warning and evacuation plan. 'More vulnerable' uses may be located in Flood Zone 3a subject to passing the sequential and exception test.

The work undertaken by the planning policy team in identifying potential sites after the Cow Lane site was rejected has considered that transit use is likely to be 'more vulnerable'. Transit sites are not for permanent residential use, and typically have a maximum stay of around three months, although it is within the local authority's gift as both manager and local planning authority to set alternative occupancy periods if necessary. In my view, a short-term transit site would qualify as 'more vulnerable'. This opinion has been referred to in paragraph 5.1 of the Flood Risk Assessment, and remains my view.

A requirement of a caravan use being classified as 'more vulnerable' is a specific warning and evacuation plan. This does not appear to have been submitted, but should be required to be submitted and approved by planning condition before first occupation. As a transit site would be managed by the Council, and caravans would be able to move out very quickly if necessary, in my view it is more likely that an effective plan can be put in place than would be the case, for instance, with private housing.

I am aware of the comments provided by the Environment Agency set out as Appendix B of the Flood Risk Assessment, in particular the response of 25th August 2021. I do not agree with the conclusions of that response, which in my view seems to not fully appreciate how traveller transit sites work and that they are an established form of provision rather than a bespoke solution for this site. I respond to some of the detailed points raised by the EA below.

In terms of whether the caravan represents the permanent home of the traveller, this is not necessarily the case. Many travellers have a permanent residence elsewhere, either

¹ [Table 3 - Flood risk vulnerability and flood zone compatibility .pdf \(publishing.service.gov.uk\)](#)

on a permanent site or in bricks and mortar. This is not the case for all travellers, and for some of the occupants the caravan is likely to be their only home, but it is not the case for all.

In terms of seasonality, gypsies and travellers tend to travel around mainly in the summer. I am not able to provide details of the seasonality of unauthorised encampments in Reading, but transit sites may well be used by those travelling from further afield.

The “other risks” noted by the EA do not appear to appreciate that a transit site will need to be formally managed by the Council, as is the case with sites elsewhere (the EA even states that “sites are not managed”). Access will need to be provided by the Council and relevant contact details taken. Occupants will have an understanding of the temporary nature of their stay from the outset. This will make evacuation of the site easier rather than harder.

The EA response also refers to sites being “periodically cleared” and “periodically evicted”. This demonstrates a lack of understanding about how transit sites function. There are transit sites elsewhere, and their temporary nature is understood from the outset.

In terms of the references made to [Planning Policy for Traveller Sites](#), it is appreciated that paragraph 13 (g) states that planning authorities should ensure that they “do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans”, although it is worth noting that these criteria are in relation to what policies should say rather than to decision making. It is also worth noting that this is stated to be because of the vulnerability of caravans, but the NPPF does draw the distinction between caravans based on occupancy as has already been stated.

Reference is made to the demographic profile of potential occupants, and it is stated that exceptions to the policy are generally made only where occupants would be young, fit and healthy. I have no further information on the demographics of the unauthorised encampments that Reading experiences. However, it is worth noting that the occupants of these encampments are used to having to mobilise and vacate a site at a moment’s notice, and do so with great regularity, far more than most of the settled community. It could be expected that they could do so in the event of a flood.

Impacts on mental health as a result of flooding are noted, and are no doubt significant. However, the impacts on mental health as a result of regular eviction from other sites are also likely to be significant, and this will continue without the Council making efforts to find alternative provision.

Finally, the EA also suggest a search area expanding to outside Reading’s boundaries. The Council has sought to work with its neighbours to identify sites outside its boundaries for permanent accommodation, and continues to do so. However, for the reasons already outlined, a transit site needs to be within the authority boundaries to make use of the enhanced powers under the Criminal Justice and Public Order Act 1994.

I therefore consider that this development should be treated as ‘more vulnerable’, and may therefore be located in Flood Zone 3a subject to the sequential and exception test.

Sequential and Exception Test

It does not appear that the information submitted provides evidence of complying with the sequential or exception test. However, given the very specific set of circumstances around this proposal, it is nevertheless possible to come to a view on this matter.

In terms of the sequential test, the Council undertook a sequential test for sites in the Local Plan, and this included assessing sequentially preferable sites when an alternative

transit site at Cow Lane was being proposed. This clearly demonstrated that there were no sequentially preferable sites available or suitable for this use. This is referred to in paragraph 5.2 of the Flood Risk Assessment. The sequential test undertaken did not however assess the application site, as it was not a proposed Local Plan allocation. However, as it has already been demonstrated that there are no other potentially available and suitable sites for this use (summarised under the 'Identification of site' heading), and the Cow Lane site itself was not progressed because it is not available, the sequential test would clearly have been passed.

If the transit use is considered 'more vulnerable' (as I consider it should), the exception test applies. Paragraph 5.2 of the Flood Risk Assessment states that a Sequential and Exception Test was carried out in relation to the Local Plan, but that only dealt with the exception test in relation to a number of specific sites not including the application site, so it does not fulfil the requirement of the NPPF in relation to this proposal. Further consideration is therefore required.

As set out in paragraph 164 of the NPPF, the exception test is that:

“(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

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

Criterion (b) is a matter for the Flood Risk Assessment, and I do not offer any comments here. However, criterion (a) is a matter of balancing the sustainability benefits. There are clear sustainability benefits to the community of providing a transit site, in relation to providing an alternative to, or enforcing more effectively against, unauthorised encampments. These cause considerable disruption to and impacts on the local communities where they occur, frequently including anti-social behaviour, and often leave behind a significant amount of waste when they depart, which can cause harm to local residents and requires clean-up. Continued enforcement against unauthorised encampments also impacts on the health and wellbeing of the travelling community. The provision of a transit site represents a unique opportunity to provide a partial solution to this important sustainability issue. In my view, the wider sustainability benefits outweigh the specific flood risk on this site.

For this reason, I consider that, subject to criterion (b) being satisfied by the Flood Risk Assessment, the development would pass the exception test.

AWE Burghfield

It is not for the Planning Policy team to respond to the emergency planning implications of the proposal, but it is worth noting in this context that, should a warning and evacuation plan be required by planning condition as referenced in relation to flood risk, this could also cover warning and evacuation in the event of an incident related to AWE. In this context, it is worth noting that a managed transit site offers advantages in terms of evacuation over unauthorised encampments which may well also be within the DEPZ.

Conclusion

In my view, the proposal is generally in accordance with relevant planning policies, and provides a unique opportunity to help to address an issue that currently impacts negatively on both the settled and travelling community. I support the proposal, subject to a planning condition that requires submission and approval of a warning and evacuation plan

to cover both flooding and an emergency event at AWE Burghfield, prior to first occupation.

North Reading Safer Neighbourhoods Forum

The North Reading Safer Neighbourhood Forum (NRSNF) agreed that it should write a supportive comment regarding the proposed Gypsy & Traveller Transit Park Planning Application 212037 having previously responded to a request for comments following the publication of the Gypsy and Traveller Provision Background Document in September 2017 with a supportive comment.

This comment is based upon RBC's current assessment that a Gypsy & Traveller Transit Park is required.

It ignores the question of cost of the site.

It notes that the site is liable to flooding and there are other experts who are better qualified to comment on this topic.

In the 2017 consultation residents were asked about what were their views of the site and if they thought there were any other potential sites available. In this case the proposed site is in Whitley and is, therefore, outside of the NRSNF area. We would suggest that the local residents, businesses, councillors and the Gypsy & Traveller community are better placed to give views regarding the appropriateness of the site's location. The Forum does recognise the difficulty that the council has had in finding sites for a proposed Gypsy & Traveller Transit Park. We note the comments regarding the size of the facility in relation to full capacity but also note the difficulty in finding a larger site.

The Forum notes that encampments have slowly increased in rank of issues that concern the residents in North Reading, and that this is now the third most important concern according to the recent RBC neighbourhood survey.

In the 2017 consultation document the following comment was made regarding the impact of encampments on residents *'A rise in the number of illegal encampments in Reading in the Thames Valley area over the past year, including a number of encampments in public parks, has brought the issue of traveller accommodation into sharper focus. While some incursions have not caused any issues for local residents, the Council or Police, others have. Local residents have frequently reported anti-social behaviour. Added to the substantial legal costs of the eviction process, the cost of clean ups or repairs is significant.'* The Forum also notes comments made by the council that there had not been one day over the past year without an illegal encampment in the town (Nov 2021).

Reading has a limited amount of space. An encampment in a local facility can significantly impact the community's ability to use that facility. For example a reduction in parking available as a consequence of an encampment at Hills Meadow Car Park, or an encampment can place pressure on the viability of local community

events. The Forum is concerned that the situation is likely to become more concentrated in the near future as certain sites that have been regularly used for encampments are redeveloped. For example there will be a new school built at Cow Lane. Given the potential to concentrate the issue on fewer sites, the Forum is concerned that the issue of a reduction in facilities etc will become more of an issue, more of the time for the same group of residents. The Forum, thus, thinks it would be in all groups interest to have a Gypsy & Traveller Transit Park and thus would be supportive of the Planning Application 212037.

RBC Ecologist

Initial comments received 7th February 2022:

The site is located next to a watercourse which leads directly into the River Kennet/Kennet and Avon Canal Local Wildlife Site (LWS). It is also located on a designated green link as per policy EN12 effectively connecting the River Kennet/Kennet and Avon Canal Local Wildlife Site with land and lakes within Green Park. The proposals will break and fragment this link. It is therefore advised that it does not comply with policy EN12 as the green network will not be maintained.

EN12 reads:

“The identified Green Network, the key elements of which are shown on the Proposals Map, shall be maintained, protected, consolidated, extended and enhanced. Permission will not be granted for development that negatively affects the sites with identified interest or fragments the overall network.”

The Green Network comprises:

- *Sites with identified biodiversity interest - Local Wildlife Sites, Local Nature Reserves, Biodiversity Opportunity Areas, protected and priority species and their habitats, Priority and Biodiversity Action Plan habitats, and the River Thames and all its tributaries (including the River Kennet and the Kennet & Avon Canal); and*
- *Areas with potential for biodiversity value and which stitch the Green Network together - designated Local Green Space and open green spaces, and existing and potential Green Links.*

Furthermore, the plans show that the development will take place within 10m of a watercourse that leads directly into River Kennet/Kennet and Avon Canal Local Wildlife Site. The proposals would not comply with Policy EN11 which states that new developments should be set back at least 10m from a watercourse and are very unlikely to be acceptable from an ecology perspective.

EN11 reads

“Where development in the vicinity of watercourses is acceptable, it will:-

- 1 Provide appropriate, attractive uses and buildings that enhance the relationship of buildings, spaces and routes to the watercourse, including through creating or enhancing views of the watercourse, and create a high quality public realm;*
- 2 Make positive contributions to the distinct character, appearance, historic significance, landscape and amenity of the watercourses;*
- 3 Provide a strengthened role for watercourses as important landscape features, wildlife corridors, historic features and recreation opportunities;*
- 4 Wherever practical and consistent with its biodiversity role, provide good, level*

access to and along the waterside for all those who want to use it;
5 Be set at least ten metres back from the watercourse wherever practicable and appropriate to protect its biodiversity significance;
6 Improve the quality of watercourse environment through protecting and enhancing habitats and ensuring that habitat creation is balanced with access and urban uses; and
7 Pursue opportunities for deculverting of watercourses.

Further to revised and additional information, further comments received 20th July 2022:

There will still be development within 10 metres of the watercourse and as such the scheme does not comply with EN11. The proposals are likely to have a number of impacts on the water course including water pollution, littering, light pollution, noise etc. These issues have not been properly assessed in the ecology report and further details on all potential impacts and how they would be mitigated would need to be provided before we would have enough information to assess this application.

It has also not been demonstrated that the proposals will result in a net gain in biodiversity units as stipulated in the NPPF and policy EN12. The applicant would need to submit a Biodiversity Impact Assessment Calculation. This is likely to show that there will be a net loss in Habitat Units and as per policy EN12 the applicant would need to demonstrate that there are *“exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site”* and *“provide off-site compensation to ensure that there is “no net loss” of biodiversity”*.

Berkshire Archaeology

I was contacted by a representative of the agents prior to the submission of the planning application, and following a detailed and helpful discussion, I reached the conclusion that the works would have no archaeological implication, and therefore that no archaeological works would be recommended. On the evidence of the ground investigation report, and the "worst case" ground impacts, it was unlikely that buried archaeology, if present, would be affected by the proposals given the relatively thick layer of made ground overlying the natural subsoil. The note to this effect in paragraph 2.6 of the planning statement is a fair and accurate summary of those discussions.

As such, I would not recommend that any archaeological works are required.

Crime Prevention Design Advisor (CPA) at Thames Valley Police (TVP)

Initial comments received 23rd February 2022:

We note that the location is currently a disused plot of land off Island Road in between Reading Waste Management and Reading Sewage Treatment works. We understand that there is a need for transit sites in the Reading area and that this site has been identified for that purpose to meet the area needs.

Due to the nature of the site being a transit site we need to consider the impact of Crime and Anti-social Behaviour on both the users of the site and the surrounding area. We need to ensure that users are protected from crime and ASB from neighbouring sites, but also that the neighbouring sites are not highly impacted by the consistent change of occupants. As this is an industrial area it needs to be assessed whether the industrial site will impact on the peaceful co-existence of a residential site in order to reduce Anti-Social Behaviour, for example noise. Considering the needs of the occupants of the site regarding supplies and local amenities we would like to confirm from the applicant if a time limit is being placed on the occupants for duration of their stay for example 72 hours. We request information regarding how the applicant will enforce this to ensure that it remains a transit site and does not become a permanent site.

We note that a secure boundary has been provisioned with the installation of a 2m high brick boundary wall, vehicle and pedestrian gates. We have concerns relating to the rear access gate leading to the Swale. This appears on plans as a double gate, no information has been provided regarding how this gate will be secured and if users of the site will have free access to this area. We have concerns that this area will not be covered by CCTV and presents opportunity for Crime and ASB. We request further detail on this gate, its purpose and access to the area.

Bin Stores can be used as an alternative point of entry when they have not been secured correctly. We recommend that the external bin doors onto the public realm are secured robustly so that users of the site are unable to open these doors or leave them open as this will provide an access point for unauthorised access and opportunity for crime and ASB. These doors should only be accessible to waste management.

Further to revised and additional information, further comments received 9th August 2022:

Having reviewed the comments below I am happy that this has addressed our previous concerns.

Environment Agency

Initial comments received 14th March 2022:

Thank you for consulting us with this application. The application site lies within Flood Zone 3 according to our Flood Map for Planning. This is defined as areas having a high probability of flooding in accordance with Table 1 'Flood Risk' of the Planning Practice Guidance. The site is also located partially within the 5% annual exceedance probability (AEP) flood extent according to our detailed flood modelling. This is defined by Reading Borough Council Strategic Flood Risk Assessment (SFRA), June 2017 as a starting point - Land which would naturally flood with an annual probability of 1 in 20 (5%) or greater. It goes onto subdivide flood zone 3b into 2 categories - flood zone 3b 'developed' and flood zone 3b 'functional floodplain'. As this site is located within the 5% AEP and has not currently been developed, it is classed as being located within the functional floodplain.

The FRA submitted with this application states that the site should be considered 'more vulnerable' in terms of flood risk as it is not intended for permanent

residential use, however we class the site as 'highly vulnerable' in terms of flood risk as it includes caravans/ park homes which could be permanently used. The applicant proposes to raise the site into Flood Zone 1 by installing a piled concrete structure with the volume lost offset by the undercroft area but insufficient detail has been provided to demonstrate it is a viable method of compensation.

The site is also adjacent to the Green Park Flood Relief Channel, a statutory main river. We have concerns about the watercourse in this location as the applicant has failed to provide a suitable buffer zone to the watercourse.

Environment Agency position

We have **three objections** to the proposed development as submitted. They are:

- 1. Proposed development incompatible with Flood Zone**
- 2. Inadequate Flood Risk Assessment**
- 3. Inadequate buffer zone to watercourse**

Objection 1 - Proposed development incompatible with Flood Zone We object to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance. We recommend that planning permission is refused on this basis.

Reasons The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3b functional floodplain, which is land defined by your SFRA as having a high probability of flooding.

The development is classed as highly vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted.

Overcoming our Objection

The applicant can overcome our objection by not increasing the number of people or properties at risk of flooding or by clearly demonstrating that the proposed development site is located outside of Flood Zone 3b. This may include undertaking further studies such as a site specific topographical survey and/or detailed flood modelling.

Only upon successfully demonstrating that the site is located outside of Flood Zone 3b would additional gypsy/ traveller developments potentially be appropriate at this site. This is also provided that vital issues including; the flood risk sequential test; the exception test; and flood risk issues including safe access and egress can be satisfactorily addressed to ensure there are no adverse environmental impacts or risks to future occupants.

Despite our objection to this planning application on policy grounds we have reviewed the technical aspects of the proposal. We have reviewed the documents listed below and have the following further objection relating to the proposals:

- Flood Risk Assessment (1620009874-RAM-ZZ-XX-RP-WA-00001, Version 1, November 2021, Ramboll)
- Proposed Site Sections

- Proposed Block Site Plan
- Proposed Ground Flood, Roof Plans & Elevation

Objection 2 - Inadequate FRA In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Provide sufficient detail to demonstrate the piled concrete structure with a concrete slab will meet the Environment Agency design guidelines for the undercroft area and it will deliver appropriate level for level compensation.

We have reviewed the application for a Gypsy and Traveler transit site and we are not satisfied sufficient detail has been provided to demonstrate the proposed development is appropriate and feasible. The FRA states the creation of an undercroft area below the site level will allow level for level flood storage but it has not been demonstrated this is possible. More information is needed about the floodplain compensation scheme to show an equal of volume of flood plain will be created to that taken up by the proposed development. The drawings provided do not clearly demonstrate the location, spacing and height of the piled columns.

Overcoming our objection 2 To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

It will need to be shown that any increase in built footprint within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change can be directly compensated for. This is necessary to prevent the new development reducing flood plain storage and displacing flood waters, thereby increasing flood risk elsewhere.

Level for level compensation is the matching of volumes lost to the flood plain, through increases in built footprint, with new flood plain volume by reducing ground levels. Please note for this to be achievable it requires land on the edge of the floodplain and above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to be available. A comparison of ground levels (topographical survey) with modelled flood plain levels will show land above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to be used as compensation.

Level for level flood plain compensation is the preferred method of mitigation because voids, stilts or undercroft parking tend to become blocked over time by debris or domestic effects leading to a gradual loss of the proposed mitigation.

If it is not possible to provide level for level flood plain compensation then other forms of mitigation may be considered if agreed with the Local Planning Authority (LPA). The FRA must demonstrate that level for level compensation has been

considered, explain why it was not possible to provide it and detail how any associated risks from the chosen form of mitigation can be minimised.

If voids are proposed as an alternative form of mitigation these will need to be floodable, with the underside of the void above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. The LPA must also be satisfied that they can enforce a condition to maintain the voids as designed and that an adequate maintenance plan is in place to ensure the voids remain open for the life time of the development.

If the LPA are not satisfied that alternative mitigation measures are appropriate then the applicant should revise their development proposals to ensure that there will be no increase in built footprint on this site.

The applicant should demonstrate that a void can be provided with openings at least 1 metre wide, extending from the existing ground level to above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. There should be 1 metre opening in every 5 metre length of wall on all sides of the building. The void should be open and maintained as such in perpetuity. If the void openings are a security risk, then vertical steel bars placed at 100mm centres can be installed.

Objection 3 - inadequate buffer zone to watercourse The submitted planning application and associated documents indicate that bank reprofiling and a significant loss of riparian semi-natural habitat within the riparian zone of the Green Park Flood Relief Channel will be required as part of the proposed development. These activities will require a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 which is unlikely to be granted for the current proposal.

We therefore **object** to the proposed development, due to its impacts on nature conservation, ecology and physical habitats. We recommend that planning permission is refused.

Reason(s) In determining the flood risk activity permit for this development, we will assess its compliance with the Thames River Basin Management Plan (RBMP). We'll also consider how the development will affect water biodiversity and the wetland environment. The RBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies.

Under the current proposals, the development severely infringes on the riparian corridor of the river. This directly goes against Policy EN11 in Reading Borough Council's Local Plan which states that development 'be set at least ten metres back from the watercourse wherever practicable and appropriate to protect its biodiversity significance'. Current proposals show only a one metre corridor between the river and the development.

Buffer zones to watercourses are required for a number of reasons, including to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats. Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

We do recognise that ecological enhancements to the banks of the river, and in channel, have been suggested both on and off site. However, very little information has been provided regarding these enhancements and no net gain assessment has been undertaken to quantitatively show that the development can compensate for the high net loss this development will cause, as well as provide an additional 10% net gain. Irrespective of this, the development is unacceptable so close to the river. This objection is supported by paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

Overcoming our objection To overcome our objection the development should be re-designed to provide a 10 metre ecological buffer zone, in line with Reading Borough Council's Local Plan policy. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping and should be managed for biodiversity in the long term so it can act as a wildlife corridor. In addition, a biodiversity net gain assessment should be undertaken to show that the development can achieve a 10% net gain.

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Sequential test - advice to LPA

In accordance with the National Planning Policy Framework (paragraph 162), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case. Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater. The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm

- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test, which are consistent with the use for which the site was allocated.

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

Further to re-consultation, no further comments received.

Thames Water

Initial comments received 17th March 2022:

Thames Water has concerns that the use of this land for residential purposes will have unacceptable amenity impact on future residents for the following reasons. The proximity of the Reading STW to the development is extremely close (the proposed residential site borders the STW). There are various issues that are likely to negatively affect residential amenity arising from the site's operations which is within its permitted planning use.

- Noise & Light - the STW site generates a level of noise and light as it is a constantly operating site (as sewage arrives at the site 24/7 so treatment is continually taking place). Residential development adjacent to this is likely to be more sensitive to this noise/lighting than the other surrounding uses (warehouse and waste processing).
- Air quality/odour - The adopted Reading Local Plan, 2019, Policy SR1 sets out that development must: "... iv. Take account of potentially contaminated land and potential odour issues arising from the sewage treatment works" There is no mention of odour impact within the application Planning Statement, but an Air Quality Assessment by Ramboll has been submitted which covers odour. By the Ramboll report's admission, the surveys were taken in the winter, which is not the optimum time for assessing impacts. The report concludes that: 'The results from the predictive assessment suggest that odour from the WWTP and recycling centre are likely to have a moderate adverse effect on the proposed Application Site.' IAQM guidance (<http://www.iaqm.co.uk/text/guidance/odour-guidance-2014.pdf>) sets out that for high sensitivity receptors, such as residential, the creation of a moderate adverse effect can be generated by Medium relative odour exposure (Table 11). The guidance states that: 'Where the overall effect is greater than "slight adverse", the effect is likely to be considered significant'. A significant effect should mean that planning permission is not granted.

Therefore, we do not consider that locating residential development in this location is appropriate due to the potential risks for future residential amenity. This is in line with the 'agent of change' principle established at Paragraph 187 of the NPPF, which requires that existing businesses be protected from unreasonable restrictions placed on them by new development.

We have also provided comments on the application with respect to the infrastructure requirements of the proposed development, for information as set out below:

Waste Comments

This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services - <https://www.thameswater.co.uk/developers>

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either: - 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Further information is required on the proposed connection point to the foul network to further assess the impact of the development.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk

Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, concerns about water infrastructure capacity to serve the proposed development.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Summary

Thames Water do not consider that locating residential development in this location is appropriate due to the potential risks for future residential amenity. This is in line with the 'agent of change' principle established at Paragraph 187 of the NPPF, which requires that existing businesses be protected from unreasonable restrictions placed on them by new development.

Further to revised and additional information, further comments received 2nd August 2022:

Apologies if there has been some confusion regarding our position on the development and odour matters, I have sought to clarify matters below:

- The design of Reading STW had an operating level of 5 isopleths (odour units) at the boundary
- The institute of air quality management ([Guidance on the assessment of odour for planning 2018 v1.1](#)) and planning appeals recognise 3 isopleths as the point of statutory nuisance
- The proximity of the site makes it highly unlikely that an isopleth of 3 or less could be achieved for the development land in question, meaning development couldn't proceed (agent of change principle)
- To understand the exact contours at the development site it would require a detailed odour survey to be undertaken at the developers expense. Where base information already exists then this can be used, but where it doesn't then on site samples may have to be gathered or indicative values used
- We are happy to get a free quote to undertake this work from our supplier but it will be at the developer expense to fund the actual study. **Please confirm if you would like a quote for this.**
- This study will show the base position and is / isn't the site affected by adverse odours

- We can then look at what mitigation options might be available to reduce odours further. However as Reading STW was built as an exemplar site with odour as a key consideration in its design, further mitigation options are going to be extremely limited.
- Any mitigation options identified would again be for the developer to fund (Agent of change principle)

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Gypsy Transit Site public consultation responses: summaries

<u>Summary of objection issues</u>	<u>Officer response</u>
<p>1. Noise and Odour and Environmental Issues</p> <ul style="list-style-type: none"> • Highly unsanitary place for future occupiers to live. • Inappropriate location for future occupiers due to smells and odours from Reading Sewage Treatment plant - not safe or healthy for families and raised public health concerns. • The 'Whitley Wiff' already unpleasant, would cause serious health harm to future occupiers. • Noise assessment confirms "a significant adverse effect" in noise levels for the site. • Increased potential from noise complaints against existing industrial businesses along Island Road. • Unkind for RBC to place Gypsies and Travellers in such an undesirable location, not 'humanistic'. • Unacceptable location within area of contaminated land. • High risk of water pollution. 	<p>This has been considered in the main committee report.</p>
<p>2. Site Location / Lack of connection to Reading</p> <ul style="list-style-type: none"> • Inappropriate for 'outsiders' to settle in Reading even on temporary basis. • There are traveller sites around the UK, why build close to housing developments. • Council should focus on making Reading a better place to live. • Should be located in Richfield Avenue/Cow Lane/Portman Road area or closer to M4. • Would bring tourists to the area as well as gypsies and travellers. • RBC should use its own car park for transit site. • Should not be located within a 5 mile radius of a school nor near a railway line. • Should be located on brownfield land. 	<p>Comments on alternative locations are addressed in the main committee report. Opinions expressed about 'outsiders' is not a valid planning consideration.</p>

<p>3. Crime and Anti-social behaviour</p> <ul style="list-style-type: none"> • Criminal actions will inevitably take place and thefts near where they settle. • Impact on safety of existing residents. • Increased littering in the area. • Vandalism will occur. • Fights between football fans and future occupiers will occur. • Temporary transit nature allowing for reduced accountability of crime. • Motorcycle usage will increase. • Female households will feel more unsafe. • Mental health of residents will be damaged being so close to unlawful, intimidating and aggressive community. • Users of circle Health Group Hospital will no longer use the hospital due to fear of crime, disorder and impact on mental health. • Illegal night fishing will take place. 	<p>These matters have been addressed in the main committee report where material to the proposal. Speculation as to the behaviour of future occupiers is not a planning consideration.</p>
<p>4. Effect on Kennet Island and Green Park</p> <ul style="list-style-type: none"> • On site facilities already overwhelmed by non-locals. • The landscape will be ruined. • What cost to taxpayers and residents of Kennet Island and Green Park for ongoing repairs/maintenance/clearance? • Negative impact on business operations at Green Park. • Not a good idea for lifestyle of existing residential community. • Kennet Island will become a place to avoid. • Loss of lovely community feel and spirit. • Occupiers of these estates do not want views of a gypsy site from their windows. • Kennet Island as a community will challenge any approval. • Will RBC Council pay if proposal has impact on cleanliness of GPV and KI greenspaces? 	<p>Matters relating to the visual impact of the proposal are addressed in the main report. Matters relating to the behaviour of future occupiers is not a material planning consideration.</p>
<p>5. Traffic and Parking</p> <ul style="list-style-type: none"> • Site too close to busy urban highway for future residents - not safe. • Island Road already congested; will become more dangerous and hazardous with additional vehicles. • Too close to already congested junction. • Site would be hindered by the large queues for the tip outside. • Dangerous for children using the play area so close to the road. 	<p>This has been addressed in the main committee report.</p>

<ul style="list-style-type: none"> • Turning circle looks difficult for drivers to manoeuvre. <p>6. Location with Detailed Emergency Planning Zone (DEPZ)</p> <ul style="list-style-type: none"> • Would set precedence for developments within DEPZ areas wherein Council's should avoid housing residential housing. • How can Council go against Office Nuclear Regulation objection? <p>7. Size of Site</p> <ul style="list-style-type: none"> • Too small to offer any benefit to future occupiers. • How will over capacity of site be handled? <p>8. Location within a Flood Plain</p> <ul style="list-style-type: none"> • Unsafe for people to live or children to play within a flood zone. • Travelling community particularly vulnerable to flooding risks. • No flood evacuation plan submitted to show safe means of escape during a flood. • Siting in flood plain contrary to Policy H13. • How can Council go against Environment Agency objection? <p>9. Impact on Ecology and Landscaping</p> <ul style="list-style-type: none"> • Disruption of habitats will cause irreversible results to nesting areas and other wildlife including bats, birds, badgers and reptiles. • Lack of nature conservation due to loss of trees. • Measures to manage and mitigate water pollution and habitat lost have not been fully developed. <p>10. Impact on infrastructure</p> <ul style="list-style-type: none"> • Too far from amenities i.e. doctors, dentists, school places, police, fire service, ambulances, libraries, leisure centres. • Already difficult to secure an appointment with the local GPs and dentists. • Will increase pressure on overstretched healthcare facilities. • Prevents the traveller community to actually gain more from society. 	<p>Precedent is not a material planning consideration. Each planning application must be considered on its merits and no planning application should be pre-judged.</p> <p>The proposal relates to a very specific type of housing provision and this this matter has been address in the main committee report.</p> <p>Management of the site has been addressed in the main committee report.</p> <p>Concerns have been addressed in the main committee report and conditions have been recommended to mitigate where possible.</p> <p>Concerns have been addressed in the main committee report and conditions have been recommended to mitigate where possible.</p> <p>This is a relatively small site that would be managed by the Housing authority.</p>
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<p>11. Impact on character and appearance of area</p> <ul style="list-style-type: none"> • Site will have negative effect on character of surrounding areas. • Unacceptable impact on Kennet and Avon Canal, nature reserve and bird sanctuary. • Unsightly fly tipping • This natural space and surrounding areas should be an area that the council should value more and try harder to preserve and protect for local residents to enjoy. • Loss of trees to facilitate harm to character. • Unacceptable intrusion into the countryside. • Loss of greenery between the industrialised and developed land in the area. <p>12. Impact on Existing Residential Amenity</p> <ul style="list-style-type: none"> • Too close to residential housing and amenities in the Basingstoke Road area. • Would lead to friction between the traveller community and the existing local community <p>13. Consultation</p> <ul style="list-style-type: none"> • Consultation timescale too short, lack of due process. • Lack of engagement with community prior to submission. • Lack of engagement with local businesses prior to submission. 	<p>This has been addressed in the main committee report.</p> <p>There is nothing inherent in the proposal to suggest that behaviour of future occupiers will cause the problems alleged.</p> <p>This has been a long running application with considerable amount of time available for comments to be made. Engagement with the community is a matter for the applicant and would not ultimately affect the decision on a planning application.</p>
<p>14. Other Matters</p> <ul style="list-style-type: none"> • Existing residents will vote against ward councillors if proposal is approved. • Insurance prices will increase. • Property prices will decrease. • How much will this cost the taxpayer? • Are HCC paying for the site so long as RBC hosts? • There should be no breeding of animals on adjacent fields nor should future occupiers use the fields. • Proposals will result in mental illness to existing residents. • There will be an additional strain on policing. • When travelling community offered legal space at Rivermead, opted not to use it so why provide a site here? • Gypsies and Travellers do not contribute to society. • How will it be maintained as transit and not a permanent site? 	<p>Local politics is not a matter for officers to consider when determining a planning application.</p> <p>Insurance and property value are not a material planning consideration.</p> <p>Collection of taxes is not a material planning consideration.</p> <p>Personal financial considerations are not relevant to the planning assessment, however.</p>

<ul style="list-style-type: none"> • No information with the submission regarding caravan licence requirements. • Future occupiers likely to be unvaccinated against Covid. • Why has this application even been made? 	<p>Speculation as to the behaviour of future occupiers is not a material planning consideration.</p> <p>Conditions are proposed to govern the length of stay.</p> <p>Vaccination status not a material planning consideration.</p> <p>The Local Planning Authority cannot prevent planning applications being submitted.</p>
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Table 2: Content of supporting comments

Topics for Support:	Other
<ul style="list-style-type: none"> • Gypsies and Travellers need a safe place and Council's in general have not provided them. • Wonderful place near town centre and beauty of Green Park, will delight minds and convey nice emotions. • Site will improve conditions for gypsies and travellers. • A rise of unauthorised encampments would be the result if no other transit sites are currently available. • Having a transit site available, it would mean the council has greater legal powers to deal with any unauthorised encampments. 	

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