

UPDATE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE: 2nd February 2022

ITEM NO. 9

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Ward: Caversham

App No: 210544/FUL

Address: Land adjacent to The Moorings, Mill Green, Caversham, Reading

Proposal: Vehicular access with permeable surface on land south of Mill Green to provide access to The Moorings

Applicant: Ivan Carter

Minor Application: 8 week target decision date: 1st September 2021 and an extension of time has been agreed to 19th January 2022

RECOMMENDATION:

REFUSE Planning Permission for the reasons given in the main report

1. Environment Agency

- 1.1 As highlighted in the main report the Environment Agency removed their initial objection following the submission of a Flood Risk Addendum however amended plans were submitted which altered the construction of the vehicular access. Although the application proposes compensatory flood storage within The Moorings itself, officers are not clear whether the amendments to the construction i.e. relocation of the gabion wall and raising up the vehicular access to footpath level will affect the site in terms of flooding.
- 1.2 Without the final views of the Environment Agency officers are not satisfied that the development is suitable in technical flooding terms and therefore the removal of their objection previously cannot be relied upon on the basis of the amended plans.

2. Presentation by the applicant's agent, David Lane, DLA Town Planning Ltd

- 2.1 The applicant's agent has provided a presentation to planning committee which was circulated by the agent to Councillors on 31st January 2022. This presentation has been attached in Appendix 1 below for completeness.

3. Conclusion

- 3.1 The officer recommendation remains to refuse planning permission as outlined in the main report.

Case Officer: Claire Ringwood

Appendix 1

Presentation to Planning Committee - 2nd February 2022

The Moorings 210544

DLA Ref: 20/436

- 1.0 Chair, I would ask you to approve this application. I do so, as you will see that:
 1. In respect of flooding, The Environment Agency has withdrawn its objection – the scheme now proposes to provide **more** floodwater capacity than currently exists – whilst your SUDS Manager is *'content'* (Pages 67 and 72 of the Committee report).
 2. In respect of the Natural Environment your Officer states *"I am satisfied with the proposals now in relation to trees"* (Page 75).
 3. Your Environmental Protection Officer *"raises no objection"* (Page 75).
 4. Your Planning Officer accepts there will be no adverse impact on neighbours Page 81).
- 2.0 In respect of ecology, our consultant has proposed a wide range of measures to ensure there will be a biodiversity gain as a result of this proposal.
- 3.0 **The commercial use of The Moorings has not been abandoned.**
 - 3.1 The use of The Moorings has been questioned. Today, this comprises moorings to the river, a wet dock, slipway, and workshop, which are all in very sound condition, and are all shown on the 1898 and 1910 Ordnance Survey plans respectively and thereafter. An underground diesel store and pump were given planning permission by the Borough Council in March 1978.
 - 3.2 An aerial photograph from 2006 shows that the site was still commercially active, with six boats moored alongside.
 - 3.3 In response to the owner's pre-app to the Council in August 2010, your Officers confirmed this commercial use. Consequently, there can be no doubt that the site has a lawful use as a commercial boatyard. Whilst this use has declined, it has not been abandoned.
- 4.0 **The proposal is to reinstate the vehicular access to The Moorings.**
 - 4.1 In respect of the vehicular access from Mill Green to The Moorings, this is clearly shown on O.S. maps from 1882 onwards.
 - 4.2 A Statutory Declaration from the previous owner of the site forms part of the application before you this evening. This confirms that between 1978 to 2008 there was (and I quote) ***"an undisputed and uninterrupted right of way over the accessway"***. It is this accessway which this application seeks to reinstate.
- 5.0 **The proposals.**

- 5.1 As stated in the application, the access would be used solely by the owner of The Moorings, using his private car to access his motorboat.
- 5.2 Consequently, he would sign a legal agreement to this effect and to ensure that The Moorings were used in perpetuity as private moorings and not as a commercial boatyard.
- 5.3 Consequently, the access would have the use and characteristics of a private drive, with a turning head within The Moorings. There is no need for a 5.5m wide carriageway as suggested in the Report (Page 71).
- 5.4 As a private drive, it is quite common to have a 'shared surface', i.e., a driveway used by pedestrians and vehicles.
- 6.0 **Conclusion**
- 6.1 To conclude, Chair, the proposal before you is to reinstate an access to The Moorings, a long-standing commercial boatyard. As the Applicant wishes to use it solely to moor his boat at The Moorings, he is willing to sign a legal agreement to this effect and so secure the cessation of the commercial boatyard use.
- 6.2 The application will provide better flood amelioration than currently exists, the adjoining trees will not be prejudiced and there is the opportunity to provide for a net biodiversity gain.
- 6.3 Chair, in all these circumstances I would ask you to approve the proposal but subject to a legal agreement as I have proposed.
- 6.4 Thank you.