

UPDATE REPORT:

BY THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOOD SERVICES READING BOROUGH COUNCIL PLANNING APPLICATIONS COMMITTEE: 6 February 2019	ITEM NO. 13
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Ward: Mapledurham
App No.: 182200/VARIAT
Address: Mapledurham Playing Fields, Upper Woodcote Road, Caversham
Proposal: Erection of 2FE primary school (350 pupils) with associated landscaping, multi-use games area (MUGA), car and cycle parking, and servicing, without complying with conditions 2 (approved plans), 9 (landscaping scheme) and 10 (details of hard and soft landscaping of the MPF Community Car Park) of planning permission 171023/FUL.

RECOMMENDATION AMENDED:

Subject to:

- (i) **Expiry of the consultation period re-advertising the Section 73 VARIAT application (hereinafter called in this report the VARIAT application) (by 22 February 2019) and no substantive new objection issues (relevant to the consideration of this application) having been received following your meeting; and**
- (ii) **The satisfactory completion of a Supplemental Unilateral Undertaking (UU) and Deed of Variation by 22 February 2019 to secure the following Heads of Terms;**

Delegate to the Head of Planning, Development and Regulatory Services (HPDRS) to **GRANT** planning permission by 22 February 2019. If the Supplemental Unilateral Undertaking and Deed of Variation are not signed by 22 February 2019, delegate to the HPDRS to **REFUSE** planning permission, unless he gives his agreement to any extension of time to allow the planning permission to be issued.

Heads of Terms:

- (i) That the below **obligations relating to the original planning permission under ref 171023/FUL (listed a-d) be carried forward** to this current planning application (unless indicated below);
- (ii) Provision of a **further landscaping/tree mitigation contribution** be secured on signing of the Supplemental Unilateral Undertaking and Deed of Variation consisting of an **additional contribution of £5,000 (increasing the £375,000 contribution in permission 171023/FUL to £380,000) towards the provision, planting, maintenance and if necessary replacement of trees** within the Mapledurham Playing Fields (or the environs within Mapledurham Ward). Contribution to be payable on disposal of the application site;
- (iii) The design and implementation of a **land grading scheme to address the levels issue to the MPF access (for vehicles and pedestrians to an agreed standard)** between the school and the Pavilion in accordance with an approved gradient plan (to be attached to the supplemental UU/DoV). These works to be completed by the applicant in conjunction with/no later than the completion of the MPF Car Park Works;
- (iv) **Definition of ‘Implementation’ in the Supplemental Unilateral Undertaking and Deed of Variation to make explicit that site clearance includes removal of trees/landscaping;**
- (v) **Confirmation that the CUA allows the school’s staff car park to be available for community use out of School Core Hours; and**
- (vi) **Any other ancillary terms and conditions that the Planning Solicitor considers are necessary to protect the Council as Local Planning Authority.**

Obligations relating to the original planning permission 171023/FUL to be carried forward:

(a) Transport improvements:

As set out in previous reports/unchanged

(b) Community Use provisions:

As set out in previous reports/unchanged (save for Community Use Agreement plan to be updated to reflect slight change in floor layout of the variation proposal).

(c) Open space mitigation provisions:

As set out in previous reports/unchanged (but see update above)

(d) Construction Phase Employment and Skills Plan (ESP):

As set out in previous reports/unchanged

Updated conditions:

New condition 26: no development of the MUGA before submission and agreement of details of MUGA finish to be advised. To be implemented prior to first occupation of the school.

Updated informatives:

SE input to be sought in discharging relevant conditions.

1. SPORT ENGLAND UPDATE

- 1.1 Sport England (SE) maintains its position that it does not support the development of a school in this location. However, SE accepts that the principle of the school in this location was established following the Council's grant of planning permission and it is noted that this planning application was not called in for consideration by the Secretary of State. SE does not wish to cause undue delays to the building of a new school. However, the community sports users that use the playing field have concerns about the wider impact of this proposal on sporting activity at the site and SE wishes to support them in ensuring that these concerns are adequately addressed.
- 1.2 Officers have been in discussion with SE since the publication of the main Agenda report and this section of the Update Report clarifies the progress which has been made to address SE's concerns since.
- 1.3 Importantly, SE has now confirmed that they consider that there is no requirement to refer the matter to the Secretary of State, as the reason for Sport England's 'holding objection' does not relate to any of the matters set out in the Government's Planning Practice Guidance for referrals. Accordingly, Recommendation (ii) in the main Agenda report has been removed. Subject to the Council addressing their concerns and providing the information relating to the Section 106, SE has indicated that it is potentially willing to fully withdraw its objection to the above planning application, although for the reasons explained below, the holding objection stands.
- 1.4 SE's remaining concerns mostly relate to seeking to ensure that the local community is still able to use this site for sport alongside the new school and that the new sports facilities will be fit for purpose and to secure the package of mitigation for the playing field loss that was agreed by the Council in the previous permission.

Community use

- 1.5 SE would like to have had further input into the planning conditions and community use agreement for this site when it was considered by the committee previously. Officers cannot find evidence that SE requested this at that time, as their response then had been not to support the previous application. With this variation application, SE has advised that where they are able to input further into the layout/design of the school facilities/playing field mitigation, they would welcome that opportunity to do so; particularly in relation to the MUGA and the change in levels on the site. SE suggests amending the planning conditions such that they require them to be consulted on this information. In response to this, officers consider that no change is required to the current conditions themselves, but an informative can be added advising that SE input will be sought in relation to the discharging of the relevant conditions (for instance Condition 5: car park management during the school construction and also the location of the contractors compound; Condition 15: Details of lighting of the MUGA; and Condition 9: to cover details of the MUGA surface).
- 1.6 SE has questioned why the School staff car park is not also open to the community on Saturday mornings, when the school would usually be closed. Officers confirm the intention is that the staff car park shall be open to community use outside school core hours. SE would like to be able to further 'influence' the CUA, but apart from the above issue, your officers are not advising that there are any substantive changes required, so opening up this issue, as holds for other aspects of the proposal in relation to Section 73, is not appropriate, as circumstances have not changed since the approval of permission 171023/FUL.
- 1.7 SE has sought reassurance on the reconfiguration of the football pitches. The RBC Parks service is progressing towards submitting their REG3 planning application shortly. The draft layout for this application includes tree mitigation (described further below) and this is currently showing a configuration of 8x pitches, with pitches on the western side of the MPF being reoriented and pitches on the east side undergoing a complete releveling, to allow the pitches to move around, as needed. SE can be involved in the final details of this application/conditions and the pitches which are to be the subject of upgrading will need to be provided to SE/FA standards, as set out in the existing s106 agreement.
- 1.8 SE continues to be concerned for the impacts on the football and tennis clubs during the construction in terms of disruption, alternative sites for football to be used and car parking availability. Officers have advised SE that these matters will be dealt with as far as possible/as is reasonable within existing agreed arrangements (CUA, CMS, etc.) as part of the existing planning permission/s106 agreement; but there are no new issues raised by this variation application. The approved MPF car parking arrangement is not proposed to be altered.
- 1.9 SE asks whether the pitch improvements will meet improvement standards set by the IOG (Institute of Groundsmen). Officers advise that under the terms of the existing permission/s106, the pitch (re-)provision for the pitches as proposed to be upgraded, must be provided to SE/FA standards and SE will be consulted on these matters and the related RBC REG3 planning application which is due to be submitted. For clarity, the mitigation in the approved s106 does not require all

pitch re-provision to be to the uprated standards; only those pitches necessary to achieve the mitigation as required to off-set the additional impact of the siting of the school on the MPF pitch carrying capacity.

- 1.10 SE asks that if the Section 106 is expected to change as part of application 182200/FUL, Sport England would also like to understand what changes (if any) will be made to the Section 106 when planning permission is reissued. As set out in these reports, the changes required are comparatively limited (arising solely from the changes associated with this s73 variation application) and the main thrust of the obligations are unaffected.
- 1.11 As well as asking for certain conditions to be discharged with their input, SE has specifically asked for details of the MUGA (surfacing, lighting, fencing) to be set out. Given that there are some changes to the MUGA insofar as they relate to the levels changes proposed around it, officers agree that SE's specialist input would be helpful and propose an additional, separate condition. The applicant is aware of this and is in agreement. SE is also concerned with how emergency vehicles can access the MUGA, but provided that the ramped/graded access is provided onto the MPF, direct access to the MUGA by ambulances, etc. would be improved via the variation application. This ramp will also allow continued use of parking on the MPF when, for example, football tournaments or other events take place, as existing.
- 1.12 Your officers have advised SE of the extent to which it is appropriate to accommodate their requests given the scope of changes proposed by this s73 variation application and has been clear that the LPA will not be re-opening conclusions reached in the approval of the earlier planning permission, when circumstances have not changed since. Officers will verbally update you at your meeting if anything further is received from Sport England regarding their current holding objection.

2. MITIGATING WORKS UPDATE

- 2.1 The report at paragraph 6.11 indicates that a more comprehensive tree planting programme is required.
- 2.2 At the time of writing, the Council's Parks and Leisure service is seeking to approve a plan which reconfigures the MPF pitches and provides tree/ecological mitigation. That plan is advanced but not finalised at the time of writing (it still requires the approval of the Playing Fields Trust Sub-Committee), but the relevant REG3 planning application for these MPF works is expected to be submitted shortly. However, there are various elements of this plan and mitigation which are able to be confirmed:
 - Firstly, as a result of this s73 variation application, a further contribution of £5,000 is to be provided by the applicant for additional tree planting. This will allow for an enhanced provision of trees (over and above that secured under the current permission) to be planted and maintained in the Playing Fields/environs. This contribution is a minor, proportionate increase of the already agreed £375,000 contribution for pitch and landscaping improvements.
 - Trees at the moment are proposed to be a variety of species including native or naturalised species such as a Holm Oak; 3x Scots Pine; and 6x ornamental Dogwood trees (Cornus). There would be a further 'feature tree' at the northern end of the

avenue of trees, near where the relocated children's play area is proposed to be provided and a further stand of 5x English Oak trees to the north of the existing orchard woodland at the north-east of the MPF.

- The current layout indicates that all ten of the line of Poplar trees on the western half of the MPF would be retained. This is considered to be a helpful improvement, retaining these native/semi-native trees (they are mix of Lombardy Poplars and White Poplars) for views and ecological value but also these trees will help to screen the school from the MPF from the south/south-west. However, whilst these trees have a current visual/ecological value, they are coming to the end of their lifespan and are not expected to live more than 20 years. The current Parks Service plan is when the first of this line of trees fails (dies, falls), the entire row of ten will be removed and replaced with native Oak trees.
- An avenue of 40x trees are proposed north-south through the Playing Fields. These would frame a new public path through the MPF and provide screening of the school from vantage-points from the South-East. The preferred species at the moment is Liquidambar, which would provide vibrant Autumnal colour, although detailed considerations (e.g. soil type) may inform the final species selection.
- It is also notable that a significant proportion of the new/replacement species in the MPF improvement works are to be native or 'naturalised' species providing new opportunities for ecology in the longer-term.
- Due to the levels changes that will be required to the immediate east of the red line of the application site, a gradient plan/access strategy is being produced. This plan shows a gradual slope from the MPF car park down to the MPF for pedestrians, service/grounds vehicles, emergency vehicles and the occasions when public car parking is allowed on the MPF during events. The applicant will undertake these additional groundworks in conjunction with the works to the MPF car park and this obligation is included in the s106 DoV, see the Recommendation above.

2.3 Overall, officers are content that the mitigation strategy is coming together and will be suitably augmented to provide the additional tree planting opportunities to compensate for the additional tree removal which has proven necessary in the area of the school. Delivery of these aspects of the proposals is, as previously, incumbent on the Council's Leisure Service. It is recommended that subject to the additional requirements set out in the Recommendation, the variation application is suitable in terms of mitigating its additional impacts on the natural environment.

3. ADDITIONAL REPRESENTATIONS RECEIVED: ORGANISATIONS

3.1 **The Warren and District Residents' Association (WADRA)** has responded as follows: *"While described as a Minor Material Amendment, the significant overlooking of a 2.6 metre levels change across the application site and variation in the number of trees to be felled to accommodate the build does not give confidence in the original application, or in this one. The external changes around its boundary, increased height with fencing perhaps atop retaining walls will make the building even more massive and dominating over Mapledurham Playing Fields (MPF).*

3.2 *This application is intimately connected to the Landscape Plan, currently in draft, for the whole of the Playing Fields, necessitated by The Heights school and the two applications should be considered together. Furthermore, the major issue of car access and parking for both MPF Users and the school is yet to be determined and documented. We call for this application to be refused or deferred until it can be properly considered".*

- 3.3 In response, the main Agenda report describes the principal changes between the original permission and this s73 variation application. There are no changes in height and whilst fencing will be on top of retaining walls exposed to part of the south elevation, on other elevations this will be a minor visual element over and above the situation as approved previously. Railings for the MUGA would be no higher than the perimeter fence and have no additional visual impact on the Playing Fields. The original permission provided for an obligation to provide landscape mitigation on the MPF via a s106 agreement and this principle is proposed to be carried forward and enhanced in this 73 variation application. Access and parking is unaltered and not for discussion in this variation application. For the above reasons, there is no reason why the Committee should not determine this application at this time.
- 3.4 A late objection letter has been received on behalf of the **Mapledurham Playing Fields Action Group (MPFAG)** who raises various additional objections to the application. Officer comments are provided directly in italics in respect of each of their points, which are summarised below.
- 3.5 MPFAG considers that the list of proposals ‘is on the limit of what could be considered to be appropriate to consider under Section 73..’. *This view is noted, but the main Agenda report clearly explains how officers have agreed that s73 is the correct level and this judgment is the LPA’s.*
- 3.6 Their letter goes on to state that the nature and justification of the changes sought are indicative of inadequate preparation and calls into question how carefully thought-through the proposals are. *This view is noted. As the main Agenda report notes, the survey errors were subtle and did not surface until some time after the permission had been issued. Many consultees had input into the original proposals and this issue was not highlighted until the DfE’s own contractor was appointed and re-appraised the application site as part of due diligence in accepting the contract to build the School.*
- 3.7 It is alleged that the levels changes and the impacts on the heights of the buildings and boundary treatments will result in the scheme having a greater impact on the character and appearance of the area. *Officer comment: the building height relative to surrounding buildings will not change, as the original plans showed the building continuing from the MPF car park level, as it continues to do in the variation plans. Boundary treatment height alterations are minimal and in any event will be covered by details to be submitted via condition. Terrace boundary treatments will also be covered by the condition(s) and will aim to ensure that the exposed retaining walls are handled as sensitively as possible, so as to minimise visual harm to the Playing Fields.*
- 3.8 MPFAG notes that there will be greater tree removal required and suggests that the matter should be considered alongside the proposed landscaping scheme for the site, to minimise any further losses. The proposals should adhere to the Council’s own Tree Strategy and considers it premature to consider as issues are outstanding. *There is greater tree removal and the main Agenda report is clear on the extent of this. As is described above, the mitigation strategy which is being developed in relation to the original planning permission 171023/FUL is almost at the point of application submission and the discussion above also sets out how this is proposed to be upgraded as a result of the additional mitigation required as a result of the*

variation proposals. The Tree Strategy identifies this part of the Borough as an area which is below 10% tree canopy cover area and relevant (major) proposals should overall seek to increase canopy cover in these areas. The overall canopy losses in the north-west of the MPF as a result of the school are significantly outweighed by the planned mitigation improvements, as detailed in Section x above and there is no conflict with the Strategy. Officers are satisfied that subject to the mitigation obligations being secured, overall impacts in terms of tree losses, species and canopy cover are acceptable in terms of the Council's open space and landscaping policies (e.g. SA16, SA17 and CS38).

- 3.9 MPFAG objects to the Council proposing a positive (officer) recommendation, in spite of Sport England's holding objection. At the time of writing, Sport England has confirmed that it does not wish to refer the application to the Secretary of State. Whilst Sport England has not removed its remaining objections, officers consider that these can either be dealt with by way of additional dialogue and consultation with SE, or otherwise SE's points are not related to the material considerations pertinent to the consideration of this s73 variation application.
- 3.10 Whilst MPFAG notes that this is not an issue for direct consideration in this application, it has come to light that there are existing septic tanks for neighbouring residential properties that have outflows under the proposed development. This has not been satisfactorily dealt with in the approved drainage scheme and the conditions do not address this. It is suggested in the Committee Report that there is no need for the drainage scheme to be amended but this issue has not been considered. There is an opportunity to address this now within the Section 73 application and this opportunity should be taken. *Officer comment: MPFAG is correct in firstly stating that this is not a direct (ie. material) consideration to this s73 variation planning application. No properties are identified, but if there are septic tanks, such would tend not to have 'outflows' as septic tanks are sealed units. No such information is presented as to the presence/location of these units/addresses. The Council's Environmental Protection Team advises that there is no record of contamination in the immediate area.*
- 3.11 *Officers also advise that the initial geotechnical report as submitted for application 171023/FUL was considered to be thorough and consisted of a Phase 1 preliminary risk assessment but also a Phase 2 environmental and geotechnical report to determine whether potential pollution linkages identified (groundwater) were 'active' and to inform preliminary foundation and floor slab design of the school. The report confirms the following:*

*"Contaminants of concern were not recorded within soil samples analysed from beneath the site at concentrations in excess of adopted assessment criteria (AC). The potential risk to human health receptors from these concentrations of contaminants of concern is therefore considered to be **LOW**.*

Groundwater was not encountered within monitoring wells installed as part of the intrusive works, screened across the Boyn Hill Gravel Member and White Chalk Subgroup to depths of up to 10.00m bgl and an assessment of the contamination status of groundwater beneath the site could not be made. However, contaminants of concern [sic.] were not recorded within soils sampled from beneath the site at concentrations considered to represent a significant risk to groundwater receptors. The significant thickness of variably

permeable unsaturated zone beneath the site is also considered to offer a significant degree of protection against the downward migration of potential contaminants of concern toward groundwater receptors.

*Based on the available information, the potential risk to groundwater receptors from concentrations of contaminants of concern detected beneath the site is considered to be **LOW**.” (Taken from the Executive Summary of the Phase 1 Preliminary Risk Assessment and Phase 2 Environmental and Geotechnical Site Investigation Report by RPS Group, dated March 2017).*

- 3.12 *On the basis of the above, there is no identified risk and consequently, there is no need for an adjustment to the drainage scheme and there is therefore no need for any additional conditions. In the very unlikely event that any contamination is found during construction, the Building Regulations require reasonable precautions to be taken to avoid danger to health and safety caused by contaminants in ground to be covered by buildings and associated ground (via Approved Document C: Site Preparation and Resistance to Contamination and Moisture (2010)).*
- 3.13 *MPFAG advises that Nos. 28 and 29 Hewett Avenue will only have a 5-10 metre buffer zone from the children’s playground, rather than the 30 metres that the Council’s own guidance recommends. The opportunity should be taken to address this concern. Officer comment: the situation with these properties in respect of the play area and the MUGA is essentially ‘unchanged’ from the original permission 171023/FUL. There has been no material change in planning policies or applicable standards since. The previous officer report discussed this issue and advised the Committee that the situation was acceptable. The following extract is taken, verbatim, from the officer report for planning application 171023/FUL:*
- 6.68 This is a two-form entry (‘2FE’) primary school, with the attendant impacts that this will have, including its own parking areas, school playground and outdoor teaching areas which would be used in good weather during term-time. School hours proposed would be usual for a school: 0730-1800 to allow breakfast and after school clubs, which although extending the school day, will in some respects reduce disturbance, through for instance, staggering of start and finish times which will smooth out drop-off and pick-up peak periods and associated foot and car traffic movements. Officers are not recommending an hours of use condition for the school, due to the associated community uses and suggest that such details should be arranged through the proposed Community Use Agreement.*
- 6.69 The noise assessment submitted with the application indicates that noise levels will be increased at nearby residential properties for short periods of the day during break times, although this is predicted to be below guideline values for any significant impact on health to occur. The time of day that this occurs and limited duration also reduce the impact that this is likely to have and no specific noise controls are required. The Council’s Environmental Protection (EP) Team advises that no mechanical plant shall be installed until a noise assessment of the proposed mechanical plant (in relation to prevailing background noise levels) has been submitted and approved.*
- 3.14 *In this specific setting, the above report extract considered that the noise situation between the uses was acceptable. The intervening distances are unchanged and this type of situation is not uncommon where schools are located near to residential properties. The objector appears to be referencing the Fields in Trust guidance, which is not the Council’s own guidance and was not referred to in the consideration of application 171023/FUL. It should also be noted that Fields in*

Trust was an objector to the previous application, but did not reference its own guidance in that objection and was concerned for impacts on the MPF in general terms. In summary, this s73 variation application does not propose an adjustment to the approved (extant) permission and as set out in these reports, this is therefore not a material planning consideration.

3.15 MPFAG considers that the proposal has been inadequately prepared and wishes to address your meeting to discuss their late objection and seeks a deferral of the application in order to ensure that all outstanding matters have been fully addressed before a decision is made. *Officers note MPFAG’s wish to speak to your meeting, but as discussed above, do not consider there to be any outstanding matters to warrant a deferral, as suggested.*

4. ADDITIONAL REPRESENTATIONS RECEIVED: PUBLIC

4.1 The total number of objections now received is 46, with some 12 or so of these received since the publication of the main Agenda report. The table below provides a brief response to the additional objections received, where officers consider these issues may not have been responded to sufficiently in the main Agenda report. The same headings are used to group objections.

a) Impact on open space

Issue	Officer response
The RBC Landscape Plan has not yet been put forward to the Planning Authority but as it so closely linked to the current application that a decision should be deferred on the current application until the RBC Landscape Plan is formally submitted to the Planning Authority.	Planning permission 171023/FUL permitted planning permission subject to a landscaping mitigation plan being delivered on the MPF and this application proposes the same approach, to be secured via the s106 UU and conditions.
If you include the land taken by the school, the piece of land north of the staff car park and priority over pitches, the land-take of the Playing Fields is much more severe than presented.	The application site in this s73 application is unchanged from permission 171023/FUL.
The tree avenue will create an unnatural partition of the playing fields. This may also quite easily allow the school or RBC to partition the recreation ground to expand the school or sell off more land for inappropriate development to the west of the avenue, reducing even more the land available to the beneficiaries.	Proposal is largely appropriate in a parkland setting. Development pressures as alleged are supposition and any proposals would be assessed against planning policies to protect open spaces.
Dog walkers who may want to walk in the proposed lighted path will likely have their dogs off the lead. This would lead to the dogs defecating on the pitches.	This could happen at present.
I object to the extra 3 metre wide pathway across the MPF as it will mean chopping down the trees in this area and laying down	The proposals are draft at this stage and part of the agreed s106 UU. Removal of trees around the current children’s play

<p>a hard out of character path that will cut the park in half and destroy the possibility of enjoying the park.</p> <p>The extra pathway is also too close to our boundary.</p>	<p>area was approved in permission 171023/FUL.</p> <p>It is not clear what the planning concern is from this objection, so cannot respond.</p>
<p>Although not covered by the planning application, it appears that the so-called improvements to the playing field, apparently involving loss of mature and attractive trees, provision of metalled and lit footpaths, and regrading to provide additional football pitches, are intended purely to provide facilities required by the school, and do not offer any benefit to the general public users of the field. As such, they should be taken into account in considering this application.</p>	<p>The proposals are draft at this stage and these reports and the reports for application 171023/FUL discuss the applicability of the mitigation works to the school development.</p> <p>The Community Use Agreement (CUA) is not to be altered (save for as otherwise set out in this report).</p>
<p>Furthermore, I understand that a planning application is to be submitted for landscaping the Fields. As this landscaping is only suggested because of the proposed school, surely it should be considered at the same time as this application. It appears to be another instance of 'drip feeding' such that any of the single applications do not appear as bad as them all put together.</p>	<p>As previously set out in approved permission 171023/FUL, this application seeks to merely augment the mitigation strategy in response to the changes. The MPF upgrade works are partly allied to the school proposal.</p>
<p>Avenue of trees through the MPF is out of character. Keeping as much open green space as possible should be the priority.</p>	<p>The principle of mitigation being undertaken by the Council on the Playing Fields was established in permission 171023/FUL.</p>
<p>The avenue of trees will restrict the ability to reconfigure the pitches and reduce the space to do so, making it impossible to bring back cricket to MPF. It will also restrict the ability to layout accommodation for large private and community events, reducing the sustainability of the Trust.</p>	<p>The Parks Service identifies no such shortcomings and confirms that there is sufficient space available for cricket.</p>
<p>The maintenance of the trees, lights and path are likely to be costly. This is a waste of money, the maintenance will not be done and these works are not wanted.</p>	<p>The principle of mitigation being undertaken by the Council on the Playing Fields was established in permission 171023/FUL.</p>
<p>Leaf drop from additional trees on the MPF will be a maintenance liability for the new north-south path and the pitches.</p>	<p>These details are not confirmed in this current variation application. Were this avenue to be planted, maintenance would be covered by the RBC Parks Service.</p>

b) Landscaping, environment, ecology

<p>The Wider Landscape Context Plan contained with Landscape document dated 17th Dec 2018 is no longer appropriate. The Covering Letter advises that more trees will need to be removed than originally shown. An updated Wider Landscape Context Plan document, in the same format as the original must be produced so that we can see the precise impact and resulting number of retained trees.</p>	<p>This plan has been updated.</p>
<p>The destruction goes well beyond that outlined in the public consultation, and many of the 55 trees will not be replaced or will be replaced with non-native species.</p>	<p>The main report sets out the position.</p>
<p>There are under 60 trees in this plan, no mention of the 150+ other trees that were included in the original application PA 171023. I assume these drawings relate to those trees within the curtilage of the school. But this has not been made explicit and should be clarified.</p>	<p>The officer report is clear that the tree survey for this s73 variation application is more focused, as the original tree survey covered the whole of the Playing Fields.</p>
<p>The removal of an established woodland is home to many bats.</p>	<p>The Council's Ecologist has recently surveyed the woodland and advises that this is not suitable for a roost, but may be for bat foraging and replacement trees will provide foraging areas.</p>
<p>I live directly opposite the Fields and often watch muntjak deer. I doubt they will stay there if a noisy, lit school with after-school activities is built.</p>	<p>The Council's Ecologist advises that Muntjak deer were introduced from China to parks in the early 20th. Century, then a number escaped and became established in the wild. The population has increased and they now inhabit many parts of England. They cause damage to woodland, are found in urban and rural environments, are not a protected species and further, the proposals will not adversely affect them.</p>

c) Disturbance

<p>On one side I have a bungalow 2.5m high (5m at the apex). On the other side you propose to build an industrial unit 8m high! The only mitigation offered was to retain the tall trees which would screen the blank wall. I am incensed that in your indecent haste to build a school somebody 'forgot' to check that the ground was level, with the result that you wish to construct a footpath 3m wide around the school, hence needing to remove the only thing camouflaging your unit.</p>	<p>Impacts on this property in terms of privacy and light were specifically set out in paragraphs 6.66 and 6.67 of the main Agenda report which considered application 171023/FUL. That assessment set out that the intervening distance involved - 25 metres - was in excess of the Council's usual standards. There may be a perception in terms of a view which would be experienced, but the assessment is unaffected by this variation application and complies with Policy DM4 (Safeguarding</p>
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	Amenity). Views will also be softened by boundary fencing and mitigation planting within the site, framing the school building.
If all the trees are ripped out the windows on the south side (currently planned to be larger than originally) will overlook my garden which is currently private.	See response above regarding overlooking distances. The marginal increase/slight relocation of openings is not considered to be significant at this intervening distance and complies with Policy DM4.
Considers that the proposal does not respect the 30 buffer zone for play areas to residential boundaries, as set out in the Council's adopted guidance.	See response to MPFAG above.

d) Design

As it is the school that is extremely large and out of character to MPF, perhaps using some landscaping of native trees around the perimeter of the school would be more appropriate.	Mitigation suggestion noted, but the required space required to reconfigure the football pitches probably will not allow for this. School size and location itself is unchanged from that permitted by 171023/FUL.
The row of trees may restrict the ability to extend the pavilion as planned.	The Parks Service advises that the Avenue is not proposed to continue any further northwards than the southern school boundary. There are no current extension plans for the Pavilion, works approved under the extant 2013 permission would be unaffected.

e) Transport, Traffic, Parking

Creating essentially an avenue large enough to accommodate 2 lanes of vehicular traffic could potentially predetermine the creation of a road through MPF and an avenue of trees will not mitigate this.	These details are not confirmed in this current variation application, but the intention is for a permeable, pedestrian path only, for recreational purposes. This proposal part of MPF improvement works already agreed to take place via obligation in present s106 UU.
The avenue would only serve essentially a very small number of parents/children from the heights. Less than 15% of heights children come from the west of the A4074, and an even smaller number would be located in a position to use the avenue or more likely would be driven to school.	
The avenue/path would also open up the area at the Chazey road end of the avenue to the abusive parking habits of parents seen all across Caversham.	Permission 171023/FUL was deemed suitable in transport terms. These details are not confirmed in this current variation application.
Proposal including tree avenue will reduce ability to park on the MPF when there are large events. This is required by emergency vehicles, for the set up of events, and	Access would still continue, as and when required, as with other parks in the Borough. Furthermore, this situation is unchanged from the earlier permission,

regular maintenance vehicles. Cars would use the path between the tree avenue when the MPF is wet, reducing its longevity.	although see discussion in this report for the access from the MPF car park to the MPF. The path would not be designed to carry vehicles.
Large parts of these roads are unadopted and are not formally maintained by anyone. The extra traffic will cause undue wear and tear to roads that are already in a very poor state. Please can RBC adopt these roads to mitigate the damage expected?	Permission 171023/FUL was suitable in transport terms and there is no change in this s73 variation application.

f) Other issues raised

These new plans demonstrate even greater environmental vandalism, neighbourhood abuse and cynical ignorance of local and national planning guidelines.	Cannot respond to this objection, as there are no specific points being made.
The Officer's summary of my objection fails to address the points raised. Wishes to make clear that: -There never was a need for an additional primary school. -There is no need for an additional primary school now. -There will be no need for an additional primary school in the foreseeable future -There is no need for additional primary school places in the North Reading Planning Area and therefore no occasion to consider NPPF 72 "The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities" and hence no basis for approving planning permission in contravention of NPPF 73 "Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities."	This objection is reiterated for the objector's benefit, but as stated in the main Agenda report, this s73 variation planning application is not considering the principle of the school; this is established in permission 171023/FUL.
Reading Borough Council owns land elsewhere (the area known as Bugs Bottom), and Caversham Lawn Tennis Club is now available, which are both more centrally placed in the catchment area. The school is better placed in one of these locations.	The original application submission from the applicant discussed the background to alternative sites. The officer assessment of the previous application in the committee report did not consider alternative sites and the judgement for the Judicial Review into planning permission 171023/FUL concurred that this approach was correct. Accordingly, there is no need to consider alternative sites now under this s73

	variation application.
The yellow notice attached to the post at the entrance to MPF, states closing date for comments is 18/02/19 and that a Right of Way will be affected by the proposals in P A 182200. This PA cannot therefore be determined on Wed 6th Feb, as a material part of the application is still out for comment by the public. In addition, I believe this notice has been served incorrectly as it does not refer to the footpath number and the proper procedure, where a Right of Way will be interrupted by development work, has not been followed. An order to close and or divert this footpath should be made separately, in accordance with Planning Procedures.	<p>This aspect of the proposal is not clearly presented in the main Agenda report.</p> <p>The objector is correct that the application cannot be determined until the consultation period for the revised site notices and revised Press notice have expired.</p> <p>But as advised in the main report, the footpath is not affected by the proposals and the advice of the Council's Planning Solicitor is that a Diversion Order is not necessary, but that advertising as 'affecting a Public Right of Way', as previously, continues to be appropriate.</p>
I wish to object to this application, as doing nothing to meet the objections to the earlier application 171023.	The purpose of this application appraisal is to consider material planning considerations and assess changes, pertinent to this s73 variation application.
I objected to PA 711023 PA concerning the Heights school in Mapledurham Playing Fields and ask that these objections be carried forward to this application. Not doing so would leave RBC and the applicant open to an accusation of 'drip feeding' applications.	Not clear what this objection refers to, but objections must be made to individual planning applications to be valid, in accordance with the Council's stated procedures for making representations on planning proposals.
RBC would rightly be unlikely to accept tree felling for construction ease in a private planning application and I ask that RBC do likewise for this application.	Each application must be considered on its merits and whilst the extent of tree loss is noted, the social benefits and mitigation proposals as part of this application, must be weighed in the planning balance.
Essentially, a plan that included a track (perhaps cinders or something good for running), around the perimeter of the playing fields, some large native trees to screen the school and provide homes for the birds that will be displaced by the destruction of over 50 trees, would be very welcome.	Noted and such aspects are coming forward in the mitigation plan under preparation.

5. CONCLUSION

5.1 Satisfactory progress has been made on the matters outstanding since the production of the main Agenda report.

1. Sport England has significantly reduced their concerns for this application and no longer requires this application to be referred to the Secretary of State.

2. An additional commitment to mitigating the impact of the revised proposal is provided in these proposals and further indication is provided on ways in which that mitigation is likely to be provided.
 3. Further representations have been received and this Update Report seeks to ensure that all points made have adequately responded to. Your officers are satisfied that in the main, very few 'new' issues arise.
- 5.2 The additional issues raised by this s73 variation application are considered to have been assessed in these reports. Each application must be considered on its merits and whilst the extent of additional tree loss is of concern, the social benefits and mitigation proposals as part of this application must be weighed in the overall planning balance and officers are content with the extent of additional mitigation which has been proposed, which is considered to be proportionate to the additional impact.
- 5.3 Members will be aware of suggestions that you defer consideration of this application. This is not required and further, will simply have the effect of unduly delaying this school scheme. Members are reminded of the continued importance which is placed on the delivery of schools in the Revised NPPF and see no areas which a deferral is necessary.
- 5.4 Subject to the expiry period for the site notice/Press Notice and the satisfactory completion of the s106 unilateral undertaking Deed of Variation, officers recommend the granting of this VARIAT planning permission.

Case Officer: Richard Eatough