

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)

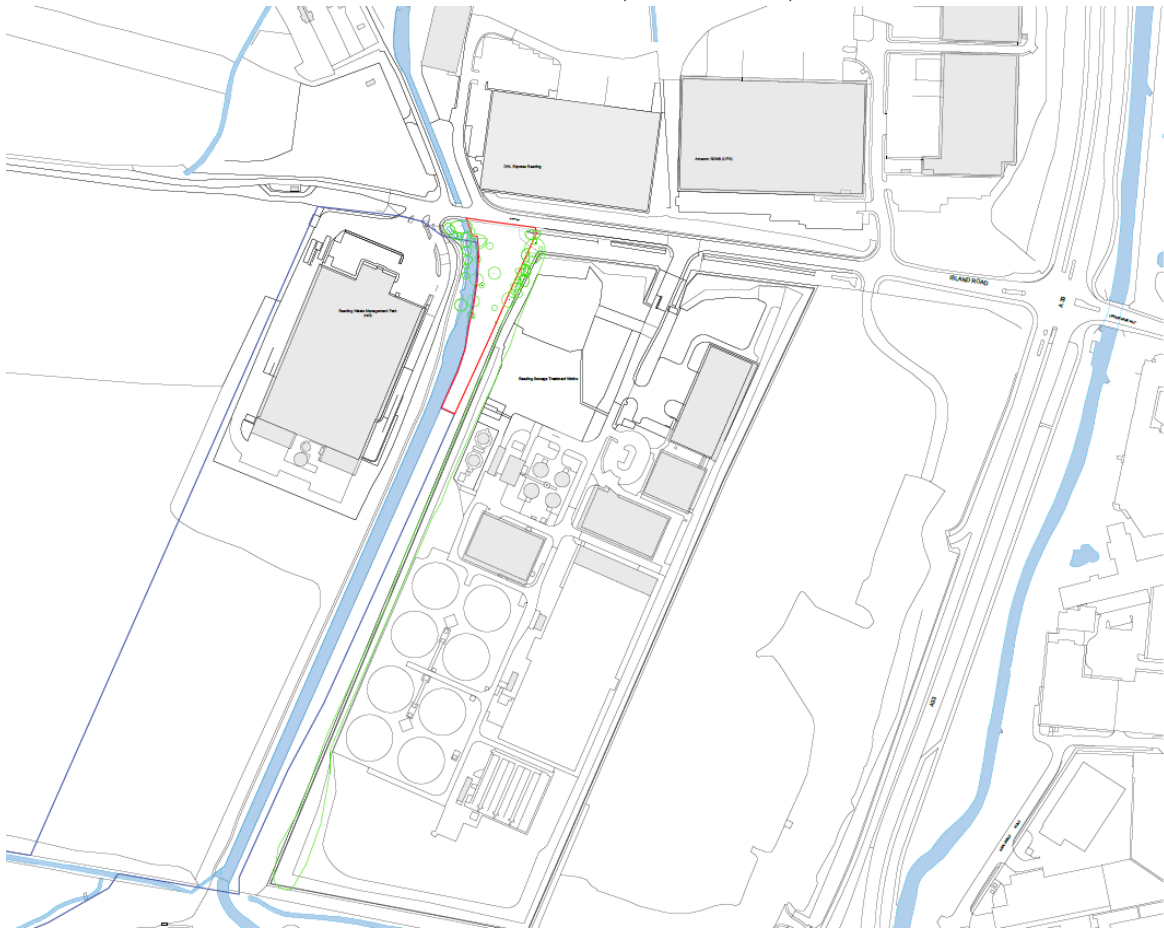
Informatives to include:

- 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.

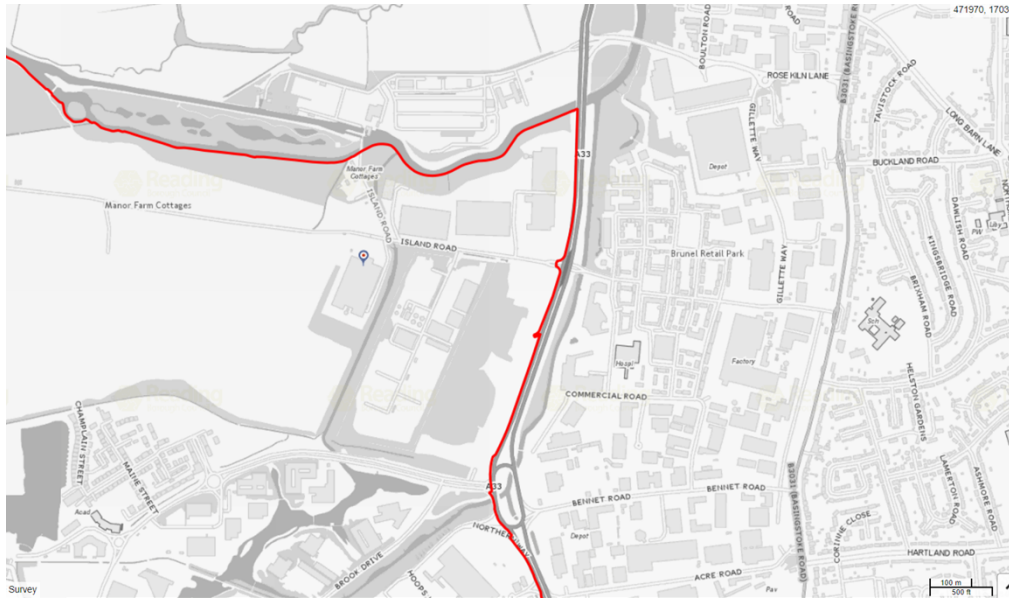
- ii) Risk posed to residents in a nuclear emergency

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.