



**SAVE THE BATH ROAD RESERVOIR**

**OBJECTION STATEMENT IN RELATION TO:**

**PLANNING APPLICATION REFERENCE NUMBERS:**

- 09/01360/OUT
- 09/01359/LBC

**DATE: SEPTEMBER 2009**

**REF: SBRR0909\_004**

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## **EXECUTIVE SUMMARY**

This document is an objection statement to the planning applications reference 09/01360/OUT and 09/01359/LBC. It has been prepared by the Save Bath Road Reservoir management committee. Input has been provided by specialist consultants and industry experts commissioned to critique the documents that form the overall planning submission produced by Broadway Malyan on behalf of Kennet properties.

A similar review was undertaken for the previous application for the site (withdrawn in November 2008). This review revealed that there were many fundamental flaws and errors within the key documents submitted. As such it was vehemently urged that the council refused the granting of planning permission on the basis of several material planning considerations.

With respect to the revised application, it is disappointing that further analysis has revealed that there remain several key sections where either the assessment method used is unsatisfactory or an insufficient level of detail has been provided.

To summarise the following main points of concern are as follows:

### **Planning context**

- Contradiction of 1997 planning brief;
- Ignorance of guidance and policies set in principal planning documents;
- Inaccurate or misleading information in planning statement and design and access statement

### **Transport and Access**

- Use of unrealistic assumptions and inadequate data
- Lack of transparency with assessment method and key data sets are missing.
- Conclusions demonstrate that the development will have an impact and that the surrounding junctions will become saturated.

### **Ecology and Biodiversity**

- Ecology – The site is home to rare and protected flora and fauna and contains a number of important habitats rarely found in town centres;

- The ecology evaluation is more thorough than previous ones, but in parts is still inadequate and misleading, and sections of it are still inconsistent with the previous evaluations undertaken in 1998 and 2008, and the BBONT evaluation of 1988;
- Biodiversity – The site is a buffer zone to an established green corridor. Any development of this site would seriously contravene the Council's well-documented biodiversity aspirations.

#### **Flood risk and water resources**

- The Flood Risk Assessment has not been accepted and approved by the Environmental Agency
- No Site Waste Management Plan
- No assessment on how surface water run-off would affect the water sewers in Western Road

#### **Land and Visual**

- Overlooking – The Bath Road, Western Road, Glenbeigh Terrence will be significantly overlooked by the development;
- Loss of Outlook – Residents of the surrounding streets will suffer from a loss of outlook;
- Character – The development is out of character with the surrounding area;
- The visual landscape of the area will be detrimentally affected.

#### **Sustainability**

- No sustainability strategy provided
- No sustainability and low carbon energy statement provided
- Insufficient information with regards to other key sustainability issues including waste disposal strategy

## **Noise**

- No consideration of the impact of the noise of decommissioning and the new development on existing residents

## **Air Quality**

- No consideration of the impact that the proposed development would have on the air quality for existing residents
- Inaccurate modelling information
- No consideration of dust and PM<sub>10</sub> emissions

## **Arboriculture**

- The arboricultural report contains many inaccuracies and shows a lack of attention to detail
- Lack of compliance with BS 5837:2005 – ‘Trees in relation to construction – Recommendations’

## **Archaeology**

- Despite recommendations in the amended Planning Brief of 1997, no archaeological report has been carried out

## **Heritage**

- The proposed changes to the listed building and its setting are insensitive and inappropriate
- The proposed changes are not in accordance with PPG 15 – ‘Planning and the Historic Environment’
- The proposed changes are contrary to the Council’s Local Development Framework and Local Plan

## **Decommissioning**

- The decommissioning statement contains information which is contradictory to claims made by Thames Water engineers, containing statements which suggest that the authors have been misguided or misled by the consultants.

- The report confirms that traffic and in particular the bus lane will be affected by heavy plant machinery during the decommissioning process, yet provides no mitigation suggestions for this.
- The Ground Investigation and Slope Stability Assessment indicates that there are contaminants in the ground which have not yet been assessed.

### **Character**

- Community - The reservoir restricts both vehicular and pedestrian traffic to surrounding roads and this, amongst other qualities of the site, has enabled the survival and growth of a very real community spirit

Given the considerable local opposition to the scheme and significant value that the site holds in terms of heritage, ecological and wider social benefit (such as provision of open space and outlook) one would hope that any development scheme proposed would take into account these concerns and be sensitive to the local (and wider) community. Furthermore, given the highly controversial nature of the scheme it would be reassuring to know that any impact that the development may have has been adequately assessed. At present this is not the case.

## **1. INTRODUCTION**

This document is an opposition statement to the recently revised planning applications (09/01360/OUT and 09/01359/LBC) relating to the proposed redevelopment of the Bath Road reservoir site.

Independent consultants and experts were commissioned to critique the respective documents that make up the overall application and have found several key areas that are contradictory to planning policy or where insufficient or inaccurate data has been provided. On this basis, refusal of planning permission is strongly recommended.

For clarity each specific discipline has been presented as a separate section, preceded by an overview of the overall planning statement and Design and Access Statement (DAS).

## 2. PLANNING CONTEXT

### Introduction

This chapter looks at the development proposals and the planning application from a planning context and illustrates primary areas where information is either absent or incorrect.

From a general overview it is apparent that the revised planning statement and design and access statement have still failed to thoroughly address and/or have omitted fundamental aspects of planning policy.

There follows a list of concerns:

### Concern i) Contradiction of amended 1997 Planning Brief

**Application Document:** Planning statement

**Section:** Section 3 *Reading Borough Council Planning Brief*

#### Evidence:

Whilst Broadway Malyan correctly identify that the site was allocated within Reading Borough Council's Local Plan 1991 to 2006 and that this predates significant government guidance namely *Planning Policy Statement 3 (Housing)* the application ignores the following stipulations of the amended 1997 planning brief and the 1996 original planning brief:

- It was identified that the site had the potential for accommodating 80 units only;
- no element of commercial usage was identified within the Local plan;
- The height of the units should normally be no more than two storeys high;
- Visually attractive features should be retained; there is no evidence of this;
- Where possible the embankments should be retained;
- Any play area should be capable of surveillance from at least 3 sides;
- An Archaeological Assessment should be carried out

## **Further information/discussion**

The planning brief for the site recommends approximately 80 units, therefore 96 units and 700m<sup>2</sup> office conversion of the listed water tower would be a significant overdevelopment of the site.

Policy CS15 (Location, Density, Accessibility and Housing mix) of Reading Borough Council's Adopted Core Strategy (January 2008) sets out the level of housing density deemed as acceptable for new development. It recognises that high density living is an effective way of ensuring sustainable development but it must be in keeping with the local area and not such in a way that it can put a strain on local infrastructure.

It classifies that urban development scenarios (areas that are generally denser than more suburban areas and comprise a mix of residential and employment areas) should be in the density range of 40 – 75 dwelling per hectare (dph). Hence the planning application has used a value of 44 dph (note: to maintain commercial viability). However, it could be argued that site is more accurately defined as 'Accessible Suburban' classified as 'Areas of medium housing density, which are predominantly residential in character and are easily accessible to services and public transport routes. In this instance it would be more appropriate to use a density range of 35 – 55 dph. Taking the correct figure designated in the Local Plan i.e. 80 units based on a site of 2.2. ha, would give a density of approximately 37 dph therefore complying with the requirements of the Core Strategy.

Furthermore the Core Strategy highlights a need for houses as opposed to apartments. The planning statement recognises this and then contradicts itself as the development proposal is for 39 apartments (approximately 40% of the overall number of units).

Additionally, the proportion of the units allocated to social/affordable housing is far less than recommendations for developments of this size.

## **Concern ii) Failure to address material planning considerations**

**Application Document:** Planning Statement

**Section:** 6 – *Public Consultation Process*

**Evidence**

PPS1 'Delivering Sustainable Development' (National Planning Policies – Key Principles) states 'Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities....'

*Local communities should be given the opportunity to participate fully in the process for drawing up specific plans or policies and to be consulted on proposals for development.'*

A number of meetings/consultations have taken place between Thames Water and local residents/MPs/councillors. Local residents (fully supported by all political parties) have repeatedly stated their opposition to any development on the site. They are also strongly opposed to the current design and layout that has been suggested.

### **Further information/discussion**

The consultation questionnaires issued by Kennet properties/Broadway Malyan have been deliberately worded to skew people's response hence the limited number of responses.

Despite repeated viable opposition to the development scheme, the revision to the masterplan has been diminutive and does not take into account the concerns and loss of amenity of both the immediately local residents and the wider people of Reading who are upset at the potential loss of a valuable piece of Reading's heritage.

### **Concern iii) Failure to address material planning considerations**

**Application Document:** Planning Statement

**Section:** 6 – *Planning Policy Framework*

### **Evidence**

The document makes reference to PPS1 'Delivering Sustainable Development' but fails to illustrate any consideration of the 2007 addendum 'Planning and Climate Change'.

At the local level, the supplement to PPS1 states that in deciding which areas and sites are suitable for what type and intensity of development, local planning authorities should assess consistency with the PPS and take into account criteria such as whether there is potential for a realistic choice of means of access other than car and for opportunities to serve the site through sustainable transport, the ability to build and sustain cohesive communities, the contribution to be made from new and existing opportunities for open space and green infrastructure in urban cooling, SUDs and conserving and enhancing biodiversity, and known physical and environmental constraints on development such as

flood risk. It states that those sites which perform well against the criteria should be prioritised.

The supplement to PPS1 states that local planning authorities should have an evidence based understanding of the local feasibility and potential for renewable and low carbon technologies, including micro generation. Drawing on evidence base, and ensuring consistency with housing and economic objectives, local planning authorities should set out targets including site specific targets. It states that local planning authorities should pay particular attention to utilising existing decentralised and renewable/low carbon systems and fostering development of new opportunities to supply new and existing development.

It goes onto state that planning authorities should make use of Design and Access Statements to obtain from applicants the information necessary to show how their proposed development will contribute to the Key Planning Objectives set out in this PPS and relevant RSS and DPD policies consistent with this PPS.

With regard to this will feel that there is an insufficient level of data within the DAS particularly with regard to:

- Local requirements for decentralised energy to supply new development
- Local requirements for sustainable buildings
- Designing environmental performance into proposed development
- Safeguarding environmental performance
- Conserving and enhancing biodiversity
- Building and sustaining cohesive communities

#### **Concern iv) Failure to address core planning documents**

**Application Document:** Planning Statement

**Evidence:**

RBC adopted its Core Strategy in January 2008; the document set out the Council's adopted planning strategy for the Borough. The purpose of the document is to provide a planning framework for sustainable growth.

The planning application contravenes many of the key policies set within this document such as:

Section 4 – Cross Cutting Policies:

Paragraph 4.3 (Living within Environmental Limits)

*'6) Value, protect and enhance the amount and diversity of habitat and wildlife and other contributors to natural diversity';*

*'9) Value, protect and, where appropriate enhance the historic environment'*

Section 9 – Open Space and Recreation:

Paragraph 9.2: The Reading Open Spaces Strategy identifies that there are notable deficiencies in public open spaces in Central Reading.

**Further information/discussion**

The mitigating measures are focussed on the wooded strip to the northwest of the site. Many of the habitats that would be lost are not located in this area, meaning that the biodiversity they support would also be lost.

In addition, the planning application directly contradicts many of the biodiversity objectives set out within the Core Strategy.

**Concern v) Failure to address material planning considerations**

**Document:** Planning Statement

**Section:** 6 – Planning Policy Framework

**Evidence**

Policy CS28: 'Loss of Open Space'

*'Development proposals that will result in the loss of open space or jeopardise its use or enjoyment by the public will not be permitted'* (Note as per: PPG17, open space should be taken to mean all open space of public value...as a visual amenity - even without public access, people enjoy having open space near to them to provide an outlook)

In the Open Spaces Strategy it is recognised that the RG1 area of Reading is deficient in open green space.

The document also makes the following points:

Section 2 - Developing the Vision and Preferred Strategy:

Paragraph 2.20 states that *'Quality of life will be improved through safeguarding and improving the quality of building, streets, squares and green open spaces within towns.'*

Paragraph 2.23 states that *'the city centre will be clean, safe and easier to get around, with more green spaces'*.

Paragraph 9.2 notes that there are *'Notable deficiencies in public open space in Central Reading and the residential areas surrounding Central Reading'*.

In paragraph 9.4, amongst the recommendations taken from the 'Reading Open Spaces Strategy' (March 2007) are listed the *'Protection of existing open spaces'* and the *'Protection and enhancement of the biodiversity of open spaces'* (where, as previously mentioned, Open Space in this context is understood to be as per the definition in PPG 17)

Paragraph 9.8, states that, as per Policy CS28, *'Development proposals that will result in the loss of open space or jeopardise its use or enjoyment by the public will not be permitted'*.

Paragraph 11.14, states one of the roles of the Local Development Framework (LDF) as being to ensure that new development *'does not have a detrimental impact on the quality of the environment'* and *'ensuring that air and water quality is maintained and enhanced'*

Paragraph 11.15 states that *'Development will only be permitted where it would not be damaging to the environment, through air, land, noise or light pollution'*.

Finally, one of the targets in the document is an *'improvement in air and water quality within the Borough'*

**Further information/discussion**

From the above evidence it is clear that the planning application is wholly contradictory to some of the principle aims and targets set out in the Adopted Core Strategy Document. The purpose of the Core Strategy is to set clear guidelines regarding future development within Reading; the planning statement and associated documents appear

neither to have made reference to the Strategy nor taken heed of the essential points that Reading Borough Council has outlined as key planning principles.

## **Concern vi) Failure to address core planning documents**

**Application Document:** Planning Statement

### **Evidence:**

The Reading Borough Local Plan 1991 – 2006 was adopted in October 1998. The document set out the Council's adopted planning strategy for the Borough. The purpose of the document is to provide a clear statement of the Council's planning policies.

The planning application contravenes many of the key policies set within this document such as:

#### Chapter 1 – Introduction:

Policy key 2a: conservation of the environment and natural resources, section 1.31: *'the council will seek to ensure that development proposals maintain and enhance the natural environment for future generations by the conservation of energy and other natural resources and the enhancement where possible of natural environmental assets. It will attach particular importance to the need to conserve existing areas of open space and to bring new pieces of open space into public use and ownership whenever it is feasible.'*

#### Chapter 10 – Natural Environment:

*'The natural environment objectives of the Plan are:*

*10.1 (i) to protect wildlife habitats and landscape features from the adverse effects of development;*

*(ii) to promote good practice and encourage the creation and maintenance of new habitats and landscape features;*

*(iii) to improve the quality of land, water and air within the Borough.'*

Policy NE 3: Wildlife Links, section 10.10: *'The borough council will not normally permit any development which will sever or threaten the integrity of a wildlife link.'*

Policy NE 5: trees, hedges and woodlands, section 10.19: ‘The borough council will seek to protect individual trees, groups of trees, hedges and woodlands from damage or removal and will encourage the extension of the borough's vegetation cover.’

Policy NE 6: protecting wildlife habitats and natural features on or adjoining development sites, section 10.24: ‘As appropriate, all development shall retain and protect wildlife habitats and natural features on or adjacent to the site during construction. Applicants will be required to submit details of how this will be achieved prior to the granting of planning consent.’

Policy NE 7: creative nature conservation, section 10.28: ‘Wherever possible, all new development should introduce creative nature conservation measures which as appropriate, pay positive regard to the ecology of the site and its surroundings. These measures should include:

- (i) enhancement of existing habitats;
- (ii) the provision of new wildlife habitats;
- (iii) the use of appropriate native vegetation in landscaping schemes;
- (iv) the use of permeable surfaces to reduce rainwater run-off in suitable locations.’

Policy NE 9: environmental implications, section 10.35: ‘Where appropriate the borough council will have regard to the nature and extent of potential environmental impact when assessing development proposals.’

### **Further information/discussion**

From the above evidence it is clear that the planning application is wholly contradictory to some of the principle aims and targets set out in the Reading Borough Local Plan 1991 – 2006 Document. The application appears to have made no reference to the key points and guidelines that this document contains.

### **Concern vii) Layout and elevations of the proposed dwellings**

**Documents:** Planning Statement, Design & Access Statement

**Sections:** *Planning Statement: Section 5 – Description of proposed scheme; DAS Section 2 - Scale*

## **Evidence**

From the planning statement:

*'A range of heights is proposed ranging from 2 to 4 storeys across the site in order to provide structure and visual markers for those approaching the site from Bath Road and Western Road'*

And from the design & access statement:

*'In order to provide visual interest, we do propose a 3-4 storey block in the centre of the site to provide a focal point and a visual connection when viewed from Western Road'*

A height of 3-4 storeys is up to twice the acceptable height recommended in the planning brief. The Water Tower is one of the most prominent visual markers on the approach into Reading town centre from the West and the above proposal would alter the historic skyline and detract from this important landmark.

The DAS also proposes a 3 storey block *'toward the northern end of Western Road'*. This cannot be described as being near the *'centre of the development'* as clearly it is not. In its proposed location this block would create severe loss of amenity for the dwellings along Western Road in terms of outlook and overshadowing.

## **Further information/discussion**

More consideration needs to be paid to the proposed layout and scale of the development as at present it is highly insensitive to Reading's heritage, and suggests a complete lack of concern about the way in which the outlook would be negatively impacted for the residents of Western Road.

## **Concern viii) Intentional misinterpretation of information**

**Document:** Planning Statement

**Section:** 4 – *Public Consultation Process*

## **Evidence**

*Paragraph 4.4* quotes Nigel Barker of English Heritage. The comments from Mr Barker refer in fact to the previous planning application, (where Mr Barker welcomed the *principle* of reusing the Water Tower, but made no comments whatsoever on the actual proposed reuse). Nigel Barker is now assigned to a different office and as such would not have been available to make any comments on the revised application.

Paragraph 4.6 mentions the meeting with Martin Salter MP and members of the Save the Bath Road Reservoir (STBRR) Group, but incorrectly states that we '*acknowledged that the site is sustainable and would be developed*'. It must be stressed that throughout all meetings conducted with Thames Water, the STBRR Group and MPs/Councillors have at no point accepted that development of the site is a given, and have repeatedly campaigned against this principle.

#### **Further information/discussion**

Thames Water's quote from English Heritage is wholly misrepresentative since they have not commented at all on the revised planning application.

Furthermore, in a deliberate act of deception Thames Water has misrepresented the comments and feedback from their meetings with the Save the Bath Road Reservoir campaign group.

#### **Concern ix) Falsification of information**

**Document:** Design and Access Statement

**Section:** *Public Consultation*

#### **Evidence**

The published results of the questionnaire fail to mention that 100% of the 48 feedback questionnaires received were opposed to **any** development on the site, therefore making the majority of the other findings irrelevant.

#### **Further information/discussion**

It is evident that Thames Water have utilised 'artistic license' in the publication of the results of the questionnaire. With this in mind, we suggest that these results are of limited validity.

#### **Concern x) Falsification of information**

**Document:** Design and Access Statement

**Section:** *Introduction and Site Analysis*

#### **Evidence**

The introduction states:

*'The site [...] is proposed to be carried over into the new emerging local development plan for Reading out for consultation.'*

Having consulted with the Local Development Framework (LDF) team regarding the above assertion, there is in fact no evidence to back it up: The consultation process for the Site Allocations is ongoing, and initial results will not be available until early 2010. Currently there is no confirmation available regarding which sites will and will not be included in the new Site Allocations document.

The introduction continues:

*'The Council produced a detailed planning brief in October 1996 (adopted 1997), which identified the site as being able to provide for at least 80 dwellings.'*

The actual wording of the Planning Brief is as follows, regarding the number of units:

*'The Brief recommends that about 80 family (2/3 bedroomed) houses be built on the site'* and later on in the document: *'The site is over 1.5 hectares in size and will yield around 80 units'*

The site analysis states: *'with the expansion of Reading along Bath Road a more individual character has emerged which includes offices, leisure, hotels and clinics.'*

We are not aware of any leisure facilities along this section of the Bath Road, and there are very few office buildings.

The site analysis also claims that Prospect Park is *'within 250m from the site'*. Through the use of Google maps (widely considered a highly accurate resource) it is evident that the nearest edge of Prospect Park to the site is in fact 560m. Not only, therefore, is the information provided in this section inaccurate, it means that, were the site to be built on, access to Prospect Park (being then the next available open space) would exceed the Council-specified minimum distance for the nearest open green space. This is defined in the SPG Planning Obligations Under S106 document which states: *'The audit of facilities being undertaken on behalf of the Council has adopted an accessibility standard of 400 metres walk to local facilities and 1200m journey to regional facilities taking account of any barriers to pedestrian movement. This is considered to be a realistic distance that people will be prepared to walk to informal open spaces and is based on the standard set by the National Playing Field Association (NPFA).'*

#### **Further information/discussion**

Once again the information provided is inaccurate. Any claims regarding the potential of sites to be allocated for development in the new Core Strategy are entirely fabricated since this list does not even yet exist. Moreover, this section contains inaccurate claims regarding the availability of facilities in the vicinity, which could be interpreted as an attempt to mislead the planning authority. Finally the distance measurements listed regarding Prospect Park are highly inaccurate; we assume that either insufficient research has taken place, or that Thames Water intentionally wish to misinform the readers of this document.

### **Concern xi) Inaccurate and misleading information**

**Document:** Design and Access Statement

**Section:** *Outline scheme, Use & amount*

#### **Evidence**

The report states that the density per hectare (dph) of the surrounding area is 60dph. According to Broadway Malyan this figure was taken from a small number of terraced houses with smaller gardens on Western Road. It does not, therefore, take into account existing developments such as Petworth Court in its context, properties opposite the site on Bath Road, or the railway line, and is therefore an incorrect measurement.

#### **Further information/discussion**

Once again the application appears to show that insufficient or inaccurate research has taken place, and that Thames Water wish to mislead the readers of their document. The proposed density would be out of context in terms of density, size and scale.

### **Concern xii) Inaccurate and misleading information**

**Document:** Planning Statement

**Section:** 7.5.4

#### **Evidence**

*'Many of the trees within the rear reservoir are self-seeded on slate bed and are of low quality with little amenity value given that they are located within the bowl of the reservoir and difficult to view. In addition, it has come to our attention that the reservoir beds are*

*lined with slate which has restricted root penetration and thus, the integrity of the trees is questionable'*

According to Giles Sutton, a RBC ecologist, this is a considerable area of '*mixed deciduous woodland*' and the assumptions made do not fit in with the UKBAP definitions which includes '*all broadleaved and yew stands and mixed broadleaved and coniferous stands which have more than 20% of the cover made up of broadleaved and yew trees. It also includes patches of scrub of above 0.25ha which form a continuous canopy*'

At least two of the trees in this area were reported in the Arboricultural Report as being Category B trees (Oak and Turkey Oak), whilst the rest were not surveyed to determine any potential value.

If trees have established in their environment they are genetically programmed to develop whatever roots are required to keep them upright. Just because something poses a restraint to root development does not affect the integrity of the trees. Roots do not develop under roads but we have highway trees; roots do not develop in rivers but we don't fell all river bank trees in case they fall over. If the beds are lined with slate, unless it is a huge single piece of slate, roots will exploit any gaps. This is a completely unacceptable statement and is not mentioned in the arboricultural report.

### **Further information/discussion**

Once again it appears that Thames Water intend to mislead the reader by providing factually incorrect information, in an attempt to justify their application.

### **Concern xiii) Disruption during decommissioning and construction**

**Documents:** Design & Access Statement

**Sections:** *Decommissioning works and Public consultation*

### **Evidence**

*'In order to minimise disruption to neighbouring residents all heavy plant and equipment will be brought in via Bath Road. [...] The front slope to the site will therefore be demolished and a haul road will be created alongside the west wall of the front reservoir.'*

Firstly we would point out due to the extreme narrowness of Western Road, unless some major road-widening were to take place prior to decommissioning, it would not in fact be **possible** for any heavy plant and equipment to use the rear gate on Western Road -

cars park all the way along the section of Western Road that runs alongside the reservoir, and to drive up or down the street it is necessary to use the pavement as well as what little of the road is available; at no point is the width of the road wide enough for two cars to pass, and the road is barely wide enough for anything larger than a normal car. Brunswick Street is a one-way street meaning that both exit options (turning right and driving past the reservoir, or heading back to Brunswick Street and turning right) would impose **severe** width restrictions, so to state that the heavy machinery will use the Bath Road entrance simply for disruption reasons shows that the authors have either not visited these roads (and therefore not researched the options fully) or intentionally wish to mislead the readers of this document.

The haul road mentioned in this section would cause enormous disruption to residents of Petworth Court due to its proximity.

With regards to disruption to residents of the surrounding area during decommissioning and construction, the DAS simply states the following:

*'In respect of construction related queries, it is envisaged that a detailed construction management plan will be drawn up and submitted for approval at the appropriate time. Please refer to the Decommissioning Assessment for further details.'*

The Decommissioning Statement offers no further detail about how disruption will be kept to a manageable level and merely also refers to the 'construction management plan' which does not yet exist. This is a major application which would have an immense detrimental impact upon residents of the surrounding properties for a prolonged period of time, and to provide no detail whatsoever about how this would be mitigated is unacceptable. We would expect to see details on how the noise and dust levels would be kept to manageable levels to ensure residents do not become distressed, and this should include (but not be restricted to) criteria such as ensuring the reinforced concrete is broken up off-site, dust mitigation measures, and strict restrictions on when building works should start and finish (eg 8am to 5pm, weekdays only).

### **Further information/discussion**

It is evident that the decommissioning and construction processes have the potential to massively disrupt and negatively impact the quality of lives of everyone living in proximity to the site. Access for construction vehicles appears ill-thought-out, and the measures which should be taken to minimise noise, pollution and other disruptions to residents do not appear to have even been considered.

#### **Concern xiv) Poor design with relation to wildlife relocation**

**Document:** Design and Access Statement

**Section:** *Outline scheme, Landscape & site management principles*

#### **Evidence**

The proposed slow worm habitat is located in the north east of the site, in the scrub area, which would be shaded during much of the day (particularly by the proposed 3-storey building). With regards to this we would draw the reader's attention to the following:

- This is not a suitable habitat to support an even larger population of slow worms, as evidenced by the ecological survey carried out on behalf of Thames Water.
- The area proposed is contiguous to the area of land that is being treated chemically to eradicate a stand of Japanese Knotweed.
- The proposed new habitat is adjacent to the proposed 'play area' and 'water feature' – not particularly appropriate environments for slow worms.
- This proposed area has also not yet been approved by Natural England.

#### **Further information/discussion**

The locations of the wildlife area, play area and water features have not been thought through in appropriate detail. In addition, the wildlife area is downhill from where the water run-off would be, potentially endangering any wildlife which was able to survive in this unsuitable location.

For more information regarding this please see [Section 4 \(Ecology and Biodiversity\)](#).

#### **Concern xv) Poor design with relation to PPS 9 (Biodiversity and Geological Conservation)**

**Documents:** Design and Access Statement, Planning Statement

#### **Evidence**

The introduction to PPS 9 states:

*'planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it where possible'*

Previous reports have rated this site as being of district/county importance. Would this be so following development? Obviously not so.

Section (i) - Key Principles states that *'planning decisions should be based on up-to-date information'*.

A number of reports submitted as part of the application are out of date. The arboricultural report is an example of this.

Section (iii): states: *'Plan policies on the form and location of development should take a strategic approach to the conservation, enhancement and restoration of biodiversity and geology, and recognise the contributions that sites, areas and features, both individually and in combination, make to conserving these resources.'*

The only assessments on the effect of the development on the adjacent wildlife corridor are in respect to noise and dust. The nearest local wildlife areas are less than 1km away. It is stated that the effect of the noise and dust is 'unlikely' to be greater than 500m. However, the feeding and foraging territories of many species can be far greater than this. It may therefore have an effect on recognised local wildlife areas.

Section (vi) states that: *'The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests'*.

There is no evidence that the mitigation measures that have been suggested are likely to be successful.

In the section 'Sites of biodiversity and geological conservation value – Regional and Local Sites' the following is stated: *'Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education.'*

In previous reports this site has been recognised as being of local importance, as well as district/county importance. Allowing a 150 year old site containing rare and diverse wildlife and plants to be completely demolished is not in keeping with this initiative.

In the same section, 'Networks of natural habitats' states: *'Networks of natural habitats provide a valuable resource. They can link sites of biodiversity importance and provide*

*routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment. Local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans. Such networks should be protected from development, and, where possible, strengthened by or integrated within it. This may be done as part of a wider strategy for the protection and extension of open space and access routes'*

There is no convincing evidence that the wildlife corridor will not be adversely affected.

In the section entitled 'Species protection' it states:

*'Many individual wildlife species receive statutory protection under a range of legislative provisions,<sup>7</sup> and specific policies in respect of these species should not be included in local development documents (see also Part IV of ODPM/Defra Circular, ODPM 06/2005, Defra 01/2005).'*

The planning statement and ecology report concede that protected species, national BAP and LBAP, and national notifiable species are resident on the site and that they will be detrimentally affected by the proposed development.

It continues:

*'Other species have been identified as requiring conservation action as species of principal importance for the conservation of biodiversity in England. Local authorities should take measures to protect the habitats of these species from further decline through policies in local development documents. Planning authorities should ensure that these species are protected from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.'*

This site supports many species that are not subject to statutory protection, but which are hugely appreciated by local residents and the wider community. From the perspective of local residents, the proposed development would have a negative socio-economic effect.

## TRANSPORT AND ACCESS

### General comments

The Transport Assessment (TA) is almost identical to that used for the previous application which had to be withdrawn due to its poor quality. No new surveys have been carried out – all survey data is taken from the previous TA, which uses figures from 2007, meaning that the data used is now two years old. The only two noteworthy changes between the new and old TA are:

1. The idea of moving the bus lane to accommodate the new development has been abandoned
2. The idea of enforcing parking restrictions on Western Road to accommodate the new development has also been scrapped

With regards to transport and highways, the supporting TA still raises concerns, therefore, about its integrity, and its ability to provide a true representation of the likely traffic implications which would result if planning permission were to be granted.

For the reader's convenience, we reiterate the concerns we expressed last year, along with some new ones which have come to light after reading the 2009 TA. Since the documents are almost identical, some references are also made to the TA of the previous application in 2008.

**Document:** Transport Assessment (TA)

### Section: 1 - Introduction

The TA begins by reiterating the requirements of the 1996 Planning Brief i.e. stating that the site was suitable for approximately 80 units, with no reference made to the site being suitable for employment use. Although there have been subsequent changes to planning policy both nationally, regionally and locally since the Brief was issued in 1997, the fact remains that precedent was set in 1997 for residential use and not a mixed use development which would result in a differing traffic profile to that of a purely residential development.

There is no information regarding the scope of the assessment agreed with the Council - ideally this should be appended to the TA to show transparency of methodology. There are repeated references throughout the report to 'agreement with Reading Borough Council', however an agreed scope appended to the report would define clearly the agreed items and show transparency.

Point 1.2.4 claims that the TA follows the standard guidance for Transport Assessments as set out in the DfT Guidance on Transport Assessment document published in March 2007, however there are many areas of this TA which contrary to the recommendations contained in this guidance document, and these will be pointed out as part of this report.

Paragraph 1.2.5 describes the transport services as 'excellent', yet last year they were described in the very same paragraph as merely 'good'. We are intrigued to know in what way the public transport services have improved so dramatically within the space of one year.

As per the DfT Guidance on Transport Assessment *'It should be noted that the capacity of the existing public transport infrastructure and footpaths is finite, and in some areas overcrowding already exists.'* – the TA fails to mention that during the morning rush hour, the majority of buses into the town centre are already at standing room only.

## **Section 2: Local Policy Context**

Section 2.2 discusses the Draft Spatial Strategy of January 2003, and quotes a key principle as being that *'Development must have excellent access to effective and efficient public transport'*. The copy of the Issues Report and Draft Spatial Strategy document of January 2004 which we have read does not appear to contain this quotation. It does however stress on several occasions the importance of green, open spaces to the community of Reading.

Paragraph 2.3 of the Issues Report and Draft Spatial Strategy for example states: *'There were calls for better protection of existing open spaces'*

Table 2a of the same document: *'General Comments made in Questionnaire Responses'*, in the 'Quality Environments' section, states that *'Pockets of green space should NEVER be considered for development'* and that *'Existing green spaces and wildlife sites should be given greater protection'*

Paragraphs 2.3 (Reading's Local Transport Plan) and 2.4 (Access Plan for South Reading) of the TA refer to the Local Transport Plan. In particular, paragraph 2.4 mentions the 'Quality Travel for Reading' project, and claims that this project is relevant to the Bath Road Reservoir site, yet according to the relevant document ('Aap 5 – Southern Area Action Plan'), budget has only been allocated for the A33 Corridor Strategy, so it is difficult to see how this project has any relevance.

Paragraph 2.5.3 highlights the need for houses as opposed to apartments, as defined in the 1997 Planning Brief for the site. Yet the development proposal is for 39 apartments (approximately 40% of the overall number of units).

Paragraph 2.5.4 quotes the Planning Brief and states ‘...a *Traffic Impact Assessment* will be required as part of any planning application to look at the feasibility of access options and to assess the impact in terms of the site in the wider integrated transport strategy’ however no TIA appears to have been submitted as part of the application.

In Section 2.6, table 2.1 illustrates car parking standards for C3 dwelling houses in zone 3, however any information regarding car parking standards for office development is notably absent.

### **Section 3: Baseline Conditions**

With regards to the local area the TA fails to recognise that Brunswick Street as well as Western Road suffers from extensive on-street parking resulting in a restricted carriageway width, which would be unsuitable for any intensification of use. The issue of Brunswick Street being a one way street has also not been recognised as a potential constraint for additional traffic movement in the area.

The TA fails to state the site’s proximity to an Air Quality Management Area (AQMA), which is not in accordance with the DfT Guidance on Transport Assessment document (paragraphs 3.3 and 4.7). Furthermore it also fails to provide any baseline carbon emission data for the site (section 4.7 of the DfT Guidance on Transport Assessment – ‘Baseline Data’)

The traffic surveys were undertaken in December 2007. Not only were they not repeated for the new application, according to the DfT Guidance on Transport Assessment the recommended periods for data collection are April, May, June, September and October.

Section 3.4 clearly sets out that the volume of traffic on the A4 is approximately 1320 in the AM peak and 1511 in the PM peak. This equates to approximately 1 vehicle every 3 seconds in the AM peak and 1 vehicle every 2 seconds in the PM peak. This is close to the maximum capacity of a road of this type, given the number of access points and the existing bus lane.

Paragraph 3.5.2 states that growth factors have been extracted from TEMPRO and adjusted with NRTF growth factors. The Transport Engineers do not state whether the

growth is low, medium or high to take account of the numerous developments forecast in and around Reading and allocated in the LTP.

Paragraph 3.6.2 clearly states a Degree of Saturation of 90% as being the maximum acceptable level for a signalised junction. Section 3.6 then goes on to set out that the existing traffic volumes already make the Bath Road / Berkeley Avenue junction over capacity without this development, any other local development or the natural growth in background traffic occurring.

Paragraph 3.6.5 states that due to the limitation of the model (LINSIG) the junction cannot be modelled correctly. We question why, if this model has limitations, it was used in this survey: The use of TRANSYT should have been investigated and implemented if more appropriate.

Section 3.10 discusses the existing bus services. The DfT Guidance on Transport Assessment recommends that an assessment should be carried out to ascertain the available capacity on the existing public transport infrastructure. This is notably absent.

#### **Section 4 – Development Proposals and Master Plan**

In reference to paragraph 4.1.1, the traffic flow rates based on the proposed accommodation mix should be clearly stated.

Paragraph 4.4.1 states that parking allocations will consist of a mixture of allocated spaces and garages, yet fails to give any further details as to the ratio/numbers of spaces to garages. Additionally it is widely recognised that garages are of questionable value for car parking since the majority tend to end up being used for storage.

Paragraph 4.4.2 states that 13 spaces will be allocated for office space parking. According to the Council-specified guidelines, for 700 sq m, there should be 14 spaces.

Paragraph 4.4.3 claims that the on-site parking is inline with parking policy, yet there is no parking strategy to cater for disabled parking, overspill etc. Furthermore, the DfT Guidance on Transport Assessment states that '*Consideration should be given to the available parking facilities in the vicinity of the site and the impact that development could have on them.*' No consideration is given however to the existing parking problems on the adjacent Brunswick Street and Western Road, nor any mitigation strategy offered as to how overspill, which will inevitably affect these streets, will be managed.

Section 4.5 discusses the proposed vehicle access, yet fails to mention that this will involve crossing a busy bus lane. Additionally, no mention whatsoever is made of the implications of the decommissioning/construction process and the extent to which heavy construction vehicles would disrupt the bus services into town. This is contrary to the DfT Guidance on Transport Assessment document which states that as a minimum, a TA should include a detailed description of *'the traffic impacts of site construction works, including the requirements of abnormal loads in the construction, use and decommissioning of the present development'*

Paragraph 4.5.4 discusses the visibility splays at the proposed junction. These should be re-reviewed since the location of trees within a visibility splay can and often does have an adverse impact on safety if they block a significant portion of the visibility splay. The TA does not clarify the overall effect and merely suggests that there will be no problem although no Stage 1 Road Safety Audit has been commissioned to support this view.

## **Section 5: Vehicular Trip Generation and Distribution**

With regards to the proposed trip generation for the site, for both the residential and office element of the development proposals the TA uses just single sites to establish 'suitable' trip rates. This is not a normal approach in the identification of suitable trip rates unless the site surveyed is actually relocating to the proposed development site. It is normal for a number of sites to be selected from the TRICS database, which reflect the size, nature and location of the proposed development. Furthermore given the date the assessment was submitted it would be more appropriate to use 2009a and not 2008a.

In paragraph 5.1.3 / Table 5.1m, the trip rates are extremely low - this is resultant from the use of a site along the Oxford Road which is less than half the size of the proposed development site in terms of the number of units. The site used has 44 units which are a mix of 1 and 2 bedroom. In addition the Oxford Road is served more frequently by public transport.

The proposed development has 47% (according to the application form) of its units being 3 or 4 bed family homes which would clearly have a much higher traffic generating potential than 1 or 2 bed units. The transport calculations should be re-run with more appropriate trip rates.

Paragraph 5.1.4 / Table 5.2 sets out the proposed trip rates for the employment element of the development again which are unrealistically low. The site used in Oxford Road (an area with excellent public transport facilities) has limited parking, which is actually

equal to the proposed development; however, the TRICS site differs significantly from the proposed site as it is over 3 times the size of the proposed site. Therefore to use a site with severely restricted parking provision and which has no other similarities in terms of size as a representation of the development site is fundamentally flawed and would suggest a level of trips which would be disproportionate to the proposed site. Furthermore the site is a Council office which is incomparable due to factors that councils typically have in place such as flexi-time.

Paragraph 5.2.1 / Table 5.3: the trip generations are too low - to state that only 5 out of 13 spaces will be filled between 8 – 9am is unrealistic; the transport calculations should be re-run using more realistic values.

In Paragraph 5.3.1 the use of 2001 Census data is inaccurate; it is out of date hence does not account for many recent large scale developments such as Green Park.

Paragraph 5.3.2 states the trip patterns from the Census which contradict the trip rates used.

In Paragraph 5.3.5: the use of turning movements would have provided a more accurate assessment.

Paragraph 5.4.1 refers to the 'Do-minimum' and 'Do-something' scenarios but fails to provide an explanation of them.

Finally, given that the site is not within walking distance of any food retail outlets, the implications of this would be that office workers would need to drive into town most lunchtimes. The traffic impact of this has not been taken into account.

## **Section 6: Sustainable Travel**

Paragraph 6.1.1 / Table 6.1 has a value of 45% of people in Reading accessing employment by foot - this is highly unrealistic.

Based on a floor area of 700m<sup>2</sup> there is likely to be between 36 - 45 people employed as part of the commercial aspect of the development. Provision of 13 parking spaces means that approximately 23 – 32 people need to travel to work by other means of transport than car which equates to a minimum of 2/3 of the staff. This is highly unrealistic and will result in users having to park in adjacent roads and side streets further exacerbating the parking problems in the area. The TA provides no indication of how this would be mitigated.

Paragraph 6.2.3: Reading has a *good* not *excellent* bus transport network.

## **Section 7: Capacity Analysis**

Paragraph 7.2.1 states that the proposed development **does** have an impact on the junctions.

Table 7.2 / Paragraph 7.2.2 demonstrates that the junctions are over capacity yet provides **no** mitigation strategy whatsoever.

While table 7.3 / paragraph 7.3.3 illustrates that the junction of A4 Bath Road / Castle Hill / Russell Street / Coley Avenue, is not predicted to be over capacity in the 2009 scenario, it predicts that it is approaching practical capacity and that it will suffer an increase of over 5% in saturation on one of the arms as a result of the proposed development.

Table 7.4 / paragraph 7.2.4 also illustrates that the introduction of the proposed development further worsens the junction of A4 Bath Road / Castle Hill / Russell Street / Coley Avenue in the future year scenario with an increase of 6% saturation on one of the arms.

Paragraph 7.2.5 repeats that due to the limitations of the LINSIG model, the junction cannot be modelled as observed. This statement further strengthens the argument for a more suitable modelling programme to be employed such as TRANSYT.

### **Further information/discussion**

The junction assessments suggest that the proposed development will increase queuing and delay at the surrounding signalised junctions. However, the TA fails to assess the effect on the existing priority junctions along the Bath Road. The increase in traffic volume on the Bath Road will result in increased queuing on the side roads as they try to enter the main carriageway. This could potentially lead to increased delays which in turn could result in a road safety issue with vehicles trying to egress the side roads in unsuitable gaps in the traffic. There are **no** mitigation measures proposed to ensure that the highway situation remains at existing levels at a minimum. This alone should be sufficient to question the suitability of the development.

Furthermore, the surrounding infrastructure is already at capacity: the peak time buses into the town centre are already near or at capacity by the time they stop at this area of

the Bath Road and the trains into London from Reading West are standing room only at rush hour.

The use of more realistic trip rates would demonstrate an increase in the number of cars present on the Bath Road and surrounding transport network, this suggests further a worsening of air quality hence strengthening the requirement for an Air Quality Impact Assessment to be carried out as part of the application.

No consideration has been made to the heavy duty vehicles that will result from the decommissioning/construction process – this will have a significant impact on the surrounding road network.

The TA fails to comply in many areas with key transport planning guidelines, on the whole is weak, and fails to prove that the proposed new development will not have a detrimental impact on the surrounding roads and junctions.

### 3. ECOLOGY AND BIODIVERSITY

#### Documents: Ecological Impact Assessment Report (2009)

##### General comments

The Reading Biodiversity action plan states clearly that Reading aims to be *'leading by example'* to *'protect, conserve and enhance Reading's diversity of wildlife'*. Allowing a 150 year old site containing rare and diverse wildlife and plants to be completely demolished is not in keeping with this initiative.

The impact of the development on ecology was one of the key areas of the initial planning application that had not been adequately assessed.

The revised application contains a report produced by Entec (Ecological Impact Assessment Report, July 2009). There remain the following concerns:

##### Survey environment

The *Entec* survey was carried out at a time when there was major building and excavation work being carried out in the adjacent property. This meant that the site was illuminated by tall white security lighting. The context of any ecological report is important, but the above is not mentioned anywhere other than in a footnote of Appendix C of the bat survey. These conditions would have **severely** affected the survey results of many of the species, and we question therefore their integrity.

##### Section 2.2.1 (Description of environmental measures)

The mitigation strategy provided lists some measures that will be implemented to ensure site activities minimise ecological impact however it would also be appropriate to ensure that all retained areas of habitat are robustly protected during the course of development activities at the site.

Can Thames Water confirm that the 'retained habitats' will not need to be cleared or accessed for any reasons other than the recommended habitat creation and management activities specified in this report? Particularly, is it possible to say at this stage that no materials will be stored in or immediately adjacent to retained habitats, and that any decommissioning or utilities works will not need to extend into these areas?

The report goes on to state that *'Subject to technical viability, a 'wildlife pond' will be provided in the non-woodland area of retained habitat on site'* It is agreed, that the creation of a new pond at the site would add to the diversity of habitats present.

However, the use of the phrase 'subject to technical viability' leaves something of a get-out clause if the suggested location proves to be unsuitable. We would welcome clarification of i) what investigations will be carried out to determine whether pond creation in the suggested location is viable; ii) how pond creation in this area will be tied into the slow-worm mitigation strategy to avoid the incidental mortality or injury of slow-worms; and iii) confirmation that if the suggested location is untenable, an alternative location will be used, for example another part of the wildlife area or in the garden of one of the new properties.

Additionally, there is no evidence to suggest that the measures to retain bats will succeed. Indeed it is perhaps to the contrary. Bats often forage along the margins of woods – the proposed margin of the wooded area will be a road with houses on one side. In this environment it is unlikely that any 'lighting strategy' will compensate for the isolation, quietness and light free environment that currently exists, and furthermore the existing flight lines would be interrupted. The proposed 'bat barn', does not guarantee to provide the same unique microclimate currently enjoyed by the colony of brown long-eared bats currently roosting in the air raid shelter, meaning that this colony would perish. Brown long-eared bats are protected by the UK Wildlife and Countryside Act and the European Habitats Directive.

The site is currently regarded as having an 'exceptional' population of slow worms. The proposed area will be downhill from the development, is near the proposed play area, will be shaded for much of the day by particularly the 2.5 and three storey buildings being proposed along Western Rd - all factors detrimental to slow worms.

### **Section 2.2.2 (Delivery mechanisms for environmental measures)**

The report states that the measures listed within section 2.2.1 will be detailed in a site environmental management plan (for those measures that relate to decommissioning of the reservoir structures and construction) and a detailed site habitat management plan (for those measures that relate to the future management of the site). It is recommended that these plans are prepared to accompany the Reserved Matters application and, at this outline application stage, that they are secured through planning conditions.

With regard to the above we would hope to see the ecological mitigation measures and subsequent management described in this report subject to a Section 106 agreement to ensure implementation.

## **Section 3.2 – Methodology for data collection**

The survey work indicated in Section 3.2 of the report and the results found in the Appendices appears to have missed or underestimated the presence of some significant species. This is not as surprising as it seems when it is considered that the previous surveys failed to identify such obvious species such as Japanese knotweed.

### **Hedgehogs**

Hedgehogs (UK BAP priority species) are often seen along the edge of Western Road, though the survey only concluded they would 'likely' to be present.

### **Badgers**

Residents of Petworth Court have photographic evidence (2009) of badgers (protected species) in the immediate vicinity of the site, yet the survey has found no evidence of them. The earlier report confirmed the presence of badgers and an active sett, and this is in accordance with the experience of local residents who continue to report sightings in the immediate vicinity of the site. It is suggested that the sett may be infrequently used but that it may be reoccupied. Furthermore, should badgers be using the site for feeding, foraging or commuting, further evaluations would be required to comply with current legislation and planning policy. Again the uncertainty around badgers coupled with their status and the duty to enhance and restore biodiversity, suggest this current evaluation is inadequate in this respect.

### **Deer**

Roe and muntjac deer are regularly sighted on the front and rear embankments by residents of Western Road, Glenbeigh Terrace, Brunswick Street and Petworth Court, and there is much photographic evidence to back this up, yet no mention is made anywhere in this EIA of these animals.

### **Stag Beetles**

Stag Beetles (UK BAP priority species; Reading LBAP priority species) again are frequently witnessed by local residents especially in the warm spell of this summer. They not identified on the site by the survey, though again considered to be 'very likely present'. The desk study indicates that their presence has been confirmed within 100 meters of the site and that the habitat is suitable. It would be appropriate to protect the habitat of this species in accordance with local guidelines.

### **Other Invertebrates**

The older evaluations suggested that at least some of the habitats are suitable for a variety of specialised species. The current survey confirms the presence of *nationally notable* and rarely recorded species, such as the tree ant (*Lasius brunneus*), categorised as *Nationally Notable A*, the 'bark beetle' *Kissophagus hederæ* and the woodworm beetle *Anobium inexpectatum* (currently categorised as *Nationally Notable B*), and *Latridius consimilis*, a small fungal spore feeding species, categorised as *Nationally Notable*, which is associated with decaying wood. This species has been regarded as a good indicator of 'old growth' or 'ancient woodland' conditions.

### **Slow worms**

Slow worms - UK BAP species: The local Reading biodiversity plan indicates that these are locally important and declining, being adversely affected by development. The presence of an exceptional breeding population was confirmed throughout the site. Best practice indicates the priority of retaining slow worm populations on the site and that existing habitats and natural features should be protected during any development and construction work. As virtually the whole site is to be levelled it is difficult to see how the above can be realistically achieved. Relocation on bits of the site not being developed would vastly over populate these areas; further they are downhill of the development, are near the play area, and will be shaded by the proposed new buildings.

### **Birds**

A number of resident birds are UK BAP Species: The site habitats are eminently suitable for breeding and foraging birds. All birds are protected whilst nesting. It is disingenuous to suggest that suitable habitats can be protected during construction on the scale proposed and that they can be protected from the adverse effects of development. The survey is likely to have underestimated the numbers of species that use the site and this is supported by the evidence of ornithologists who regularly contribute to the annual RSPB surveys.

### **Bats**

Bats are a UK BAP Species. Bats and their places of shelter are protected. Foraging habitat is a requirement for their survival. All evaluations confirm sightings of bats and this is in accordance with the experience of local residents for whom sightings are a common experience.

## Habitats

The current report has little to say on habitats, apart from mentioning broad-leaved woodland and information is only available through referring to the older evaluation which has not been made publicly available. Could there be a degree of convenience around this bearing in mind that this is an area that is proposed as being maintained in the current planning application? The older evaluation pays far more heed to the grassland areas. It is estimated that in the whole of Berkshire there is less than 500 hectares of semi natural grassland remaining and that most of this is in small fragmented sites. It is part of Reading's action plan (BAP appendix 4) to increase this. The proposed development appears to work **against** this objective. Again in respect to habitats the current ecological evaluation is inadequate

In addition to the species in the present survey, local amateur ornithologists have also recorded green woodpecker, coal tit, tawny owl, long tailed tit as being resident on the site; and willow warbler and redwing species as being migrants. Red kites, kestrels and swifts are frequently seen flying above the site.

### Section 4.2.2 – Non-statutory nature conservation sites

Section 4.2.2 indicates that 13 non-statutory nature conservation sites (Local Wildlife Sites) within 2km of the site and that the Reading to Basingstoke railway line, which is adjacent to the site is a 'wildlife link' in the Reading Local Plan. A close inspection of Table 3.1 of the Extended Phase 1 habitat survey report indicates that 6 of the Local Wildlife Sites are within less than 1km of the site. Many of these are directly and intimately linked by the Reading to Basingstoke Railway line – the Wildlife corridor. Section 5.2 of the Ecological Impact Assessment report reveals that the only assessments carried out around potential biodiversity offsite receptors were for noise and dust deposition only. It concludes the zone of influence affected would be '*unlikely to extend beyond 500m*'. This is far less than the range of feeding and foraging territories of many species, including priority and protected ones. It would therefore potentially affect species on the nearby Local Wildlife Sites. This thus calls into question the conclusions made in section 5.4.4 of the Ecological Impact Assessment Report. The assumption that Network Rail does not undertake tree clearance work as part of its routine management programme is not true– the issue of 'leaves on the line' is a pertinent consideration along this stretch of railway and trees are cut back. Further, if 'feeding territories' are lost or effected this will have a detrimental effect on the socio-economic role played by biodiversity, This then questions and undermines the opinions detailed in Section 5.2 and 5.3 around social benefits.

#### **Section 4.2.4 (Species) and Section 5.4.1 (Assessments of effects: slow worms)**

The main body of the report states that a maximum count of 56 slow-worms was recorded within the Bath Road reservoir site, but the slow-worm survey report provided in Appendix E gives a maximum count of 135. In any event, it is clear that the site does indeed support a very large urban population of slow-worms.

The suggested mitigation strategy detailed in the report should create sufficient new or modified habitat for the population of slow-worms, providing habitat management is carried out sufficiently far in advance of any translocation. However, it is clear that the proposed development will remove **all** of the best slow-worm habitat currently present at the site, requiring the majority of the population to be translocated to either the retained parts of the site, or the proposed new receptor site. It is unfortunate that the best areas of habitat at the site could not instead be incorporated into a reduced scale of development.

Given the size of the population we would also request clarification on the detail of habitat enhancement measures proposed for the Theale Reservoir site, for example an indicative layout, and confirmation that the Theale Reservoir receptor site will be linked to other suitable habitat in the wider landscape. It would be necessary for habitats at both the on and off-site receptor sites to have been made suitable for slow-worms in advance of any translocation operations taking place. Clarification on the proposed effort and methodologies of the capture operation would also be beneficial, in order to ensure a sufficient resource has been allocated to the slow-worm mitigation strategy, since translocating such a large population could take several months of intensive effort.

#### **Section 5.2.4 (Assessment of effects: brown long-eared bats)**

The bat survey report provided in Appendix C indicates that the 'winter' survey visit was undertaken in March 2009 during a period of milder weather, and as such **should not** be treated as a fully valid survey result. Given that the use of the air raid shelter by brown long-eared bats was recorded by a member of the public (photograph from [www.savethebathroadreservoir.co.uk/gallery.html](http://www.savethebathroadreservoir.co.uk/gallery.html)), it would be appropriate to undertake additional winter survey work to confirm the use of this structure by hibernating bats, and to obtain robust survey data to inform any subsequent licence applications to Natural England.

## Wildlife

The wildlife area allocated is unrealistic since it is downhill from the run-off. In the event of flooding (which is more likely post-development) the wildlife would be significantly affected.

A Wildlife Report of the site undertaken by BBONT concludes the following about the site

*'This site is undoubtedly of significant value for wildlife [... ] the site is particularly valuable in having a large area of occasionally managed grassland that has been undisturbed over a long period. This is a rare habitat type in the Borough where destruction of this type of grassland is symptomatic of the fast developing town. Overall this site has a broad range of habitat types, and is especially marked by the quality of its old grassland'*

With regards to the 'Wildlife Link' the report fails to note that the site is in fact part of this Wildlife Corridor. It states that the railway line would not be affected by the proposed development, but makes no consideration of the area to the north east of the site that adjoins the railway embankment, and forms an integral part of this link, allowing wildlife to traverse the entire length of the site, from the railway line all the way to the edge of Bath Road. This is in direct conflict, therefore, to the Local Biodiversity Action Plan which states: *"Buffer zones" of land around, and suitable corridors linking, areas rich in diversity of species, are critical in conserving the potential for populations to expand and increase. As such, Reading Borough is important in holding a rich mosaic of land, rivers, water habitats and associated corridors for wildlife to use. Improving the quantity and location of these buffer zones and corridors will be reflected in increased diversity in the town as well as the surrounding areas. As Reading develops and changes in the future, incorporation of appropriately located buffer zones and corridors should create a more structured, linked and enhanced mosaic of habitats.'*

The proposed 'wildlife area' is to have a path running through it. No detail is given on the nature of this path, whether there will be controlled access, and the effect that its presence will have on the small amount of wildlife able to have survived there.

No consideration is given to the additional strain which would be put on wildlife by the introduction of pet cats and dogs belonging to new residents.

## Biodiversity

Both previous reports indicate and agree that the site is of 'district or county' level. None of the commissioned reports comments on how unique it is to have both these habitats and a variety of others in such close proximity and in an urban environment.

In recent years the Biodiversity agenda has become increasingly important. It has become 'mainstream' to everybody's activity and at the heart of policy-making and function. Reading is to be congratulated in having been active in this regard. Of course the duties are not just to *conserve* but to also *restore and enhance* habitats and populations of species. Further, decisions should be based on *up to date* and accurate information. From the above it can be seen that information appears to be selectively used.

Allied to this it is known that in urban situations existing habitats and wildlife populations have evolved on areas of land that have not been developed, have become fragmented often resulting in small populations in scattered locations. 'Buffer zones' of land, around suitable 'corridors', which link habitats and species populations, are *critical* in conserving, restoring and enhancing the potential for populations to survive and expand. As Reading develops – '*improving the quantity and locations of these buffer zones and corridors to provide structured, linked mosaics of suitable habitats*' - will determine the success of its biodiversity aims and of its ecological inheritance. This site acts as such a buffer zone along the railway corridor. It provides the potential and opportunity to conserve, restore and enhance the spread of species within the Borough, which could be so easily lost in such a built up area which is recognized as being deficient in open green space.

Section 4 of the Entec report refers to a number of policies to identify, conserve and improve biodiversity (South East Plan Policy NRM5; RBC LDF Policy CS36 a, Policy 38) issues and to protect wildlife links (RBC LDF Policy CS36c). The proposed development breaches these.

Both previous reports indicate and agree the site is of 'district or county' level importance. Is it likely to be rated as such following any development? The answer would obviously be no. This undermines the various claims about enhancements that are made in the Entec Report.

In terms of trees, the proposals indicate that hundreds of trees with their shrub layers will be removed from this site to allow development, yet on the illustrative plans only a fraction of these numbers will be replanted. This is a net loss and it will have a significant detrimental biodiversity and landscape impact.

Section 5.1.2 refers to the 'integrity' of each site – defined as the '*coherence of its ecological structure and function, across its whole area that enables it to sustain the habitat, complex of habitats and/ or the levels of populations of the species for which it was classified*'. The current focus of the present report on limited numbers of species and the woodland habitat is not in keeping with this. Neither is the tendency to minimise the losses of UK BAP priority species; Reading LBAP priority species; *nationally notable* species as is done in Sections 5.3 and 5.4.

Future baseline predictions would depend on management regimes whether the site is developed or not and hence the assumptions made in Section 5.4.2; 5.4.3; 5.4.4; 5.4.5 etc. are misleading.

It is evident that the more thoroughly the site is surveyed, the greater the richness of the biodiversity is revealed. The differing foci of the surveys reveal differing aspects. The Biospan (1998) survey had a greater focus on the mosaic of habitats (particularly the grassland) and revealed particularly interesting information about these, whilst the more recent ones were more focused around 'protected species' and have been weighted to support the potential development.

*'Biodiversity is a 'quality of life' indicator and is used to measure the success of the Community Strategy'*

## **Summary**

In summary it is evident from reading this ecological evaluation along with the previous ones, there is missing information and uncertainty around the species present on this site and the habitats they exist in. It has not been demonstrated what the full effect of the proposed development would be upon the integrity of the wildlife link and the nearby local wildlife areas, and neither has it been adequately recognised what the supporting function of this site may be to them. Allied to this is the duty on all areas of local authorities to embrace and promote biodiversity (which includes not only conservation but also restoration and enhancement). The claims that the development will enhance the biodiversity of the site are purely conjectural and based on unsatisfactory evidence. This means that the ecological evaluation is still incomplete and inadequate, especially for such a unique site with its mosaic of habitats in an urban area.

The DEFRA 'Guidance for Local Authorities on Implementing the Biodiversity Duty' states in its advice to local authorities: '*Government policy on biodiversity (such as the England Biodiversity Strategy) highlights that brownfield sites can be extraordinary*

*oases of wildlife, supporting BAP Priority and Red Data Book species as well as BAP habitats. They are valuable to invertebrates such as bumblebees, beetles and butterflies because they include a diversity of habitats now rare in the wider landscape'. This is certainly true in the case of this site.*

*Circular 02/99 – 'Environmental Impact Assessment', to which this EIA should have adhered, states: 'Consideration should be given to development which could have complex, long-term or irreversible impacts'. We would argue that the consideration given as to the long term and irreversible impacts of the proposed development has been wholly insufficient and inaccurate.*

With regards to ecology and biodiversity, the application is in direct conflict with many policies and acts, including but not limited to PPS 9 ('*to conserve, enhance and restore the diversity of England's wildlife*'); the South East Plan; the Council's Local Development Framework/Core Strategy ('*Value, protect and enhance the amount and diversity of habitat and wildlife and other contributors to natural diversity*'); the Reading and Berkshire Biodiversity Action Plans, the Open Spaces Strategy (which promotes the importance of preserving green open spaces and of '*conserving Reading's environmental endowment*'); the Natural Environment and Rural Communities Act ('*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'); the UK Wildlife and Countryside Act, and the European Habitats Directive (protection of brown long-eared bats).

## 4. FLOOD RISK ASSESSMENT

The introduction of this report states (Section 1.1.3) that ‘An initial Flood Risk Assessment (FRA) , based on an earlier planning layout was submitted to and approved by the Environment Agency in 2008’ and that ‘this FRA is based on a slightly amended layout and lower proposed ground levels’.

An examination of the letter from the Environment Agency in Appendix I, indicates that its acceptance was dependent on a number of conditions being met.

### **These include:**

The development permitted by this planning permission shall only be carried out ‘in accordance with the approved report, reference number S81 599/MKH/FRA001, prepared by jnp group consulting engineers and dated 6 November 2008’ and the following mitigation measures detailed within the FRA. This is not the same FRA: it is dated 31 July 2009 and is different in the ways indicated above. It has therefore not been accepted and approved by the Environment Agency.

The Environment Agency letter also indicates: ‘The applicant should confirm that the sewerage network can receive the increased flows as this will be a large increase to the sewerage loading. This is to prevent sewer flooding and to protect water quality’.

There is no confirmation in the FRA of this.

The Environment Agency also point out that from 6 April 2008 it became a legal requirement to have a site waste management plan (SWMP). Again, there is no evidence of one.

PPS25 states that those proposing particular developments are responsible for: ‘Assessment of whether any proposed development [...] will increase the flood risk elsewhere and the measures proposed to deal with these effects and risks.’

Section 4.1.1 (Existing Surface Water Run off Assessment) indicates that there is a 150mm diameter surface water sewer in Western Road. There is no evidence of any assessment about how this will be affected by the proposed development, the construction work or any subsequent changes in ground levels that occur.

Sections 4.2 and 4.3.3 indicate that it is proposed that surface water drainage will be into Sustainable urban drainage systems (SUDS) - soakaways or infiltration drainage. Where these are placed will have a significant effect on the moisture content of the surrounding area. No cross referencing has been done to indicate how this will affect

biodiversity, particularly trees. The position of soakaways is also going to be determined by the 'contamination' hotspots (4.3.4), not all of which have yet been identified (Section 14.2, 14.3 of the 'ground investigation and slope stability assessment report').

#### **Further information/discussion**

There is no evidence that this new report has been accepted by the Environment Agency or that the conditions set by the Environment Agency have been met.

## 5. LANDSCAPE AND VISUAL

### Overlooking

Residents of Bath Road, Petworth Court, Glenbeigh Terrace, Western Road and Brunswick Street would all suffer from significant overlooking from the proposed development.

The following features of the proposed plan will contribute to this:

1. The development will be raised above the level of the existing houses meaning ground floor windows will be looking into bedroom windows; this will be intrusive to residents and will have negative impacts on privacy and on their ability to enjoy their property.
2. The proposed distance from the new building is only 24 metres which is understood to be the legal minimal requirement. Given this lack of distance there will inevitably be a loss of privacy for a large number of local residents.

### Overbearing

The height of the proposed buildings, on an elevated platform, are 2.5, 3 and 4 storeys, and many of these are to be directly opposite terraced houses of a maximum of 2 storeys, and adjacent to houses built in the depression to the north of the site which are well below road level. In addition, although there are already questionable 3 storey houses in the area, these are all also **below** the level of the road. The outcome of this is that the proposed buildings would of a substantially greater height than all of the surrounding buildings and would therefore have significant overbearing effects on them.

### Overshadowing

The proposed development being raised above the existing ground level in addition to the significant difference in height will mean that existing properties will be overshadowed and therefore suffer from a loss of light. For example, Glenbeigh Terrace would be overshadowed in the morning, and Western Road from early evening. A full daylighting/visual impact assessment should have been undertaken and formed part of the submission.

### Loss of Outlook

Currently the view for many residents is that of grass slopes, trees and a woodland area, the general consensus on this being that this is considered to be a pleasant outlook. The

removal of this outlook and replacement of it with buildings would incur a degradation of the enjoyment of outlook for residents. Retention of the embankments would help preserve the outlook.

### **Skyline**

The proposed new development includes various heights of buildings, proposes loss of trees and removal of the embankments, all of which will have a significant detrimental effect on the skyline and visual landscape from all directions.

The proposed 3-storey buildings adjacent to Western Road and Glenbeigh Terrace will dominate the skyline and visual landscape from these two streets.

The tree-lined outlook and skyline from the West (including Southcote Road and Josephine, Trafalgar and Petworth Courts) will be changed significantly.

The skyline on the approach to the town centre from the Bath Road will also be altered, since the proposed 4-storey buildings will be visible behind the Water Tower and will therefore dominate it.

## **6. SUSTAINABILITY**

### **Introduction**

Reading Borough Council's adopted Core Strategy sets the requirement for attaining level 3 of the Code for Sustainable Homes (the Code) for all new residential properties. Furthermore there is likely to be a requirement for at least 10% of the development's baseline energy demand to be provided from a renewable source.

**Document:** Design and Access Statement

### **Discussion**

The sustainability aspects of the proposed development are set out within the Design and Access Statement, this section lacks a considerable amount of data and contains factually incorrect information that suggests that no real consideration to sustainable design and construction has been made and that the information presented is generic text from other sources.

No sustainability strategy has been prepared as part of the application. Even though the application is for outline planning permission there is still enough information available to prepare a robust sustainability statement. The information relating to sustainable design and construction provided in the Design and Access Statement (DAS) is generic and in many instances not applicable to the scheme.

The DAS recommends the potential for Ground Source Heating/Cooling and the use of waste heat (presumably in the form of Combined Heat and Power). Furthermore it proposes the potential of using energy from waste as part of a renewable energy strategy for the site. It appears that all of the above technologies have been suggested with no real regard to the actual development. As a quick overview all of them reveals that can easily be discounted:

### **Ground Source Heating/Cooling**

Ground Source Heat Pumps are at their most effective when there is an element of cooling involved. It is highly unlikely that the residential units will have any cooling demand and the cooling demand of the office block is likely to be too small to ensure the effective use of a Heat Pump. Horizontal Ground Source Heat Pumps are very space intensive and Vertical systems are often very costly and depend highly on the ground

conditions at the site. In addition the use of GSHP can lead to an increase in overall carbon emissions due to the introduction of an electrically driven pump.

### **Combined Heat and Power (CHP)**

For Combined Heat and Power (CHP) to work effectively there is a requirement for a constant heat demand. CHP units are most effective in applications such as swimming pools and hotels where this type of heat demand is present. The Residential units will not have a large heat demand (particularly as they will be built to level 3 of the Code for Sustainable Homes) in addition the office block will also have a minimal heat demand thus making CHP an unviable technology.

### **Energy from Waste**

The DAS states '*a target of using the calorific value of our waste as part of our renewable energy strategy*'. Energy from Waste (EfW) has the potential to be an effective way of reducing carbon emissions albeit the technology is still in its infancy and EfW schemes on a small domestic scale are unheard of. As a minimum for EfW to even begin to be considered a constant feed stream of appropriate grade waste would need to be identified and a detailed impact assessment would need to be conducted assessing the potential impact on areas such as transportation (i.e. deliveries), air quality (emissions from the stacks), noise and wider potential health concerns.

### **Summary**

A sustainability and low carbon energy statement containing a detailed renewable energy feasibility study and methodology setting out a compliance route for achieving level 3 of the Code for Sustainable Homes should be provided. The information submitted within the DAS is not applicable at the proposed development and should be revised completely so that it is relevant to the scheme. Even at outline planning stage there is still sufficient information available (alternatively robust assumptions can be made) to enable this work to be undertaken.

The outcome of this type of assessment can have a real influence on the design, layout and density of the development hence the reason why planning documents (notably the addendum to PPS1) urge that sustainability is addressed as early on in the design process as possible.

## 7. NOISE AND VIBRATION

A noise but no visual assessment has been submitted as part of this application.

Noise is covered by the Planning Policy Guidance 24: Planning and Noise, which states:

*'Noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities.'*

It continues:

*'It may be appropriate for local planning authorities to adopt policies to avoid potentially noisy developments in areas, which have remained relatively undisturbed by noise nuisance and are prized for their recreational and amenity value for this reason.'*

Residents of the area surrounding the Reservoir have chosen this area to live in because of its unique location – a peaceful neighbourhood with visually attractive open green space and the wildlife on it. Similarly the BUPA nursing home is adjacent to the site, and we understand special consideration should be applied in such cases.

The trees and the reservoir embankments act as a noise barrier, effectively shielding Western Road, Brunswick Street, Glenbeigh Terrace, Bellevue Terrace and Petworth Court from the noise of the busy Bath Road. The removal of these trees and embankments would cause even further noise disturbance to these streets.

*'The effect of noise on the enjoyment of other areas of landscape, wildlife and historic value should also be taken into account'*

The noise assessment submitted focuses solely on how the proposed development would be affected by surrounding noise and gives **no** consideration to the increase in noise which will inevitably be inflicted on the current residents of the surrounding area by the new development. Even with all the mitigating measures suggested there are still concerns about the noise levels. It should be remembered that the sound level within a residential building is not the only consideration: most residents will also expect a reasonable degree of peaceful enjoyment of their gardens and adjacent amenity areas.

Although we realise that developers are under no statutory obligation to offer noise protection measures to existing dwellings which will be affected by a proposed new noise source, planning departments have a role in this. Where intensification or change of use may result in greater intrusion, planning authorities can consider the use of appropriate conditions. This can be reflected in planning, design and distance separations. The original Planning Brief for this site suggested keeping the reservoir

embankments which would have helped, as could have setting the new buildings further back from existing residential properties.

It appears any considerations have been completely ignored by the proposed plan and hence they should be rejected.

The potential noise, vibration and nuisance that would be generated by any proposed decommissioning of the Site would be unbearable and would need to be extremely carefully regulated. Nothing suggested so far gives any confidence to residents that their concerns are being taken seriously.

The ecology report indicates that the dust generated by this proposed development would be likely to have an influence for approximately 500m surrounding the site. Many of the surrounding properties would be detrimentally affected in addition to the cost on human health, in an area already recognised having poor air quality.

## 8. AIR QUALITY

### Introduction

An Air Quality Assessment was undertaken by Entec UK Limited in July 2009. A review of this document has revealed that there are a number of concerns with the thoroughness of the assessment. Expert opinion suggests that the data provided within the report is insufficient and should be revised in more detail. This is based on the following points.

### Model verification

Section 5.1 (Overview) states that the Design Manual for Roads and Bridges screening model has been used to undertake the assessment and that verification of the model has not been undertaken due to the absence of representative monitoring sites in close proximity. Furthermore it states that verification can be ignored due to the 'conservative' nature of the DMRB model.

The above approach to the modelling is unsatisfactory. Whilst the DMRB screening model was designed to be conservative it is widely recognised that this is not the case especially in more complex urban areas. The argument that there is no nearby representative monitoring data is unacceptable, there are nitrogen dioxide diffusion tubes on Berkeley Avenue and on Castle Hill (with detailed traffic data for both sites). Alternatively it is acceptable to use a generic verification factor as highlighted by the recent research undertaken by Professor Duncan Laxen for the Institute of Air Quality Management (IAQM) on verification factors which can be accessed at the following location [http://www.iaqm.co.uk/text/Resources/Laxen\\_Model\\_Verification\\_Apr\\_09.pdf](http://www.iaqm.co.uk/text/Resources/Laxen_Model_Verification_Apr_09.pdf).

### Approach to modelling

Section 5.3 (Traffic data) contains Table 5.1 (DMRB Assessment Inputs) which specifies the input data used for the modelling.

The model does not include Berkeley Avenue or the railway line (both within the 200m criteria for assessment). Berkeley Avenue has a large volume of traffic plus the Local Air Quality Management (LAQM) work undertaken by Reading Borough Council (RBC) has shown the railway is a significant source of pollution as a result of the diesel trains.

The Berkeley Avenue/Bath Road junction is an extremely busy junction, within the model a figure of 47 km/hr has been used for the average speed this is totally unrepresentative of the actual situation. At peak times of the day a significant level of queuing takes place

outside the development site, the stop-start nature of the vehicle movements will have a far more considerable impact on air quality emissions than free flowing traffic.

Moreover, the assessment states the use of traffic data from the Department of Transport (DfT) a more accurate approach to assessment would involve using the traffic data presented within the Transport Assessment undertaken as part of the planning application.

### **Dust and PM<sub>10</sub>**

No consideration has been made with respect to dust and PM<sub>10</sub> emissions that will arise from the decommissioning process and construction activities. Dust and PM<sub>10</sub> can have a major adverse impact on humans and vegetation/surrounding ecosystem thus (in light of the size of the proposed development and nature of works) should be assessed in detail with an appropriate mitigation strategy provided.

### **Selection of receptors**

No existing dwellings were selected as receptors to be modelled. In addition, there is a Bupa nursing home adjacent to the site (Beacher Hall), residents of this home include elderly people many with respiratory problems i.e. those extremely vulnerable to air pollution.

### **Summary**

It is advised that the Air Quality Assessment is revised taking account of the above factors. To ensure an accurate representation of air quality at the site it would be sensible to use a dispersion model such as ADMS Roads.

## 9. ARBORICULTURE

### General comments

The Arboricultural Report (AR) submitted in support of the Planning Application has been studied in depth with the input of prominent Arboriculturalists and has been found to have very serious deficiencies in numerous areas.

The critique below will illustrate that the AR is out of date, inaccurate, has significant omissions and in many places is not in accordance with recommendations provided in 'British Standard (BS) 5837:2005 – Trees in relation to Construction.'

The AR for the revised planning application is almost identical to the previous one. No new surveys have been carried out – all survey data is taken from the previous AR, which uses reports carried out predominantly in June 2007, which has now led to a potential 2 year discrepancy in some of the results to the current time. This is particularly important in the case of trees as they are living, growing organisms and two years can make significant differences to their size and importance. The categorisation of trees in part depends on their diameter and this makes it important that results are current. To illustrate this point we would draw the reader's attention to the case of tree T4 (paragraph 4.2.3.) a 'street tree'. The report states that 'since it has a diameter of less than 150mm it has been classified as a C category tree and hence should not be a constraint to development'. The diameter of this tree is now, in fact, greater than 150mm when measured using the method outlined in BS 5837, which would upgrade its categorisation and hence its importance, making it a constraint. This constitutes a significant factual error, which is of particular concern since the proposed entry to the site hinges on its removal, and this application is focussed around 'access'.

This will be true of many of the trees that were surveyed some time ago. We note that the sizes of all the trees listed in Appendix B of this year's AR do not appear to have altered between July 2007 and July 2009, which would suggest that, unless they are all dead, that the survey contains outdated and therefore inaccurate data.

BS 5837 states that normally the Root Protection Area (RPA) is circular but that, where a tree intersects buildings or roads, it is acceptable for the shape of the RPA to be changed – as long as it still covers the same area. We note that the RPA of every single tree in the AR is circular. Not a single RPA has been adjusted to account for existing or proposed buildings and roads. The following RPAs intersect existing buildings or roads, which is in contravention of BS 5837:

T1, T2, T3, T4, T5, T6, T20, T24, T32, T36, T37 T59, T63, T64, T67, T69, T71, T72 and T73.

An existing site layout plan should have been submitted with the AR, showing the site as it exists now and including **all** trees on this site. This has not been done.

## **Section: 1 - Background**

Section 1.2 point 4 states that TPO tree T59 was re-inspected and confirmed to have fungal bracket – has the author supplied photographic evidence to confirm this? It goes on to state that internal decay detection should be carried out, but provides no guidelines for this detection – what sort of internal decay testing should this be? Will it be invasive or non-invasive?

Point 6 discusses the reduction of the banks within the RPAs of trees T64 – T69. Why reduce the bank levels within the RPA if the plan is then to stop if roots are found? If the site level plan is approved, then the bank level reduction will **not** stop regardless of what roots are found, and root damage will therefore occur.

Section 1.4 indicates that it is ‘expected’ that a detailed Landscape Scheme together with a Woodland Management Plan will be conditioned in any Planning Permission granted, however provides no basis for this claim. Although this report indicates principles of how these should be prepared there are no details of them. A detailed Landscape and Woodland Management Plan should not be an expectation but a *requirement* of any potential Planning Permission along with how it will be managed and policed. It is difficult to see how this could be done in an ‘outline’ planning application as it is possible changes will occur. If changes do occur they may affect issues such as root protection areas, canopy heights, pruning regimes and vice versa, thereby putting the future of the trees at risk and invalidating this AR.

Section 1.5 states that Mr Stephens has over 20 years relevant experience, however fails to specify in which field this experience lies. We would point out that although Mr Stephens has qualifications from the Royal Forestry Society, and is a member of the Arboricultural Society, his background lies predominantly within the landscaping and forestry area rather than an arboricultural one

Section 1.6 claims that this report has been prepared in accordance with the recommendations of BS 5837:2005 – this is however not the case. We would draw the reader’s attention to BS 5837 paragraph 4.2.1: ‘A tree survey should [...] record information about the trees on a site independently of and prior to any specific design for development’, and BS 5837 paragraph 4.2.3: ‘Whilst master plan proposals for the

*development of the site may be available, the trees should be considered without taking these into consideration.*' This AR makes no consideration whatsoever to the existing site layout and the entire report has been done with the proposed development in mind. The report is, therefore, **not** in accordance with the recommendations of BS 5837.

## **Section: 2 – Survey Details and Scope**

Paragraph 2.1 States that the site survey included trees '*within influencing distance*' yet offers no explanation of the author's understanding of 'influencing distance' or where this measurement comes from.

Paragraph 2.4 states that, for tree details added to the plan, '*positions are approximate*'. This is unacceptable and is wholly contradictory to BS 5837, which states: '*An accurately measured land survey (also known as a topographical survey) should be undertaken showing all relevant and existing site features*'. No mention is made anywhere of 'approximations' being acceptable. Instead of pacing distances we would expect the author to have used techniques such as GPS positioning and lasers. Without such accuracy it is hard to understand how such issues as root protection areas (RPA's) clearance heights, shade, pruning can be considered with any confidence. This is a high profile site with much public concern about what is being considered, and 'approximations' are not good enough. Without knowing accurately where trees are and how big they are it is difficult to have any real confidence in any of the tree protection measures. How can (BS 5.1, 5.2.1, 5.2.4, 5.3) '*Tree Constraint Plans*' (TCP's) with '*Root Protection Areas*' (RPA's) and their 'offsets' and above ground constraints be accurate if everything has been based on 'approximations'? BS 7.1 refers to the '*precise*' locations for erection of protective barriers and any other protection measures. Thus, it is clear in terms of the BS standards trees have not been accurately located or measured and there are serious implications arising from this - (BS section 6 – 'Certain trees are of such importance and sensitivity as to prevent development occurring or to substantially modify its design and layout').

Section 2.4 continues by discussing Protection Distances and Root Protection Areas (RPAs) – since the stem diameters are merely approximated we point out that these calculations are also only approximations and subject to inaccuracies. In addition, the AR states that the RPA should '*in most situations*' be fenced off. BS 5837 states that, in fact '*All trees which are being retained on site should be protected by barriers and or ground protection*' (Paragraph 9.1.1 BS 5837). To this we would add that generally, as part of the AR, an Arboricultural Methods Statement (AMS) should be submitted, which

would include the detailed protection methods to be used, and which again stress *precision*. This is notably absent.

This section contradicts itself since, on the one hand states that all measurements and positions are approximate, yet goes on to mention that the stem diameter was '*taken just above the root flare*' – was this taken, or was it in fact approximated?

Later in this section the AR states: '*Trees have been classified irrespective of the possible proximity to future construction*'. The possibility of future construction should, according to BS 5837, be irrelevant: '*This standard sets out to assist those concerned with trees in relation to construction to form balanced judgements. It does not set out to put arguments for or against development or for the removal or retention of trees.*'

### **Section: 3 – Survey Limitations**

Section 3.4 indicates that the AR has been done '*principally for planning purposes*', thereby indicating an assumption that permission has already been granted and that the design has already been agreed. This is once again contrary to BS 5837 which states that such reports should always be impartial: '*This standard sets out to assist those concerned with trees in relation to construction to form balanced judgements. It does not set out to put arguments for or against development or for the removal or retention of trees.*'

As a result of the above assumption, not all trees present on the site have been included. In Section 2.4 it states '*trees have been classified irrespective of the possible proximity to future construction*' which again is contradictory. The possibility of future construction should be irrelevant to the AR.

### **Section: 4 – Findings and Proposals**

Section 4.1 refers to high amenity value and specifically mentions Tree Protection Orders (TPO), yet no reference is made to the Horse Chestnut tree at the Glenbeigh Terrace (Northern) end of the site which is also protected by a TPO. This tree will be near a proposed road and hence its RPA is likely to be affected.

Section 4.2.2 states that the '*Levelling of the reservoir embankments makes it impossible to retain any trees currently growing on the embankments or in the central wooded area. However, there are no trees of any individual merit in the area...*'

Once again the AR is approaching the survey with the 'assumption' of consent that planning permission will be granted as requested. BS guidance 4.2.1 indicates that: '*A tree survey should record the trees on site independently of and prior to any specific*

*design for development*'. BS Guidance paragraph 4.5 states: *'It is essential that the trees are assessed objectively and without reference to site layout proposals'* This has not been done. As already illustrated, the AR makes several references to the proposed layout of the scheme and the perceived implications of this on the trees.

The site supports a substantial area of woodland not normally found in an urban area. Indeed the closest woodland of equivalent size is the woodland within Prospect Park, which is designated as a Wildlife Heritage site. To eliminate a large percentage of it without it even being surveyed seems irresponsible. It is not clear how the loss of it will effect the integrity of the wildlife link

Without any information about the trees in the disused back reservoir or on the embankments it is impossible to make any judgements their about potential importance

Furthermore according to sections 4.1.3 and 4.1.5 of the BS guidance, *'the land survey should include the location of all trees'* and *'the topographical survey should include all trees present, and certainly all those over 75mm stem diameter measured 1.5 metres above adjacent ground level'*. By choosing to ignore several dozen trees which meet the above specification in terms of stem diameter, this AR is once again at odds with BS 5837.

Additionally the inclusion of other relevant information e.g. shrub masses, drainage runs, spot heights of ground levels is also notably absent, as is information on trees adjacent to the development site.

Section 4.2.4 discusses the proposed removal of four trees. As we mention in the introduction, the information given as a justification for the removal of tree T.4 is incorrect. The young street tree was measured by an independent arboriculturalist upon our request, and it was ascertained that its diameter is now greater than 150mm. This means that it is in fact a Category A tree, and that any proposal to remove it to make way for a development should be called into question.

This section then recommends the removal of trees T8,T9 and T10 - which would be very convenient for the developer since this is where they wish to provision the office car parking spaces. Once again we question the independence of this report.

Section 4.3.1 refers to tree and root protection areas. 4.3.1 refers to the enclosed plan (Appendix A). It claims it shows the distances construction should be normally be kept back from a tree, to provide the RPA recommended in BS 5837. It has already been established the locations and dimensions are 'estimates' and not accurate and hence

anything based on them will not be accurate (again a contravention of the BS 5837 Guidance)

Section 4.3.2 discusses the acceptability 'to offset RPA's'. It then mentions how this has been done for trees T25, T49, T50 and T59. In the case of T59, however, the offsetting of the RPA has moved it into Glenbeigh Terrace – a tarmac road. It is not acceptable to move an RPA into a tarmac area.

It is likely that an Arboricultural Method Statement would be required for trees T24 and T25 if the BS Guidelines were followed.

The RPA for tree T20 appears to be in the footprint of a building (also unacceptable practise), and appears to extend over a tarmac or concrete area. The same appears to be the case for trees T36 and T37.

Section 4.3.3 refers to the location of Tree Protection Fencing and how it is shown in Appendix A. On the map the tree protection fencing does not appear to go around the RPA's. This is at odds with BS 5837 which states: '*All trees which are being retained on site should be protected by barriers and or ground protection*'

The positions of all the trees mentioned are 'estimated' and it is likely that some may require 'no dig' solutions. Again it is questionable if BS 5837 Guidance 11.3.3 and 11.3.4 have been complied with.

Section 4.3.4 claims that pollarding the tree (T64) will compensate for the root loss incurred by excavations within the RPA. Root loss inevitably leads to shoot loss; the effects are not always predictable, and could quite easily stress the tree, opening up opportunities for secondary diseases and decay enzymes, which leads to a decline in healthy and vitality and reduced life expectancy.

Section 4.3.5 refers to an Ash tree (T24). The advice given appears to contradict BS 5837 Guidance (section 5.2.1) which states: '*In order to avoid damage to the roots or rooting environment of retained trees, the RPA should be plotted around each of the category A, B and C trees. This is a minimum area in sq m which should be left undisturbed around each retained tree*'. Yet the no-dig solution appears to be right up against the trunk of the tree and the tree protection fence up against the main stem. Furthermore, no details are provided about the depth of the no-dig solution and no details are provided about the type or weight of plant machinery intended to be used on the site.

This paragraph goes on to state: '*crown reduction and lifting [...] will help maintain the root shoot balance if there is root damage*'. This is incorrect. Crown reducing a tree that has had root damage does not maintain 'root to leaf ratio', it reduces the size of the canopy and reduces the risk of root anchorage failure due to the reduction in the sail effect. A tree is a chain of equal parts that has established in equilibrium with its surrounds. The roots are required for the uptake of moisture and nutrients and the leaves are required to produce sugars. Anything that upsets that equilibrium will have a negative impact on the specimen, especially if mature. If this is a category C tree, why attempt to retain it with its roots severed and disfigured by a reduction for it to slowly die? If it is truly a category C tree, it should not pose a constraint on development and it should be removed and replaced with a specimen that can establish in the new environment

Both the Tree Protection Fencing and the RPA's (estimates) referred to in Section 4.3.6 appear to run through the Water Tower, the proposed extension to it, and the adjacent flats. It is not possible to erect Tree Protection Fencing through a building. The measures proposed here are therefore unacceptable, and suggest a lack of attention to detail.

Section 4.3.7 discusses reduction of the RPAs of certain trees, but fails to define the 'boundary height' it proposes to use as the baseline. Detailed drawings of current and proposed levels in profile form are notably absent. It states that the proposed work '*will be undertaken carefully by hand and will be stopped if significant roots from the protected trees are found*'. This is not possible – the bank is either being levelled or it isn't. The RPA not only indicates the likely presence of roots, it is the soil volume required to allow a tree to be retained. The majority of tree root are found in the top 600mm of soil so if planning permission is granted and the level plan is approved, the levels will be implemented regardless of whether roots are found, thus leading to a decline of the tree.

In addition, the author does not define his understanding of 'significant'. Guidance on this is provided in BS 5837 (section 11.3.5) that this definition is usually a measurement of diameter, but no reference is made to this guide. Once again the absence of AMS is tangible, and the wording illustrates a lack of attention to detail.

The revised AR has appended a sentence to the end of this paragraph in an attempt to address the risk to the roots of these trees: '*The Arboricultural Consultant should visit site while these works are in progress and report on findings*'. This is totally unacceptable. Supervision does not prevent root damage from happening. The

measures outlined in this paragraph are **not** an engineering solution and would severely jeopardise the health of these trees.

Section 4.3.8 refers to the design and construction material of the Protective Fencing. There is however no mention of '*pressure treated timber posts*' in the BS5837 Guidelines (Section 9.3 figure 2), which recommends only standard scaffold poles. Paragraph 4.3.10 recommends the wording to be used on the Tree Protection Fencing, but fails to recommend that the notices must be weatherproof (BS 5837 section 9.4.1)

Section 4.4 refers to the 'No-Dig Construction'. Again details such as these are more usually dealt with in an Arboricultural Method Statement (AMS), particularly on large, high-profile sites such as this one.

Section 4.4.2 mentions an '*inner perimeter*' yet this is not depicted in the drawing included as part of the AR.

In Section 4.4.3 which discusses the engineering details, no mention is made of ground levels prior to or after construction. Ground levels are a key part of arboricultural planning, so absence of this information again reflects a lack of attention to detail.

Section 4.5 deals with General measures. The guidance offered in Section 4.5.1 fails to provide the necessary detail as per BS 5837 Guidelines Sections 5.2.4 and 11.7.1 regarding the underground services and soakaways, which states: '*At all times where services are to pass within the RPA, details plans showing the proposed routeing should be drawn up in conjunction with an arboriculturist. Such plans should show the levels and access space needed for installing the services and be accompanied by an AMS*'

Paragraph 4.5.4 mentions landscape works, however once again does not provide the level of information normally expected in this type of survey. Section 12 of BS 5837 provides detail on landscaping measures, and this should have been referred to more thoroughly in this AR. Additionally we would remind the reader that a full Landscaping scheme should have been provided to show all proposed landscaping works within the RPAs.

Section 4.6 refers to Arboricultural Supervision. Paragraph 4.6.1 incorrectly states that a qualified Arboricultural Consultant '*should*' be retained for any potential development. A qualified Arboricultural Consultant **must** be retained, and this is not optional. In addition, they should be *impartial* and have the necessary experience and eye for detail that would be required for a site such as this where there are real concerns about ecological issues and a high public profile.

The limitations of the above-mentioned role as indicated in Section 4.6.1 are alarming. Any Arboricultural supervision would need to be an ongoing, schedule of phased inspections, tied into the development process from the period prior to any demolition, in the planning of the installation of roads, services, drainage and levels considerations, during construction and through to the landscaping and management phases. It should not be limited to the beginning of the development.

## **Section 5 – Landscape Strategy**

### **General comments**

The tree planting measures are completely unacceptable if not accompanied by an establishment maintenance plan. Simply putting trees of 25-30cm dbh or 30–35 dbh into the ground then simply walking away would result in the untimely death of all of these trees. An establishment maintenance program would typically include a visit once a week to weed tree pit, top up mulch, check and redo stakes and ties then administer 5 gallons of water in an irrigation system and 2 gallons on mulch for a duration of 2 years. Each site visit should also be recorded in detail to include tree health, required works, and date and time of visit for each tree. The initial costs are high but long-term it means the initial investment of stock is not lost.

This section discusses the planting of trees of sizes 25-30 dbh and 30-35 dbh, however both arboricultural consultants we discussed this with prefer to specify a maximum dbh of 12-14cm, since the bigger they are the more establishment maintenance they need. The amount of aftercare bigger trees needs make them impracticable to plant, unless they can be maintained daily, and this tends not to be possible on development sites

Paragraph 5.1 states that a detailed Landscape Scheme should be prepared – it should have formed part of the AR, and its absence constitutes another grave lack of detail in this report.

The trees suggested in Section 5.2 for planting on Western Road are substantial structural trees yet there is no accompanying guidance. The recommendations made in the BS5837 Guidance in Section 10 and particularly Section 10.1.3 should be adhered to: *'trees [...] may be planted in the future or self-seeded. Consideration should be given to this possibility by having foundations in accordance with Table 3 which will allow for reasonable future vegetation'* Furthermore, this Guidance needs to be borne in mind over the whole site and not just the Eastern border along Western Road. This is important when considering the present plan only shows 'indicative' positions. Looking

at the diagram the trees appear to have been scattered on haphazardly with no thought to future growth.

No sunlight and shade survey has been done. The juxtaposition of the retained trees and the proposed buildings appears to have been ill-thought out and would cause several of the buildings on the proposed development to be in shade for a large part of the day (The buildings near to tree T24 are one example of this).

The wildlife area and existing landscape buffer seem to be to the North east of the blocks, meaning the trees may have an impact on light levels and that aspect of the building would not receive direct sunlight for the majority of the day, which will lead to future requests for tree management, to the detriment of the natural form and retention of the specimens. This should have been considered in the AR and is stated in BS 5837: *'The relationship of windows to trees which may obstruct light should be taken into account. Excessive shading by trees should be avoided'*. It is not clear how the loss of the great number of trees would impact on the integrity of the wildlife corridor.

Section 5.4 states that the street tree which is to be lost will be replaced inside the development, however this is cannot possibly be the case – a street tree by its very name and location cannot possibly be replaced by a tree which is located within a development. A street tree is a publicly owned asset, not only in terms of visual amenity but also its value for pollution remediation and stormwater run-off. If its loss is to be considered then its value should be assessed using accepted arboricultural calculations and the developer should pay this value to the Council to fund the planting of an equivalent value street tree at a deserving location in Reading

Can the applicant confirm whether there will be parking under the proposed trees mentioned in this section? Limes are not good in developments or roads near cars, as they grow associated problems – aphids, honeydew lead to a need for excessive management. Is the planting/ open space to be adopted by the Council on completion or is it to be privately maintained?

Section 5.7: What depth and proximity is the root barrier and will its installation prevent root establishment, leading to eventual tree loss? It is not possible to plant a tree in a pot. What is the specification for the urban tree soil?

## **Section 6 – Woodland Management**

Once again the use of the conditional tense is highly inaccurate - a detailed management plan **must** be agreed to prior to construction. Where is this? We are not

aware one exists and whether if it did it would be compliant with any tree or woodland strategy that has been adopted by Reading Borough Council.

It is difficult to see how the aspirational claim of Section 6.1 and 6.2 to '*maintain and increase biodiversity, and to enhance the visual amenity of the area*' can be supported. According to Appendix A, the removal of embankments and hundreds of trees will be compensated merely by approximately 20 trees and lawn. Surely this is reducing footprint and taking away important habitat.

Section 6.1: Biodiversity is increased by maintaining and improving the natural flora and fauna of woodland based on its type, not by a token gesture of a few fruit trees.

Section 6.3 indicates a '*path through the woodland will be created*' but provides no detail about the sort of path this would be, whether it would be regularly used etc. Paths have RPA implications and these must be considered in any design and construction of them. Additionally the woodland is allegedly earmarked as a 'wildlife area' and thus one would assume would be fenced off or allow only controlled access in order to maintain the small amount of wildlife which would survive the development.

Section 6.4 indicates there will be clearing and replanting work undertaken. It seems the result will be a more formal area which is likely to be environmentally unsound. Furthermore this suggests that the woodland would be cleared and then replanted, which contradicts the Environmental Impact Assessment which states '*The habitats along the western and northern boundary of the site are to be retained*'

No description is given as to what sort of woodland section 6.4 refers to.

It is also worth noting that generally fruit trees are crowded out by the bigger trees – they prefer light and this is the reason that orchards are planted. Fruit trees are only realistic on the margins of the 'wood'

Section 6.5 indicates the plan will '*create appropriate management areas and provide recommendations for each area*'. There appears to be no mention of an overall plan which will be important in any visual landscaping impact that is created.

## **Section 7 - Conclusions**

The conclusions of this report – Section 7 - are minimal, are largely opinion and are not supported in any meaningful way by any evidence. Indeed the evidence appears to be the contrary.

The report and conclusions say nothing about the surrounding context which includes the '*recognised wildlife corridor along the railway embankment*' and nothing of the impact of the proposed tree removals or re-plantings. Trees play a significant role in any landscape informing the landscape character and visual amenity of an area, yet no mention is made of the overall landscape impact in the context of a 'landscape character appraisal' or in terms of visual amenity value.

### **Further information/discussion**

In conclusion, the reasons why this report is not adequate and hence why it can not support the planning permission applications submitted are as follows:

- It is not in accordance with the British Standard Guidance - *BS 5837:2005. Trees in Relation to Construction.*
- There are factual errors in the sizing and hence the classifications of trees.
- Many trees appear to have not been surveyed.
- Much of the information is dated.
- Much of the content has been based on 'estimates' rather than measurements and there has been a general inattention to detail.
- No separate Arboricultural Method Statements.
- No existing site layout plan.
- No relationship made to topographical survey.
- It has been formulated to support, rather than comment, on the application, thus accepting many prior assumptions. It is therefore biased.
- The conclusions are weak and make no reference to issues such as impact on landscape and visual amenity.

## 10. ARCHAEOLOGY

The site has been recognised as having archaeological value. According to the planning brief of 1996 and 1997, The Berkshire Site and Moment Records indicate that Neolithic flint implements, Roman pottery and coins have been found in the vicinity of the site, suggesting the possibility of Roman occupation.

The Adopted Core Strategy Document states, in paragraph 1.15, that '*Reading is an ancient town with over 1000 years of history, and contains a wealth of archaeology*' In addition, it refers to PPG 15 and PPG 16 to highlight the importance of protecting sites of archaeological value.

The planning brief clearly states that before any development takes place a full archaeological assessment will be required. This has still not been carried out.

## 11. HERITAGE

### Introduction

There is widespread agreement that there is a need to secure the future for the listed Water Tower and also the other ensemble features of historical and architectural interest on this site including the pump house, the wall and railings and the steps. The current proposals do not do this adequately.

**Document:** Historic Buildings Report

### Planning documents

PPG 15 - Note no.15 1994 (Planning and the Historic Environment)  
Reading Borough Council Local Plan

### General Comments

The above planning policy documents contain guidance on the protection of listed buildings and their settings, which does not appear to have been followed.

### Evidence

PPG 15 includes the statement *'The extent to which the proposed work would bring substantial benefits for the... economic regeneration of the area or the enhancement of its environment...'* The proposed development has failed to provide evidence of any enhancement to the environment.

Paragraph 2.16 of PPG 15 states that *'The setting is often an essential part of the building's character'*, and that the *'economic viability as well as the character of historic buildings may suffer, and that they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings'*

Paragraph 2.17 states that the setting of a building may often include land some distance from it, and continues: *'The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under consideration, ...A proposed high or bulky building might also affect the setting of a listed building some distance away, or alter views of a historic skyline.'*

The Water Tower is a structure of strong symmetrical form. It is hard to understand how an unsympathetic oblong extension to its back can be justified, nor how the proposed glass roof be thought of as enhancement. From three out of four aspects the symmetry will be lost. Furthermore, there appears to have been no effort to even match the window shapes. PPG15 states that '*in considering any alteration or extension....it is essential to assess the elements that make up the special interest of the building in question*'.

The Adopted Core Strategy document (paragraph 1.15) confirms the high esteem in which heritage is held: '*The historic environment has been, and is, important in forming the identity of the town and its people. The historic environment – all the archaeology, buildings and landscapes that surround us – contributes to the underlying framework that creates a sense of place for Reading.*'

Paragraph 11.3 states that '*Planning policy must reconcile the need for development with the need to protect the natural and historic environment*'

### **RBC Local Development Framework and Local Plan**

Policy CS33 of the Core Strategy states that planning permission will only be granted where development has no adverse impact on historic assets and their settings.

Saved Policy CUD4 deals with the settings of listed buildings. It states that the council will '*seek to preserve or enhance the setting of listed buildings by appropriate control over the design of new developments in their vicinity, control over the use of adjacent land and where appropriate by the preservation of trees and landscape features*'.

RBC Local Plan Framework saved Policy CUD 2 indicates that alterations and extensions of a listed building would only be considered in '*exceptional circumstances*'. The desire to sell the site for redevelopment does not constitute an exceptional circumstance.

The Historic Buildings Report states rather misleadingly that discussions were held with English Heritage regarding the effect of redevelopment on the setting of the Water Tower (paragraph 6.2). This is in fact false – English Heritage were only consulted on the **previous** proposals of 2008, and only commented on proposed works to the Water Tower building itself, **not** the building's setting. They have made no comment at all on the current application.

The only other justification given in the Historic Buildings Report as to why the impact to the setting of the Water Tower would be limited is that an extension has been added to

the adjacent listed building (42, Bath Rd). This is however of no relevance – the fact that building work has been carried out on an adjacent building is not a justification to alter the Water Tower in such an adverse manner.

It is ironic that the development on the site has been ‘pushed back to the rear’ to preserve the frontage. Yet at the same time we are informed a large proportion of the front wall and railings are being removed to provide access to the site and that the reservoir embankment with its steps which form the backdrop to the water tower and pump house are to be lost. A degree of selective ‘blindness’ appears to be operating.

### **Planning statement**

Section 4 of the planning statement claims that there has been an engagement (Planning Statement 4) with the public, local residents and other interested groups, and that their views have been taken into account. This is very misleading as there is huge public opposition to this scheme

### **Further information/discussion**

All in all, the Council recognises the importance that historic buildings play in nurturing a strong sense of identity and pride in our home town, and is clearly committed to ensuring the careful preservation of listed buildings, which we applaud. Both local and national guidelines stress that the safeguarding of the setting of any listed building is a material consideration in the exercise of control of development. The supporting policy documents confirm in numerous places that when considering the future of a listed building, its whole ensemble must be taken into account. The Historic Buildings report also acknowledges this. Since the only two justifications contained in the Historic Buildings Report as to why alterations to the setting of the Water Tower is acceptable are both fundamentally flawed or untrue, it can therefore be assumed that the key views of the site from the Bath Road frontage comprise **all** elements within view, which are not only the Water Tower itself but the pump house, the attractive backdrop of the reservoir embankment and the trees growing adjacent to and on the embankment. Any alterations to this view including the removal of the embankment would, therefore, risk damaging the setting of the Water Tower, and would therefore be a contravention of the recommendations made in PPG15, and of the commitments made by the Council in the Core Strategy.

## 12. DECOMMISSIONING

### 12.1 DECOMMISSIONING STATEMENT

- Section 3.1, The health and safety issues raised are inadequate and do not appear to justify the need to flatten the whole site: issues listed are:
  - *Steep grassy slopes*
  - *Deep chambers*
  - *Air raid shelter*
  - *Overgrown vegetation*
  - *Derelict buildings*

These are not sufficiently severe to justify the rather drastic measures proposed.

- Section 3.2 – Environmental Impact. The report acknowledges that noise, vibration and dust is likely to affect demolition workers, the public, traffic and the environment yet avoids any explanation as to how this would be mitigated. We would expect at least an outline of the ‘construction management’ scheme mentioned in this section to be included as part of the application. This should have included constraints to ensure that damage to the surrounding area is kept at a minimum in terms of noise, dust, traffic and wildlife, for example restricting working hours to weekdays starting no earlier than 8am, breaking up the concrete off-site, dust mitigation measures.
- Section 3.4 – Sustainability. The report states that materials are to be re-used where possible, yet provides no detail on this. Again, we would have expected details on how this re-use is envisaged. The inclusion of ‘as far as is reasonably practicable’ is also somewhat of a get-out clause, meaning that the ‘Works’ may end up re-using none of the materials. By providing no details with regards to how the ‘Works’ will adhere to sustainability criteria, this statement is hollow and unsubstantiated.
- Section 4.1 – Site Access. The report confirms that the bus lane along the Bath Road will be impacted by the decommissioning process, and provides no mitigation measures. Effectively then it concludes that public transport along a major artery road into central Reading will be disrupted. This bus lane services five bus routes (1, 2, 3, 26 and 28). The number 28 (Calcot to Central Reading)

is the busiest of these buses, and runs approximately every 10 minutes at peak times. During the morning rush hour this bus is always at or almost at capacity by the time it reaches the bus stop outside the Reservoir. If the morning rush hour is taken to be between the hours of 7.30 and 9am, and the number 28 is a standard double decker bus, this means that before the new development is even built it has the potential to cause disruption to the journey to work for approximately 630 people every single weekday.

Furthermore, the report states '*the rear entrance (off Western Road) is unsuitable for use by all but the lightest of traffic and plant due to the very narrow and residential road that serve it*'. We would argue that this entrance is unsuitable for **any** traffic – Western Road is a tiny, ill-equipped street; cars park all the way along the section of it that adjoins the reservoir (which also means that the entrance gate is not accessible – no mention is made of how this will be catered for) and drivers have no choice but to use the pavement as well as what little of the road is available in order to drive up or down the street; at no point is the width of the road wide enough for two cars to pass, meaning that when two cars do need to pass in opposite directions, much elaborate reversing needs to be done by one of the drivers; the road is particularly unpopular with supermarket delivery vans, and a clipped wing mirror every so often for car owners of this street is a given. The entrance via the rear gate is mentioned, but not the exit – which way would vehicles turn when exiting from the Western Road gate? Neither option is particularly viable. The wall at the northern end of Brunswick Street means this section of the street is very narrow, and particularly restrictive when turning right into it – see Figure 1:



Figure 1 - Brunswick St

To exit along Western Road would be no less tricky, due to the requirement to use the pavement as part of the road, and the risk of encountering a driver who wants to go in the opposite direction. Any further intensification of the use of this street would be crippling. Figure 2 shows the view of Western Road from the Southern end:



**Figure 2 - Western Road**

Exit across the Bath Road bus lane would be mandatory since Brunswick Street is one-way (this fact also appears to have been overlooked), meaning that **all** construction traffic (not just that using the front Bath Road entrance) would impact the bus lane (as well as the rest of the traffic along this busy road, which also appears to have been overlooked).

- Section 6.1 – Slope Stability. Item 6.1.2 concludes the following: *‘the slopes are likely to remain stable in the short and long term’*. This suggests that all claims made by Thames Water regarding the unsafe nature of the embankments are merely a marketing exercise and are wholly unfounded
- Embankments: Section 6.3 - Public Amenity and Health & Safety, and conclusion refer to the slope being used by pedestrians, however it has always been understood (as per the Planning Brief of 1997) that the embankments would be used for separation purposed and not for public access.
- Air Raid shelter: Items 6.3.2 and the conclusion state that the air raid shelter is a health and safety hazard, however they fail to back up this claim with an explanation or any proof

- Northern Reservoir: Sections 6.4, 7.2 and the conclusion state that the southern embankment of the northern reservoir would need to be removed in order for the decommissioning work to take place on the southern reservoir. No mention is made at any point in the report that this would then give rise to a requirement to remove the other 3 embankments of the northern reservoir and suggests therefore that their retention is feasible. This conclusion also undermines claims made by Thames Water that the removal of the southern reservoir would render the northern reservoir embankments unstable.

## 12.2 GROUND INVESTIGATION AND SLOPE STABILITY REPORT

Section 8 – Stability: The final paragraph of this section concludes:

*'The slope stability analysis indicates that the slopes of the northern reservoir are stable and are likely to remain so in the long term'*

Section 17 (Conclusions) goes on to re-state this.

The Conclusion also indicates that there are potentially contaminants on site whose locations have not been identified through testing. These will have major implications for any groundwater drainage requirements.

### **13. CHARACTER**

The character of the area is mainly cottage-style 2-storey brick built Victorian terrace houses, along with a sensitively restored character building along the Bath Road. According to the development principles outlined on the Planning Brief (paragraph 5.2), any development should be in keeping with the character of the area, and therefore buildings of a similar style, maintaining the distinctive brick architecture traditionally used in the Reading area, would be more appropriate. The proposed development is entirely out of character with the neighbouring streets.

The community of Western Road and its neighbouring streets has an almost village-like quality, which is rare in the centre of a large urban area such as Reading. People know one another by sight, strangers are rare and children play together in the road. No 'Neighbourhood Watch' scheme exists, nor is it felt necessary, as the principles are upheld without a need for a formal scheme. It is difficult to describe this intangible characteristic, which we believe contributes greatly to the popularity of the area and the quality of life of its residents. This character, we believe, derives directly from the fact that the streets in this area are quiet and are effectively isolated and unknown, despite being located close to the town centre. The reservoir embankments absorb much of the noise from the Bath Road, and the narrowness of the surrounding streets mean there is little through-traffic. The proposed development would, in removing the embankments and giving rise to through-traffic along Brunswick Street/Western Road, have no respect for this sense of community, and would lead to the absorption of the area into seamless housing development.

## 14. CONCLUSIONS

The Bath Road reservoir site was listed in the Reading 2000 Local Plan as a potential site for development. This list was in order of priority, and the site was number 94 out of 94. A new version of this plan is currently being developed and this site is amongst a number of sites that have been part of a public consultation around site allocation. The results of this consultation will be published in early 2010. Until then, it is unclear if it will continue to remain on a list of sites suitable for development.

Only last week (9<sup>th</sup> September), the Audit Commission stated that councils are *'putting too much emphasis on new build housing and not enough on upgrading existing stock'* (<http://www.insidehousing.co.uk/story.aspx?storycode=6506264>). It says *'improving existing homes could save money, help the environment and have social benefits'*. The Empty Homes Agency estimates that there are more than 840,000 empty homes in Britain. That's almost 4% of our total housing stock. And even the Federation of Master Builders put the number of empty houses in the UK at around 700,000. So there's no shortage of houses here. Instead, on the face of it, there is actually a good degree of oversupply in the UK market.

All of this makes it essential that any sites selected for development, should be of little sustainable value (i.e. from an economic, social and environmental perspective) ideally decrepit, hard-landscaped areas in need of regeneration not redevelopment. The Bath Road Reservoir site clearly does not come under this description. Which is just one of the reasons why the application submitted by Thames Water contravenes **many** key planning considerations including those contained in the Core Strategy, the Planning Brief for the Site itself, and many elements in the relevant policy guidance (PPG) documents and Planning Policy Statements.

Moreover, the application fails to take into account numerous key issues - the biodiversity and ecology issues remain unresolved; the Transport Assessment has alarmingly neglected to incorporate and assess realistic present and future traffic information; and the Arboricultural Report contains factually incorrect information. The remainder of the supporting documentation contains inaccurate or inconsistent information. To conclude, in its current form, the proposal and associated planning application is still wholly unacceptable, ignores the views of Reading's people, political and Council representatives, and provides a deficient assessment of the true negative impact that the proposed development would have. It is on this basis that we urge the Council to reject it.