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BATH ROAD RESERVOIR SITE

Dear David

Many thanks for taking the time to meet with us this week to discuss the Bath Road Reservoir site.

Further to our meeting, as suggested, we are writing to discuss the reasons for which we feel that the above site is a candidate for an Environmental Impact Assessment, and to record our opposition to Reading Borough Council's decision that an Environmental Statement will not be required as part of the planning application for the above site.

We believe that this decision was made when the Council was not in possession of all of the evidence necessary to adequately determine the full environmental impact that development on this site would incur. We hope to draw your attention to a number of key points which we feel were not highlighted in Broadway Malyan's 'screening opinion' request dated 7th November 2007, and hope that this will encourage the Council to review its decision.

We refer primarily to Circular 02/99 - '*Environmental Impact Assessment*'. We also refer to the following documents/correspondence:

- The BBONT Wildlife Report on the site in 1988 entitled '*Nature Conservation Value and Management*'
- The Reading Biodiversity Action Plan (L-BAP)
- The DEFRA '*Guidance for Local Authorities on Implementing the Biodiversity Duty*'
- The Reading Open Spaces Strategy (OSS)
- The English Heritage March 2007 leaflet entitled '*Listed Buildings*'
- The UNESCO 2000 Earth Charter

- The screening opinion request by Broadway Malyan dated 7th November 2007 and the subsequent response from Reading Borough Council dated 14th January 2008.

Beginning at paragraph 31 of the Circular, we quote:

'...there may be circumstances in which such small developments might give rise to significant environmental effects'

To comment on this we would refer you to the BBONT Wildlife Report which concludes the following:

'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'

Moving on to Paragraph 32, the Circular states the following:

'In each case, the basic question to be asked is "Would this particular development be likely to have significant effects on the environment?"'

To answer this we would refer you again to the above report, and to the remaining evidence which we provide in this letter. We hope that you will agree with us in our conclusion that development on this site would indeed have significant detrimental effects on the environment.

Paragraph 33b States that EIA is necessary in the following cases:

' for developments which are proposed for particularly environmentally sensitive or vulnerable locations'

The L-BAP states that: *'As Reading continues to undergo development, many habitats and species are being adversely affected both by the loss of land and older buildings, but also by the materials and form of land or building management afterwards.'*

This site, as already confirmed by the BBONT Wildlife Report, currently supports a diverse range of wildlife and is an example of an important habitat which would be lost if development was permitted, therefore making it a vulnerable location.

We add to this point with the fact that the site contains a Grade II listed building. The

very nature of including a building in a list of ones which are of '*special architectural or historic interest*' is to recognise their relevance to England's architectural inheritance and thereby ensure that their architectural and historic interest is protected. We quote from English Heritage's March 1997 leaflet entitled '*Listed Buildings*':

'Historic buildings are a precious and finite asset, and powerful reminders to us of the work and way of life of earlier generations. The richness of this country's architectural heritage plays an influential part in our sense of national and regional identity.'

Furthermore the site also contains an oak tree to the north-west which is covered by a TPO (Tree Protection Order), and the very nature of placing a TPO on a tree is again for protection purposes, thereby adding to the vulnerable status of this site.

We would add to this point by quoting the English dictionary's definition of "vulnerable" as being '*that which is open to attack and capture because of lack of protection*' therefore it stands to reason that a site containing 'protection' orders is vulnerable.

Moving on to paragraph 34, we see the following:

'It should not be assumed that conformity with a development plan rules out the need for EIA'

The BBONT report suggests that *any* development to the site would have significant detrimental effects to the environment. Therefore, the fact that this site was included in the 1998 adopted Reading Local Plan as "suitable for residential development for circa 80 dwellings" should not in *any* way rule out the necessity for a full EIA.

Turning next to Paragraph 36, we note the following:

'The relationship between a proposed development and its location is a crucial consideration'

To this we would make the following comments:

- The proposed development adjoins the sensitive area of landscape abutting the railway line, which is an acknowledged 'green corridor' and an important wildlife area. Any development next to this area is therefore likely to have a detrimental impact on the wildlife and vegetation currently resident there
- The OSS clearly states that there is a lack of green space in the vicinity of RG1. This is the last sizeable green space in this area, making any proposed development on it far more critical.

- The site adjoins the Castle Hill/Russell Street junction which is in a designated AQMA (Air Quality Management Area)

Of further significance we move onto paragraphs 39 and 40. Paragraph 39:

'In certain cases other statutory and non-statutory designations which are not included in the definition of 'sensitive areas', but which are nonetheless environmentally sensitive, may also be relevant in determining whether EIA is required. Where relevant, Local Biodiversity Action Plans will be of assistance in determining the sensitivity of a location. Urban locations may also be considered sensitive as a result of their heavier concentrations of population.'

This Paragraph allows for sites which do not expressly fall into the strict definition of 'sensitive area'. We feel that this site falls into this category.

As suggested in the above paragraph, we refer you to The L-BAP 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 site is located amidst a densely populated urban area and as mentioned already, an area already acknowledged for having a lack of green space, therefore in a wider definition of the term, the site is most certainly environmentally sensitive.

We also refer you to the OSS which states that one of the Council's key aims is to *"Safeguard Reading's environmental endowment"* and suggest that, by not demanding an Environmental Statement for this site, the Council may not be fulfilling this duty.

Paragraph 40 states:

*'In considering the sensitivity of a particular location, regard should also be had to whether any national or internationally agreed environmental standards are already being approached or exceeded. An example is where a proposed development might affect air quality in a **designated Air Quality Management Area**. Where there are local standards (for bathing water for example) consideration should be given to whether the proposed development*

would affect the standards or levels in those plans.'

The site is adjacent to an AQMA and as such, the introduction of additional traffic/noise/emissions would have a substantial impact on the air quality.

The DEFRA Guidance document states in its advice to Local Authorities:

'While there is a presumption in favour of development on brownfield sites, it is important to note that these may be important for Biodiversity.'

It then goes on to provide more detailed information on Brownfield sites:

'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'

Of particular significance, we also quote:

'Incredibly, brownfield sites support as many rare species as ancient woodland;'

It therefore stands to reason that this site is likely to be of significant value from a biodiversity point of view.

The DEFRA document also provides another key point in its discussion on Local Biodiversity policies and LNRs:

'Local Nature Reserves (LNRs) are places with wildlife or geological features that are of special interest locally. They are designated for both wildlife and people and offer opportunities to study, learn about or simply enjoy nature. There are now 1260 LNRs in England, ranging from windswept coastal headlands and ancient woodlands to brownfield sites in urban areas..... The Audit Commission's Library of Local Indicators for England and Wales suggests that there should be 1 hectare of LNR per 1000 head of population in a local authority's area.'

Reading does not meet the above LNR criteria, and therefore although this site is not a designated LNR, the removal of yet another 'green lung' within a town already deficient in wildlife areas (as per the above national guidelines) would again serve to the detriment of the town as a whole as well as the immediately surrounding area.

(We digress temporarily to suggest that the reservoir site could be designated as an LNR to address this deficiency)

Protecting this important site would also be in line with the OSS findings that:

'There is general agreement that green spaces make Reading a nicer place in which to live.'

Returning to the circular, we next quote paragraph 41:

'Consideration should be given to development which could have complex, long-term or irreversible impacts'

This site contains a Grade II Listed Building; the redevelopment of a site containing a listed building is always more likely to be complex, given the requirement to carefully preserve such a part of England's architectural and historic interest.

Additionally, the destruction of a 150 year-old area of semi-natural grassland rich in biodiversity is an irreversible action and, we would argue, would inevitably have long-term impacts.

Paragraph 43 states:

'Given....the importance of location in determining whether significant effects on the environment are likely, it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not EIA is required. The question must be considered on a case-by-case basis'

To this we comment that this site is not a typical brownfield site; it is a part of our (as local residents) cultural heritage, as well as being an environmentally sensitive area and as such, in this case, is entirely deserving of a full EIA before any development plans should be considered.

Finally, paragraph 44 states:

'It should not be presumed that developments falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Equally, developments which exceed the thresholds will not in every case require assessment. The fundamental test to be applied in each case is whether that particular type of development and its specific impacts are likely, in that particular location, to result in significant effects on the environment. It follows that the thresholds should only be used in conjunction with the general guidance, and particularly that relating to environmentally sensitive locations'

We would comment that, in this particular location, any development would almost certainly give rise to significant, and irreversible, effects on the environment.

We draw your attention to the preamble of the 2000 Earth Charter, drawn up by the Commissioners at UNESCO HQ in Paris which states:

'The resilience of the community of life and the well-being of humanity depend upon preserving a variety of plants and animals, fertile soils, pure waters and clean air.....The protection of Earth's vitality, diversity and beauty is a sacred trust'

And we argue that any development on this site is likely to detrimentally affect the community of life in this area, including the variety of plants/soils, and the pureness of the air.

Moving on to Annex A of the Circular - *'Indicative Thresholds and Criteria for identification of a Schedule 2 Development requiring EIA'*, paragraph 18 states:

'In addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.'

We would comment as follows:

- The air quality in this area is notably poor already, to the extent that it borders an AQMA, and any additional development would inevitably reduce it further
- The Bath Road already suffers severe traffic congestion, and the introduction of a new development would serve to further compound this problem
- Given that this site currently has no development on it at all, any development would therefore be on a significantly greater scale.

We also quote paragraph A19:

'Development proposed for sites which have not previously been intensively developed are more likely to require EIA if....the development would have significant urbanising effects in a previously non urbanised area (e.g. a new development of more than 1,000 dwellings).'

The proposed development would not be of more than 1,000 dwellings however it would have significant urbanising effects in an area known for its special character. The community of Western Road/Brunswick Street/Glenbeigh Terrace has an almost village-like quality afforded to it by the relative isolation provided by the reservoir site despite this area being close to the town centre: 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. Any proposed development has the potential to destroy this strong sense of community, and risks absorbing the area into another seamless

housing development.

We also draw your attention to Heading 2 of Annex B - '*Selection Criteria for Screening Schedule 2 Development*':

'Location of Development

The environmental sensitivity of geographical areas likely to be affected by development must be considered, having regard, in particular, to-

- a. the existing land use;*
- b. the relative abundance, quality and regenerative capacity of natural resources in the area;*
- c. the absorption capacity of the natural environment, paying particular attention to the following areas -*
 - vi. areas in which the environmental quality standards laid down in Community legislation have already been exceeded;*
 - vii. densely populated areas;*
 - viii. landscapes of historical, cultural or archaeological significance.*

To point *vi* we would comment that being adjacent to an AQMA, this site is inevitably of a highly sensitive nature. Additionally, as previously mentioned, this is the only sizable undeveloped green area in RG1 and, as previously mentioned, the OSS indicates that the RG1 area is already lacking green spaces.

To point *vii* we would remind you of the already densely populated status of this area

To point *viii* we would comment that, boasting a listed building and an oak tree under a TPO, this site is of highly significant historical and cultural significance. Additionally given its age (150 years) it is highly likely to also be of archeological significance.

Finally we quote from Heading 3:

'Characteristics of the potential impact

The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to-

....e) the duration, frequency and reversibility of the impact.'

We would comment that any development on this environmentally valuable site would have irreversible effects on the environment, for reasons previously discussed in this letter.

As a final comment, we note that the opinions expressed in Broadway Malyan's letter dated 7 November 2007 are not backed up by any evidence and are contradicted by the evidence provided in the BBONT Wildlife Report to which we make reference.

In the light of all the information contained in this letter we ask you to consider paragraph 66 of the Circular:

'There may, exceptionally, be cases where an opinion has been given that EIA is not required for a proposed development, but it subsequently becomes evident....that it is nevertheless an EIA application.'

We would suggest that, when taking into consideration all of the evidence, which includes the reports from L-BAP, DEFRA, BBONT, English Heritage and the OSS, as well as the Circular 02/99, this site should indeed be one for which a full EIA should be carried out as part of a planning application, and we implore you to reconsider your decision.

We look forward to hearing from you,

Yours sincerely

Mel Woodward (on behalf of the Save the Bath Road Reservoir committee)

CC
Justin Turvey
Martin Salter
Paul Gittings