



SAVE THE BATH ROAD RESERVOIR

OBJECTION STATEMENT IN RELATION TO:

PLANNING APPLICATION REFERENCE NUMBERS:

- 08/01104/OUT
- 08/01106/LBC

AUTHORS: SAVE THE BATH ROAD RESERVOIR COMMITTEE

DATE: OCTOBER 2008

TABLE OF CONTENTS

1.	INTRODUCTION.....	5
2.	PLANNING CONTEXT	6
3.	TRANSPORT AND ACCESS	11
4.	ECOLOGY AND BIODIVERSITY	16
5.	FLOODRISK AND WATER RESOURCES	23
6.	LANDSCAPE AND VISUAL	24
7.	SUSTAINABILITY	26
8.	NOISE AND VIBRATION.....	27
9.	AIR QUALITY	28
10.	ARBORICULTURE	29
11.	ARCHAEOLOGY	30
12.	HERITAGE	31
13.	OTHER RELATED ISSUES.....	34
14.	CONCLUSIONS.....	36

EXECUTIVE SUMMARY

A comprehensive analysis of the planning applications 08/01104/OUT and 08/01106/LBC has been undertaken by a consortium of consultants and experts. These applications relate to the proposed redevelopment of the Bath Road Reservoir site. This document sets out the findings of the analysis and presents a multitude of reasons recommending why the planning application should be refused.

Many aspects of the planning statement and supporting documents are insufficient in detail to demonstrate that a thorough impact assessment of the proposed development has been undertaken. Furthermore, many assumptions and assessment methodologies followed are contradictory to that dictated by planning policy. It is on this basis that planning permission should be refused.

This document provides a detailed overview of the key areas of opposition and their relationship in a planning context.

As a summary the following areas have been identified for basis of refusal:

Planning context

- Contradiction of 1997 planning brief;
- Ignorance of guidance and policies set in principal planning documents.

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 inadequate and inconsistent with the previous evaluation undertaken in 1998;
- 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

- No consideration of Planning Policy Statement 25 (Development and Flood Risk), indication of flood risk or drainage strategy.

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.

Sustainability

- No consideration of supplement to Planning Policy Statement 1 (Planning and Climate Change);
- Insufficient information regarding attainment of Level 3 Rating under the Code for Sustainable Homes.

Heritage

- Listed buildings – The changes to the listed building and their setting are insensitive and inappropriate.

Other

- 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
- 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, and in addition shows signs of having been inadequately carried out.

1. INTRODUCTION

This document is an opposition statement to the recently submitted planning applications (08/01104/OUT and 08/01106/LBC) relating to the proposed redevelopment of the Bath Road reservoir site.

Independent consultants and experts were commissioned to critique the applications and as such have found several key areas that are contradictory to planning policy or where insufficient data has been provided. On this basis refusal of planning permission is urged.

For clarity each fundamental planning aspect has been presented as a separate section.

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 notably absent.

General comments

The planning statement and design and access statement are brief and have weakly addressed and/or omitted fundamental aspects of planning policy.

i) Reasons for refusal: 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's no evidence of this;
- Where possible the embankments should be retained;
- A noise survey was recommended due to the railway, this has not been completed (See section 8 'Noise and Vibration');
- An Archaeological Assessment should be carried out

Further information/discussion

The planning brief for the site recommends approximately 80 units, therefore 101 units and 9000 square foot office conversion of the listed water tower would be a significant overdevelopment of the site.

Reading Borough Council's *Adopted Core Strategy* (January 2008) highlights a need for houses as opposed to apartments, the planning statement recognises and then

contradicts this as the development proposal is for 43 apartments (approximately 42% of the overall number of units).

ii) Reasons for refusal: 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 makes no reference to and more importantly no consideration of its 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 or where 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.

iii) Reasons for refusal: Failure to address material planning considerations

Application Document: Planning Statement

Section: 6 – *Planning Policy Framework*

Evidence

No consideration has been made to PPS25 ('Development and Flood Risk')

PPS25 sets out the key components of planning strategies that help to deliver sustainable development which include appraising risk, managing risk, reducing risk

(including through layout and design, and through using opportunities offered by new development to reduce the causes and impacts of flooding), and a partnership approach working with key stakeholders including the Environment Agency.

In terms of decision-making principles, it states amongst other things that local planning authorities should consider flood risk alongside other spatial planning issues such as transport, housing, economic growth, natural resources, regeneration, biodiversity, the historic environment and the management of other hazards, and policies should be integrated effectively with other strategies of material significance such as Regional Economic Strategies.

PPS25 states that preference should be given to locating new development in Flood Zone 1 and requires a sequential approach to the location of development. PPS25 states that if, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, the Exception Test can be applied. The Exception Test provides a method of managing flood risk while still allowing necessary development to occur. The Exception Test comprises three elements, all of which have to be passed for development to be permitted. The three elements relate to the delivery of wider sustainability benefits to the community that outweigh the flood risk, the absence of any reasonable alternative sites on developable or previously developed land, and the need to demonstrate that the development would be safe without increasing flood risk elsewhere and where possible will reduce flood risk overall.

Further information/discussion

With regard to the above two points it is evident that the planning application lacks sufficient information with respect to primary planning areas such as addressing flood risk and sustainability. Whilst these are areas that need to be rigorously addressed at a detailed design stage as a minimum at outline planning stage one would expect to see evidence of flood risk/drainage consideration (See section 5 'Flood risk and Drainage' for more information), and a sustainability strategy (incorporating a renewable energy feasibility study and Code for Sustainable Homes preliminary assessment) (See section 7 'Sustainability' for more information).

iv) Reasons for refusal: Ignorance of 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.

v) Reasons for refusal: 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; it would have been useful if the planning statement and associated documents had made more reference to the strategy and taken heed of the essential points that Reading Borough Council has outlined as key planning principles.

3. TRANSPORT AND ACCESS

General comments

With regards to transport and highways, the supporting Transport Assessment (TA) has a number of issues which raises concerns and suggests that the TA is not robust and therefore does not give a true representation of the likely traffic implications which would result if planning permission were to be granted.

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.

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.

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 and the existing bus lane.

Paragraph 3.5.2 clearly states a Degree of Saturation of 90% as being the maximum acceptable level for a signalised junction. Section 3.5 then goes on to set out that the existing traffic volumes already make the Bath Road / Berkeley Avenue over capacity without this development, any other local development or the natural growth in background traffic occurring.

Paragraph 3.5.4 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.

Paragraph 3.10.1 states that detailed analysis of Personal Injury Accident (PIA) Data is not required in the TA: it would be useful to see the scoping document stating that this was unnecessary. A full safety audit of proposals should be conducted.

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 the proposal to increase number of parking spaces along Western Road by an additional 5 spaces – evidence should be provided that these been accounted for in the trip generation figures. In addition, the paragraph discusses the potential for off-street parking and controlled parking within the area. The introduction of any controlled parking would be detrimental to the existing residents in the area, who have made no representations to the Council to implement any such scheme. Therefore it would seem unreasonable that existing local residents should be subject to having to park their vehicles in potentially unsecured areas and also be limited in their freedom to park in the area for the benefit of a development which would then not be included within any parking control area. Surely if the developer was keen to limit local parking and encourage sustainable mode choice the proposed development would lead as an example and restrict its own parking.

Paragraph 4.6.4 suggests that the bus lane along the already identified heavy trafficked Bath Road would be relocated by nearly 100m to enable a suitable access to be constructed. In view of the fact that national, regional and local policy seeks to encourage the use of public transport it would appear to contrary to these aims to reduce the bus lane purely to enable vehicles to egress from a new development. Surely the developer as part of a Travel Plan, (which, it is noted, has **not** been prepared for the site), would be seeking to maximise public transport use. The reduction of the bus lane would in effect force buses to run in heavy traffic, which would be increased through this development, for a further 100m which could potentially increase their journey times making the bus a less attractive mode choice. The only benefit to relocating the bus lane is the marketability of the site and to the detriment of the local area and bus operations.

The Transport Engineers should re-review the visibility splays at the proposed junction. 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

Paragraph 5.1.1 states that 'low growth' assumptions have been used - this is unacceptable: Given the scale of development forecast in and around Reading and allocated in the LTP (Chatham Place, Station Hill, Green Park phase III to name but a selection) the growth in traffic cannot possibly be considered low.

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 *2008b* and not *2008a*.

In paragraph 5.2.3 / 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 45% 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 5.2.4 / 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 5.3.1 / Table 5.3 the trip generations are too low - to state that only 5 out of 15 spaces will be filled between 8 – 9am is unrealistic; the transport calculations should be re-run using more realistic values.

In Paragraph 5.4.1 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 5.4.2 states the trip patterns from the Census which contradict the trip rates used.

In Paragraph 5.4.5, the use of turning movements would have provided a more accurate assessment.

Paragraph 5.5.1 refers to the 'Do-minimum' and 'Do-something' scenarios but fails to provide an explanation of them.

Section 6: Sustainable Travel

Paragraph 6.1.1 / Table 6.1 has a value of 40% of people in Reading accessing employment by foot - this is highly unrealistic.

Based on a floor area of 860m² there is likely to be between 43 – 54 people employed as part of the commercial aspect of the development. Provision of 15 parking spaces means that approximately 28 – 39 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 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.

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. Apart from relocating the existing bus

lane, which will have a detrimental effect on bus services, there are no actual 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 full 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.

4. ECOLOGY AND BIODIVERSITY

Documents: Ecological Evaluation (2008)

Ecological Evaluation (1998)

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.

Overall the 2008 evaluation appears to be quite thin. There is no survey of birds, flora or butterflies.

Although a description of the habitat changes that have occurred at the site in the last ten years is provided in the 2008 ELMaw Consulting report, this is not an adequate description of the current condition of the site. A Phase 1 botanical survey, in accordance with published JNCC standards, would be more useful, and would help provide a usable visual description of the habitats present at the site.

No 1. 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”

No 2. Ecology

There seem to be a large number of issues arising from the 2008 ecological evaluation, which make it far from satisfactory:

In the introduction (Section 1) it acknowledges it is designed to 'update' the 1998 Bioscan Report (and frequently refers to it) and to provide an up to date assessment of the site's ecological value. However, the 1998 report has not been made accessible to the public. This suggests a lack of transparency and does not enable people who want to comment a comprehensive view of the ecological evaluation.

After much difficulty a copy of the *Bioscan* 1998 document was obtained, and it seems that the two documents frequently contradict one another (e.g. on whether the Water Tower provides any suitable roosting sites for bats).

Although the 2008 document purports to provide an update on and an up to date assessment of the site's value, the current evaluation is far less comprehensive than the previous one. Yet, the *Bioscan* report acknowledges that it too was inadequate in many respects. To illustrate:

- It occurred only at one time of the year – September – meaning that:
- 5.9.1 Invertebrates – 'the season of survey was too late to detect most invertebrate species'.
- 5.9.2 Birds – 'the survey was likewise not suitable for a direct appraisal of the bird fauna on the site'.

These deficiencies have in no way been addressed by the 2008 evaluation, indicating they have not been done. One must question how seriously ecological obligations have been addressed.

Though the most recent ecology assessment appears to claim to focus more on 'protected species' the reports appear contradictory in respect of both flora and fauna. Neither of the evaluations in their 'desk' studies appears to be aware of the 1988 study carried out by BBONT or the conclusions and recommendations arising from it.

As to the ecological value of the site both reports indicate it is of 'district or county' level. But whereas the 1998 report has a degree of focus on the "*herb rich grassland of value in the context of the urban area of Reading*" (8.1), the 2008 report appears to focus more on the woodland area (5.1, 5.3). Neither 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 Borough Council 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 some information is not only missing, but that other information is dated and that there appears to be uncertainty and contradiction.

Allied to this we know that in urban situations existing habitats and wildlife populations have evolved on areas of land that have not been developed, and have become fragmented, often resulting in small populations in scattered locations. To quote from the Local Biodiversity Action Plan document:

“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”

This site, as per the *L-BAP* document, 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 with so little open green space.

Whilst there is uncertainty as to the exact value of the site and the exact number of species present, it would seem irresponsible to allow planning permission for its development. At the very least it seems to act as primary feeding ground for protected mammals and there is good evidence that it provides far more than this.

As a consequence of all this it seems that at the very least a Reading Borough Council-appointed ecological evaluation at the appropriate surveying times is called for and potentially more specialist organisations to evaluate protected species (e.g. Bat Conservation Trust, English Nature).

In terms of the actual detail of the 'ecological evaluation', as mentioned previously it covered only limited areas, which has been noted, (particularly around the specific protected species it refers to and the potential of the site to support Priority Species and Habitats) however we make the following comments:

Reptiles

Only two visits were carried out rather than the prescribed seven as a minimum level of effort to confirm presence or likely absence of reptiles (2.8). It is suggested that this was because slow worms were discovered throughout the site. However, it means that any other reptile species, which may also be protected, were unlikely to be detected.

The design and access statement appears to show most of the suitable reptile habitat being lost beneath areas of new development. This includes the area of grassland along the southern/western banks of the covered reservoir, which was previously identified as the best reptile habitat present (Bioscan, 1998).

Slow worms

The local Reading biodiversity plan indicates that these are locally important and declining, being adversely affected by development. The presence of a breeding population was confirmed throughout the site (4.2). 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 parts of the site not being developed would vastly over populate these areas; so more open spaces would need to be set aside.

The surveys proved the presence of slow worms. At that point the survey stopped so there is no proof of the slow worm population. The survey suggests that the slow worms could be moved on the site into the wildlife area, however there is no evidence that this area is sufficiently large for the slow worm population nor that this is in accordance with best practice/fit for purpose. Additionally the wildlife area would have to be managed if the slow worms were moved there, yet no mention is made of this potential obligation which would have to be undertaken by Thames Water.

Birds

No bird survey has been undertaken as part of either ecological evaluation (4.10) and this seems an omission given that the site habitats are eminently suitable for breeding and foraging birds. All birds are protected whilst nesting. It is disingenuous to suggest without suitable evidence that suitable habitats can be protected during construction on the scale proposed and that they can be protected from the adverse effects of development.

Song thrushes (a priority species) are commonly seen on this site and it is likely that other such species also exist there. The desk study indicates other important species are recorded within 100 metres of the site (3.4)

Bats

Bats and their places of shelter are protected. Foraging habitat is a requirement for their survival. The two ecological assessments appear to have contradictory views as to the likelihood of potential roosting sites being present.

Although an internal inspection and bat emergence survey was undertaken at the Pump House, no further bat survey effort beyond an internal inspection appears to have been carried out at the Water Tower, or at either the covered or uncovered former water filters, referred to in the Bioscan 1998 report (areas 18 and 19 on their map). Bioscan identified that both of these structures may contain features suitable for use by roosting bats. Given that the presence of bats, as a species protected under European law, should be considered a material consideration in determining the planning application, can the applicant explain why no survey was undertaken, given that these structures both appear to be lost under the current proposals for the site?

Both evaluations confirm sightings of bats and the current one of common and soprano pipistrelle bats (3.19): this is in accordance with the experience of local residents for whom sightings are a common experience. Until evidence is available to either confirm or deny the existence of roosting and hibernation sites it seems premature to proceed any further.

The pump house roof void is the most suitable area for bats to roost in the two buildings, yet it could not be accessed by the surveyors. This is a fundamental omission in the survey. Additionally, potential access points were surveyed over two evenings in late May and August however this is not an adequate period of time in which to perform a full bat survey.

Can the applicant please explain the disparity between the 1998 Bioscan report and the 2008 (surveys undertaken 2007) Elmaw Consulting Report as regards the suitability of the water tower building for bats. The 1998 Bioscan report states that *“the upper levels and structures closed off from pigeons appear to contain structures likely to hold bat roosts”*. However, the 2008 ELMAW Consulting report states that *“The disused water tower building has been classified as having a very low probability of supporting roosting bats”*. Could this difference in assessment be explained?

Invertebrates

No evaluation of these has been carried out. The 1998 evaluation acknowledges this and suggests that at least some of the habitats are suitable for a variety of specialised species (5.9.1). Further, the presence of extant populations of slow

worms, hedgehogs, birds, bats etc. suggest that they exist in thriving numbers. Failure to include invertebrates in the survey is a serious omission.

Stag Beetles

Stag Beetles are a species officially protected by the Reading *L-BAP* scheme and it would be appropriate to protect their habitat in accordance with local guidelines. The desk study indicates that their presence has been confirmed within 100 metres of the site (3.4, 4.1.3, and 4.1.4) and that the habitat is suitable to sustain them in large populations. However, no evaluation has been made of these or other potentially important invertebrate species. Again, this constitutes another serious omission.

Badgers

The 1998 report confirmed the presence of badgers and an active sett (5.9.5) and this is in accord with the experience of local residents who continue to regularly report sightings of badgers on the site. The current report is rather vague (2.23, 2.24, 3.22) on the methodology used for the evaluation. It acknowledges that the sett may be infrequently used and that it may be reoccupied (4.8) and that should badgers be using the site for feeding, foraging or commuting, further evaluations would be required (4.9) to comply with current legislation and planning policy. Residents have reported sightings of badgers on the site yet no further evaluations have been commissioned. Furthermore local residents claim to not only have frequent sightings of badgers but also to have strong evidence of the existence of not one but two badger setts: if this is the case, this again suggests that the survey carried out was not sufficiently thorough.

Habitats

The current report has little to say on habitats, apart from mentioning broad-leaved woodland (2.4.4.15) referring to the 1998 evaluation which has not been made publicly available.

The 1998 evaluation pays far more heed to the grassland areas (5.3, 6.1.5, 7.5, 8.1, and 8.4). It is estimated that in the whole of Berkshire there are 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 Biodiversity Action Plan (*L-BAP Appendix 4*) to increase this. This development proposal appears to work against this objective.

Again in respect to habitats the current ecological evaluation seems inadequate.

The vast majority of the grassland found on farms in the UK is now species-poor 'improved' grassland which has been modified by extensive fertiliser use and reseeded. Unimproved ('species-rich') neutral grasslands that have escaped agricultural improvement or development now represent an important and scarce

resource. Around 97% of unimproved grasslands were lost in England and Wales between 1930 and 1984. Those remaining have very high conservation value in terms of contribution to overall biodiversity but also have significant aesthetic, historic and recreational value. The grassland areas of the Reservoir site, although quite small, would almost certainly qualify as 'unimproved'. This qualification could enable the site to be partially classified as an SSSI (Site of Specific Scientific Interest).

All statutory boards concerned with water use (water companies, Environment Agency, Local Authorities) have a duty, through the Land Drainage and the Water Resources Acts both of 1991, to further conservation and reduce pollution, as part of their function. By preparing this site for redevelopment, Thames Water are displaying a chronic disregard to their environmental duties.

The DEFRA 'Guidance for Local Authorities on Implementing the Biodiversity Duty' states:

"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"

Further information/discussion

In summary it is evident from reading this ecological evaluation there is a great deal of missing information and uncertainty around the species present on this site and the habitats they exist in. Allied to this is the duty in all areas of local authority obligations to embrace and promote biodiversity (which includes not only conservation but also restoration and enhancement). This suggests that the ecological evaluation is inadequate especially for such a unique site in an urban area, and that the planning application falls vastly out of line with the Council's Biodiversity obligations.

5. FLOODRISK AND WATER RESOURCES

Flood risk - General comments

No reference to flood risk or drainage has been made. Even at an outline stage this should be considered.

The replacement of over 2 hectares of permeable ground with concrete is bound to have an impact on the flood potential of the surrounding area yet no survey has been done to investigate this further. The drainage scheme should be designed in accordance with the Sustainable Drainage Systems (SUDS) techniques; however no mention of this is made in the application.

In addition to the potential danger to existing houses, the water run-off would increase stress on the existing infrastructure and would lead to water running down the railway embankments, (the area earmarked as the repository for the wildlife) and disturbing this habitat acknowledged by the Council to be of high ecological value. The proposal should have addressed this, and should state what measures could be put in place to provide for safe run-off of rainwater.

Given that the land level of the proposed development will be higher than Petworth Court, there is a significant risk that surface water flooding from the new development may impact Petworth Court: the six ground floor flats of the block closest to the site are particularly at risk. Again, no acknowledgement has been made of this issue in the application, and no mention is made as to how this risk can be mitigated.

Water Resources - General comments

The site is allocated for 80 dwellings. With a development of 101 dwellings plus significant office space, the demand for water will be substantially higher.

6. 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 are 2.5, 3 and 4 storeys, and these are to be directly opposite terrace 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 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 be 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.

7. 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.

For example, the document states that Transport and Accessibility will contribute to attainment of a Code rating; this is incorrect as the Code does not consider site location/access to transport modes within its categories (Whereas the assessment method EcoHomes that the Code superseded once did).

With respect to renewable energy, the comment that Waste Heat (presumably relating to the use of Combined Heat and Power (CHP)) could be used is unrealistic. CHP is generally not applicable in residential applications given the lack of heat demand to make the operation of the system efficient. Furthermore, Photovoltaic (PV) cells are generally not cost effective within a residential scheme; this further demonstrates that no real thought has been made as to how realistic the proposed development is in complying with relevant policy relating to sustainability.

Further comments/discussion

A sustainability strategy incorporating a renewable energy feasibility study should be provided as part of the application. 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.

8. NOISE AND VIBRATION

A noise assessment has been submitted as part of the application however the document made available on-line has almost three chapters missing (chapters 5 and 6, and most of chapter 4). Whilst a hard-copy of the complete document may be available at the council offices this does not enable an open consultation exercise as many people cannot access the Council offices at the appropriate times.

What little of the document is available appears to focus solely on how the proposed development would be affected by surrounding noise, and give no consideration to the increase in noise which would inevitably be inflicted on residents of the surrounding area by the new development.

9. AIR QUALITY

The site is 500 metres from the Castle Hill and Tilehurst Road Air Quality Management Area (AQMA number 4). With the increase of traffic and congestion (potentially more than 200 additional vehicle movements per day) there is likely to be a further deterioration of air quality within the AQMA.

AQMAs are designated as areas where the Local Authority is obliged by European Law to reduce pollutant concentration levels on the basis of health-related limit values. Enabling a development that will result in additional vehicle trips on an already highly congested road and the saturation of key junctions contravenes this requirement.

Furthermore, the scientific consensus is that trees and plants can have an active role in mitigating poor air quality. There are many trees and plants present at the site that assist with managing pollution concentration levels, their removal will have a negative impact on the air quality in not only the AQMA, but in the surrounding area.

10. ARBORICULTURE

There are number of Tree Protection orders (TPO) on trees within and adjacent to the site. One of the TPO trees is near the proposed office development and it is difficult to see how the tree will not be damaged during construction. The measures in place are very complicated, e.g. 'no-dig construction areas' and 'root protection areas' and could be at odds with the proposed plans to remove the embankments.

Also, it seems that some of the appendices are missing from the Arboriculture Report, namely appendices C,D,E,F which suggests that the survey has not been fully carried out.

It is of interest to note, that the numbers of trees referred to in the current application is very different from the previous tree report commissioned in 1999 by Thames Water. It appears that all the trees within or on the embankment have been ignored.

The decommissioning report indicates that further surveys would be required around the trees within or around the embankment, highlighting the need for additional arboricultural reports before any work can take place.

Finally, the loss of a large number of trees will inevitably have a detrimental effect on the air quality of the surrounding area.

11. 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.

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

12. HERITAGE

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 oblong extension to its back can be justified. Further, 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.

Furthermore, some concerns have been raised over the accuracy of the measurement in the diagrams, relating to the ‘proposed sections’ of the water tower. The height measurements between the two diagrams (Section bb – internal elevation and Section aa) do not appear to correspond.

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, and only commented on proposed works to the Water Tower building itself, **not** the building’s setting.

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.

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.

13. OTHER RELATED ISSUES

- **DECOMMISSIONING**

- The decommissioning statement raises the need to level the whole site and also the removal of the embankments. *Paragraph 7.3* in the decommissioning statement refers to the retention of the embankments, stating that “*If consideration were to be given to retaining some sections of embankment further site investigations would be needed*”. This suggests that this is an option that could be considered.
- *Section 8* refers to the slope being required for use by pedestrians, however it has always been understood (as per the Planning Brief of 1997) that the embankments would be used for separation purposes, and not for public access.
- *Section 12.3* suggests that only limited site investigations have been completed
- *Section 2.1*, 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 grass slopes*
 - *Deep chambers*
 - *Air raid shelter*
 - *Overgrown vegetation*
 - *Derelict buildings*”

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

- **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.

With Gordon Brown's well publicised demand for new housing there is an argument that Central government gives its local counterpart little choice when it comes to provision of new houses within their jurisdiction. Sites are allocated within Local Plans for the purpose of determining where to build next, yet in the current disastrous economic climate with people devastated as the price of their property continually falls, evidence is filtering through that there is actually no demand for new homes in the first place.

If there weren't enough houses in the UK, why would Paddington Basin – home to hundreds of new build flats – be pitch black at night? Why would the centres of Leeds and Manchester be jammed with empty and utterly unlettable, let alone unsaleable flats? And how would the FT magazine have managed to find several almost entirely empty housing estates to base a cover story on last weekend (October 2008)?

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 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 key biodiversity and ecology issues and the Transport Assessment has alarmingly neglected to incorporate and assess realistic present and future traffic information. The supporting documentation (surveys) are often incomplete or inconsistent. To conclude, in its current form, the proposal and associated planning application serves to insult Reading's people, its Council and planning department by providing a watery, weak and deficient assessment of the true negative impact that the proposed development will have.