From:	Markwell, Jonathan
To:	Caroline McHardy
Cc:	Craig Pettit
Subject:	RE: 55 Vastern Road, Reading (200188)
Date:	27 November 2020 16:40:09
Attachments:	image001.png image002.png image004.png

Dear Ms McHardy,

Thank you for your replies and my apologies for the delay in responding. I can confirm that a meeting with myself and either Julie Williams or Richard Eatough (I am awaiting confirmation who will attend alongside me) can take place at 10-11am on Wednesday 2nd December. In advance of that meeting I can confirm the following, in response to your various submissions on 12th November:

- The significant concerns relating to the proposals not providing sufficiently high quality north-south link through the site (and related safety, directness concerns) remain unaltered from previous feedback provided on 22nd October; the additional information received on 12th November has not satisfied officers in this regard.
- Servicing / internal vehicle movements impacting on pedestrian and cycle safety concerns remain unaltered
- Alterations to the cycle/bin storage areas and in the internal car parking have been addressed but the Transport Development Control Manager still had queries regarding the disabled parking bays that need to be addressed, still stand and haven't been resolved.
- Significant concerns remain unaltered regarding the impact of the height of the proposed buildings fronting onto the River Thames on the river and resultant impact on shading of the Thames, impact on marginal habitats and lack of a sustainable long-term relationship between the riverside buildings and large canopy trees. The further information has been considered, but on the advice of the Natural Environment, Ecology and Parks Landscape Services Manager, officers do not consider the additional information submitted on 12th November has addressed previous concerns.
- Whilst the submission of details relating to an on-site affordable housing offer of 20% is welcomed in principle, in the context of the application as a whole, this is not considered to tip the planning balance in favour of the proposals, owing to the other significant shortcomings. It is noted that the proposed offer falls below the Policy H3 requirement, with your clear position in relation to not wishing to secure a deferred mechanism in this scenario also noted.
- Linked to this, your confirmation of the following position in your letter of 12th November is also noted *"Notwithstanding the offer as described above, should officers still be minded to refuse the application, in an appeal scenario, our affordable provision will be as per our submitted viability position of 0%, with the inclusion of a deferred mechanism."*
- Sustained concerns that the proposed energy strategy has not sufficiently demonstrated that it is not suitable, feasible or viable for the inclusion of decentralised energy / future connections to nearby sites within the cluster area. In short, none of the information provided persuades officers to differ from previous feedback provided.
- The Environmental Protection officer considers that the additional noise based commentary does not alter existing concerns, which remain,
- It is confirmed that wind issues have satisfactorily been resolved based on the information already submitted.
- No change in position regarding the harmful impact on the locally listed building at the site, beyond feedback denoted on 22nd October.
- No change in the position regarding s106 based matters, beyond feedback

denoted on 22nd October.

Accordingly, the focus of the meeting will be to clarify any of the intended reasons for refusal and/or discussions as to whether you wish to withdraw the application rather than for it to be formally determined by 11th December.

Please see below the Zoom link for the meeting next Wednesday:

Join Zoom Meeting
https://zoom.us/j/91561388252?pwd=LzZNWk1nQVlCN2FRYTZNMUQxdGxKdz09
Meeting ID: 915 6138 8252
Passcode: wgB8u4

I trust that this is of assistance and look forward to our meeting next week.

Yours sincerely,

Jonathan Markwell
Principal Planning Officer
Planning Section|Directorate for Economic Growth and Neighbourhood Services

Reading Borough Council
Civic Offices,
Bridge Street,
Reading,
RG1 2LU

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From: Caroline McHardy <Caroline.McHardy@berkeleygroup.co.uk>
Sent: 26 November 2020 19:19

To: Markwell, Jonathan <Jonathan.Markwell@reading.gov.uk>
Cc: Kim Cohen <Kim.Cohen@bartonwillmore.co.uk>; Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>; Joseph Harding <Joseph.Harding@berkeleygroup.co.uk>; Kimberley Silk <Kimberley.Silk@berkeleygroup.co.uk>
Subject: RE: 55 Vastern Road, Reading (200188)

Dear Jonathan,

Further to my email below I was wondering if you are in a position yet to confirm a date for our meeting next week?

I look forward to hearing from you.

Kind regards

Caroline McHardy
Land and Development Director

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Designed for life

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Berkeley Homes (Oxford and Chiltern) Ltd
Berkeley House, Farnham Lane, Farnham Royal, SL2 3RQ
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Registered in England and Wales Number 2843844

From: Caroline McHardy
Sent: 20 November 2020 17:36
To: Markwell, Jonathan (Jonathan.Markwell@reading.gov.uk) <Jonathan.Markwell@reading.gov.uk>
Cc: Kim Cohen <Kim.Cohen@bartonwillmore.co.uk>; Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>
Subject: FW: 55 Vastern Road, Reading (200188)

Dear Jonathan,

Thank you for returning my call and the offer of a meeting which is appreciated. In advance of

the meeting and further to the below it would be helpful if you could send through your consultants detailed response on the energy further to our final supporting note so we can consider this further prior to our meeting.

I have spoken with Craig/Kim and our availability is as follows;

- Monday 30th – Morning
- Tuesday 1st – All day (this would be our preference)
- Wednesday 2nd – All day

I'm afraid neither of us can do the 2nd or 3rd but we hope the above is helpful so we can pencil something in.

We look forward to hearing from you.

Kind regards

Caroline McHardy
Land and Development Director

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From: Markwell, Jonathan <Jonathan.Markwell@reading.gov.uk>
Sent: 20 November 2020 16:35
To: Caroline McHardy <Caroline.McHardy@berkeleygroup.co.uk>
Cc: Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>
Subject: RE: 55 Vastern Road, Reading (200188)

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Dear Ms McHardy,

Thank you for your email, voicemail and the separate voicemail from Ms Cohen at Barton Willmore this afternoon (on both occasions I was in separate meetings, so couldn't take your calls sorry).

I can advise that the various additional information submitted is presently under consideration by a variety of officers. As you will appreciate, there are numerous matters to consider, of which a number include a degree of overlap. I am hoping to receive internal feedback next week, so think that a meeting during w/b 30th November would be most suitable. If you could advise me of some convenient times/dates during that week we can seek to pencil something in.

Specifically in terms of the energy based material submitted on 19/10/2020, I can update you that based on further discussions with colleagues this does not alter the previous conclusions of officers on this matter; in short, the exact same concerns remain and there is no change in position to that stated previously. As such, this remains an unresolved issue with your proposal and you are advised to explore the various alternatives previously discussed, in order to seek to positively progress this specific matter.

I trust that this information is of assistance to you and look forward to hearing from you next week.

Yours sincerely,

Jonathan Markwell
Principal Planning Officer
Planning Section|Directorate for Economic Growth and Neighbourhood Services

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Civic Offices,
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From: Caroline McHardy <Caroline.McHardy@berkeleygroup.co.uk>
Sent: 20 November 2020 10:33
To: Markwell, Jonathan <Jonathan.Markwell@reading.gov.uk>
Cc: Framalicco, Giorgio <Giorgio.Framalicco@reading.gov.uk>; Kim Cohen <Kim.Cohen@bartonwillmore.co.uk>; Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>
Subject: RE: 55 Vastern Road, Reading (200188)

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Good Morning Jonathan,

Further to the below I just left you a voicemail as I was keen to know if you have had chance to review our letter (attached again) and also in particular if you have had a response yet on the Energy Strategy as this was still outstanding when you wrote to us?

We would love an opportunity to discuss if you were agreeable to arranging a Teams catch up for next week?

I look forward to hearing from you.

Kind regards

Caroline McHardy
Land and Development Director

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From: Caroline McHardy
Sent: 12 November 2020 16:32
To: Markwell, Jonathan (Jonathan.Markwell@reading.gov.uk) <Jonathan.Markwell@reading.gov.uk>
Cc: giorgio.framalicco@reading.gov.uk; Kim Cohen <Kim.Cohen@bartonwillmore.co.uk>; Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>
Subject: FW: 55 Vastern Road, Reading (200188)

Dear Mr Markwell,

Further to your email below dated 22nd October setting out RBC's position on our application at Vastern Road and Giorgio Framalicco's email on 23rd October I am pleased to attach our comprehensive response to RBC's draft reasons for refusal. As you will note on our attached letter, there are a number of supporting attachments which you will find on the Sharefile link below:

https://berkeley-group.sharefile.eu/d-s728a5db2be314fb

A hard copy will be sent to your office but if you would rather we sent to a different address please let me know and this can be arranged.

I hope the attached clearly sets out Berkeley's position and clarifies a number of queries that the council has raised. In light of this, I hope that you and your officers are able to review your position and I look forward to hearing from you shortly.

As ever, please do not hesitate to contact me if you have any queries or would like to discuss further.

Kind regards

Caroline McHardy
Land and Development Director

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From: Markwell, Jonathan <Jonathan.Markwell@reading.gov.uk>
Sent: 22 October 2020 14:45
To: Caroline McHardy <Caroline.McHardy@berkeleygroup.co.uk>; Craig Pettit <Craig.Pettit@bartonwillmore.co.uk>
Subject: 55 Vastern Road, Reading (200188)

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Dear Ms McHardy / Mr Pettit,

Further to previous correspondence, most substantially the affordable housing letter from Ms McHardy on 14/10/2020, I write with an update on this application. Having discussed the contents of the affordable housing letter with various colleagues, I can advise that, put simply, the offer, and moreover the terms attached to such an offer are not acceptable to officers. As such, officers conclude that there are a number of fundamental elements associated with the proposals which are unresolved and there appears, despite the extensive discussions which have taken place (both at pre-application and application stage) to be little sign or scope for these matters being satisfactorily resolved or progressed. Whilst acknowledging that you have sought to provide responses and more information in relation to a variety of matters, in short these have not brought about the level / nature of changes to the scheme which officers have consistently advised are required to progress the application with a positive officer recommendation.

Accordingly, I can advise that it in discussion with my managers, I will now proceed to compile and complete my officer report recommending refusal of the application.

My managers have discussed this with members, who have confirmed that (in accordance with changes to the scheme of delegation in April 2020) the application will be determined under delegated powers by the agreed deadline of 05/11/2020. Whilst officers would have far preferred to reach a position which would have enabled a positive officer recommendation to be made to committee, and this has always been our intention from the outset in a positive and proactive manner, there are simply too many fundamental concerns with the proposals which remain unresolved to enable that to happen. Accordingly, this point in time appears a natural and reasonable point to effectively agree to disagree on a number of matters and

determine the application accordingly.

With specific regard to your affordable housing letter of 14/10/2020, officers have significant concerns with the offer itself, summarised as including:

- As detailed previously, a 0% affordable housing position, based on viability, is not agreed by officers.
- There appear to officers to be inherent difficulties in getting grant funding from Homes England if the 20% shared ownership is not reported as on-site affordable housing in any officer committee report / s106 legal agreement. Officers consider there is no clear way for your on-site affordable housing offer not to be reported or recorded.
- The lack of a deferred mechanism is not agreed, bearing in mind emerging SPD guidance and the proposed offer not providing the policy compliant 30% level of affordable housing.
- 20% shared ownership units represents a 0/100 tenure split, contrary to the 70/30 split referenced in supporting text to Policy H3, or 62/38 split referenced in emerging SPD. The non-provision of the rented tenure in the offer is of concern in relation to policy.
- As an aside, no details of the mix or location of the proposed units are detailed, so it is unclear if they relate to a single block, or part of one (and associated service charge concerns from RPs)

In addition, the terms (referenced as assumptions in your letter) attached to the offer are further areas of concern. For example, in terms of energy/ EA matters, please see separate sections of this response below. Regarding being considered at Planning Applications Committee on 04/11/2020 for approval, it was verbally communicated to Kim Cohen at Barton Willmore on 16/10/2020 that the application would not be ready to be advanced to committee positively on 04/11/2020 in light of the range / nature of additional information submitted (or yet to be submitted, given it was advised that energy based information would be forthcoming, which duly followed on 19/10/2020).

Given officers are not agreeable to your affordable housing offer and your letter details that housing offer was on a without prejudice basis, I will assume that this offer is withdrawn by you and officers will revert to consider the proposals on the basis of your original 0% affordable housing (due to viability reasons) proposal.

Regarding the application as a whole, I can advise that the future reasons for refusal are likely to include the following:

- Not providing sufficiently high quality north-south link through the site and related safety, directness concerns – including connecting to the site to the south, largely due to the alignment of the site/buildings (primarily contrary to Policies CR11ii and CR11g and the RSAF, but also EN11, CC7, CR2, CR3 and TR3 / TR4) *see Transport and Planning Policy advice notes attached for more details.

- Servicing / internal vehicle movements impacting on pedestrian and cycle safety – more specifically, reversing movements over this proposed pedestrian and cycle route (primarily Policies TR3 and TR4) *see Transport advice note attached.

- Car parking layout leading to potential conflict between vehicles and pedestrians/cyclists (primarily Policies TR3 and TR5) *see Transport advice note attached.

- Insufficient justification on the impact of the height of the proposed buildings fronting onto the River Thames on the river and resultant impact on shading of the Thames, impact on marginal habitats and lack of a sustainable long-term relationship between the riverside buildings and large canopy trees. The EA sent a further response on 16/10/2020 maintaining their objection (attached), and previous concerns raised by the RBC Ecology consultant remain unresolved in

terms the proposals being in conflict with Policy EN11 in particular, and also EN12, CC7 and CR2. In terms of the information submitted on 13/10/2020, it is initially advised that officers do not consider that option 2 (additional marginal planting) put forward by the EA is sufficient to address current concerns (as previously advised by RBC Ecology i.e. the development would be harmful to the waterspace and the mitigation hierarchy of avoiding harm has not been followed) and the EA's option 1 (reduce the size of the buildings) should be followed. Had officers considered option 2 to be appropriate in principle, the off-site location proposed on the northbank of the Thames by Reading University Boat Club would not have been suitable in any event, given the need to maintain the launching station for the boat club to the river at this point. It is also noted, for information, that based on the single initial plan submitted, it is unclear whether the proposed planting would have been in the river itself (floating option), or whether the intention would have been to provide planting on the land (riverbank) element, or indeed alter the alignment of the riverbank at this point. Inherently linked to these concerns the Natural Environment officer has further considered the proposals following the latest response from the EA. In light of the maintained concerns, officers reiterate earlier concerns raised regarding the height and proximity of the buildings to the river not allowing sufficient space for a successful long-term relationship with large canopy trees within the riverside buffer (contrary to EN13, EN14 and objectives of the adopted and revised Tree Strategies). The current proposals do not allow a long term sustainable relationship between the riverside buildings and large canopy trees and therefore it is considered that this forms a component can reasonably be included in an overall condition dealing with the detrimental impact on the Thames environs. The provision of green roofs to the building, previously raised by the Natural Environment officer, is also unresolved.

- Lack of sufficient justification for proposed 0% affordable housing & a s106 legal agreement to secure suitable affordable housing and associated deferred mechanism, together with a related obligation whereby affordable housing would be applied on a cumulative basis should the buildings subsequently be extended / altered (to create further units) or units sub-divided in the future (contrary to Policies H3 and CC9, together with current and emerging Affordable Housing SPD).

- *Proposed energy strategy not sufficiently demonstrating that it is not suitable, feasible or viable for the inclusion of decentralised energy / future connections to nearby sites within the cluster area (primarily Policy CC4 and guidance within the sustainability SPD) * This is under review further to your submission of additional information on 19/10/2020, which is presently being considered.

- Failure to demonstrate a suitable quality of accommodation for future occupiers – through reasons of: the mitigation measures proposed are not adequate to minimise the impact of nearby noise pollution (i.e. the response from 24 Acoustics received on 05/10/2020 is not accepted) and possibly wind impacts too (the further information submitted on 14/10/20 is currently under review) – contrary to policies CC8, EN16, CR6.

- In light of the above concerns, officers are in the process of re-reviewing the impact of the demolition of the locally listed building, bearing in mind the benefit of the proposals in relation to the wider public benefits of the scheme against the heritage value of the non-designated heritage asset in the planning balance. In short, the harm of demolishing the locally listed building has not been outweighed by the benefits of the proposals.

- *Lack of a section 106 legal agreement for an ESP, open space contribution, carbon offsetting financial contribution (based on your submitted proposal), affordable housing (based on your submitted proposal – as detailed separately above) and various transport based components * Without prejudice to any

future application or appeal, you are advised that these reasons could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.

In terms of next steps, officers will no longer be considering any further material submitted by you on this application. Naturally, you are advised of your right of appeal. Alternatively, you may prefer to withdraw the application prior to a formal decision being issued. If this is your preferred approach, please advise me in writing (by email) by 9am on 02/11/2020. If I do not hear from you by 9am on 02/11/2020, I will assume that you wish for the decision to be issued.

Although this feedback will naturally come as a disappointment to you, I hope that this update is nevertheless of assistance to you. Please note that I am on leave during week beginning 26/10/2020, returning on 02/11/2020.

Yours sincerely,

Jonathan Markwell
Principal Planning Officer
Planning Section|Directorate for Economic Growth and Neighbourhood Services

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Civic Offices,
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