

## **Statement of Case**

### **Appendix 3**

Errors and Inaccuracies Letter dated 29th March 2021 –  
prepared by Barton Willmore

Mr. J. Markwell, Esq.,  
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**BY EMAIL: [jonathan.markwell@reading.gov.uk](mailto:jonathan.markwell@reading.gov.uk)**

28876/A3/EF/KC

29<sup>th</sup> March, 2021

Dear Mr Markwell,

## **200188 COMMITTEE REPORT – ERRORS AND INACCURACIES**

We write on behalf of our client Berkeley Homes (Oxford & Chiltern) Ltd following the publication of your report to the Planning Applications Committee scheduled to take place on Wednesday 31<sup>st</sup> March relating to our client's submitted full planning application for land at 53-55 Vastern Road, Reading.

Our client and their consultant team have reviewed your report and noted several factual errors and inaccuracies. We have set out below where errors and inaccuracies have been made in each section of the report and would welcome the publication of an updated report in advance of the Committee to address these.

Our client's principal concern regarding the content of the report is that the consultation responses referred to in section 4 predominantly refer to superseded application material and do not take account of revised material which has been submitted to address the comments made. This is misleading and fails to acknowledge the work undertaken to resolve concerns raised during the consideration of the application.

### **2. Proposals**

Images of a superseded masterplan are included in the report. The latest masterplan which should be referred to is 448.PL.SL.002 E.

Superseded images of the proposals are also included on several occasions.

We enclose a copy of the latest masterplan and images of the proposals for your use in presenting the scheme to Members, and we request that clarification is provided to avoid confusion.

Paragraph 2.5 should be amended to clarify that The Generator Building is 6 storeys in height. Undercroft parking is under Block D (The Turbine Hall).



### 3. Planning History

No reference is made to the EIA Screening Direction issued by the Secretary of State on 14<sup>th</sup> May 2019.

### 4. Consultation Responses

#### Historic Buildings

Paragraph 4.1.26 states that the proposals also include a feature footbridge over the Thames. This is incorrect. Christchurch Bridge is already in place and the proposals provide a new connection to the bridge.

#### Leisure

Paragraph 4.7.2 refers to the extent of tree planting and landscaping being 'in outline'; however, it is in fact 'in detail'.

#### Transport

The report seeks to make the case that the proposed north-south route is of an insufficient width with reference made to examples where a wider path has been provided. However, the examples used are not comparable as they are in circumstances where there are buildings directly abutting both sides of the path, whereas in the proposed development open space is provided alongside the route. The examples provided are also 'shopping streets' with front doors of retail units directly adjacent to them. They are therefore not comparable to the north-south route to be provided as part of the proposed development. The proposed route is more than adequate to accommodate expected flows through the site.

Paragraph 4.13.32 includes a new request that the turning area to the north can accommodate a delivery vehicle turning in the opposite arrangement to the current approach. This is not necessary as the layout provides space for vehicle manoeuvring.

Commentary relating to reversing movements over the pedestrian and cycle link fails to acknowledge that only one vehicle per week is anticipated to need to complete this manoeuvre. A vehicle would only need to reverse over the path once to reach the optimum position to serve the building (rather than 'numerous times' as is suggested to be the case). Moreover, with appropriate signage, reversing alarms and multiple operatives, the risk of harm is mitigated.

Paragraph 4.13.38 refers only to cycle route design and fails to consider that shared pedestrian and cycle routes have to be designed to accommodate all users, not solely commuter cyclists.

Paragraph 4.13.39 notes that options for reducing cycling speeds through the site were presented at the pre-application stage. All design options for the route have been thoroughly explored by the applicant with justification provided for the proposed route.

Commentary regarding connectivity to the towpath at paragraph 4.13.50 does not acknowledge that the route to the towpath does not connect to a current cycle path. The connection to NCN5 to the east along the towpath is not wide enough for a shared footway/cycleway, so there is no rationale or justification in creating a short length of practically unusable cycle route. Moreover, it is not permitted to cycle along the section of the towpath where this connection is made.

There is an inconsistency between the number of proposed car parking spaces referred to. The development will provide 55 car parking spaces, including 3 disabled spaces.

The applicant has offered a condition regarding dropped kerbs. This should be reflected in paragraph 4.13.87.

Paragraph 4.13.94 refers to 448.PL.BC.100C; however, this has been superseded by 448.PL.BC.100D. the revised plan shows the reorganisation of the cycle and bin stores to ensure that they are separated.

Paragraph 4.13.95 is incorrect in its reference to Block C providing 22 cycle spaces. 6 spaces are proposed as per the table provided at paragraph 4.13.93 of your report.

Paragraph 4.13.100 suggests that distance to the bin store B is over the recommended 10m travel distance. This has been updated in Stantec drawing 47500/5500/005A to a distance of 9.5m.

### Environment Agency

Paragraph 4.19.15 suggests that an increased buffer to the River Thames is necessary to comply with Environment Agency guidance. The proposals include a 10m buffer between the river edge and edge of the first residential block, as per the Environment Agency's advice and in line with RBC Local Plan Policy CR11g.

Paragraph 4.19.20 emphasises the need to consider tree pit provision and design. Tree routing volume information was submitted in September 2020 to enable consideration of this. No feedback has been provided.

No reference is made to a further submission made by the applicant in January 2021 which included updated information on landscaping detail and tree planting. No feedback on this submission has been provided.

### Ecology

A lighting assessment has been submitted for consideration as part of this application. The assessment, including all appendices, was also resent to officers in light of the comments received from Ecology to ensure the assessment was taken into consideration. Paragraph 4.20.6 is therefore incorrect.

Paragraph 4.20.6 also suggests that the site should have been assessed as being within Zone E2. It was agreed that the site is within Zone E3 in an email from Ross Jarvis, Senior Environmental Health Officer, Reading Borough Council, to Shannon Smart of Stantec on 29th November 2019.

Paragraph 4.20.13 should include clarification that the Environment Agency understood that Option 2 may be preferred.

Paragraph 4.20.15 is incorrect. Further information including detailed types of marginal planting proposed on the northern and southern river bank was submitted in January 2021.

Paragraph 4.20.17 sets out that the applicant has conceded that there will be harm to the River Thames. This is incorrect. The applicant has conceded that there will be additional shading to the already partially shaded planted coir rolls under the ramps of Christchurch Bridge, not that there will be harm to the River Thames as a whole. The significance of the planted coir rolls is relatively low and compensation for the additional shading has been proposed, thereby mitigating the impact of development.

### Landscape Services

Paragraph 4.21.1 refers to land on the southern riverbank not being owned by the Council. The enclosed Land Registry title plan identifies that the land between the site and the river is owned by the Council.

Paragraph 4.21.4 is incorrect. The proposed coir roll planting will be positioned within the river and will therefore not impact the width of the towpath.

Paragraph 4.21.5 refers to the desire to see specific proposals for planting along the river bank. The applicant has submitted proposals in January 2021 and sought advice from specialist consultant Salix on the implementation of the proposals. The submitted proposals show that the proposed coir roll planting is below pedestrian eye level, including for children, and as such views of the river will be unaffected by the proposed marginal vegetation planting.

### Other Consultee Responses

Paragraph 4.23.1 states that no response has been received from RBC CCTV. This is incorrect. A response was received on 24<sup>th</sup> March 2020 confirming that the development should have no impact on CCTV.

## **6. Appraisal**

### Layout/scale/design/north-south route

As a general point, there has been no written indication or design response to indicate that the Council had concerns in townscape or visual terms, and this point was not raised on either 22<sup>nd</sup> October 2020 or 27<sup>th</sup> November 2020 when you wrote to the applicant setting out your remaining concerns. The Design Review panel considered the scheme on 20<sup>th</sup> November 2019, and did not raise any concerns relating to the relationship of the proposed buildings with the Riverside. Indeed, as noted at paragraph 4.2.2 of your report the panel broadly supported the scheme and had no major issues with quantum, height or massing, a fact which does not appear to have been taken into account in the assessment of the proposals in your report.

No reference is made in the report to the submitted Townscape and Visual Impact Assessment (TVIA) or verified photomontages and there is no evidence to suggest that detailed and specialist professional advice has been sought regarding townscape and visual impacts. The TVIA concludes that there would be beneficial effects on townscape character in relation to the townscape adjoining the riverside, neither these conclusions nor their underlying justification appear to have been considered by officers.

Commentary regarding harm to the setting and character of the Thames Path and River Thames makes no reference to the wider context of tall built forms adjacent to the river further south-east and the scale of the emerging town centre, to which this development provides a transition. As the TVIA sets out, the character of this area already includes substantial buildings adjoining the river corridor, notably at crossing points. Such buildings are already part of the character of the river corridor, as is to be expected at the centre of a large, dramatically intensifying urban area.

Regarding the alleged harm to the quality of the public realm, the basis for the suggestion that there would be a deterioration compared to the existing situation is unclear. The development will provide clear benefits to the public realm compared to the existing use of the site/its relationship to the Thames Path.

The report fails to acknowledge that emerging Caversham Flood Alleviation proposals have been built-in to the scheme. The flood wall proposed to be built parallel to the river bank along much of the southern banks of the Thames have been incorporated as part of landscaped ecological buffer on the river frontage, creating a usable area of open space.

Comments regarding a concern that it may be difficult for the remainder of the allocated site to be developed in an acceptable way are not justified. Moreover, no reference is made to illustrative proposals

for the wider allocated site included within the submitted Design and Access Statement which demonstrate that the wider site could be developed to form a high quality addition to the development.

Paragraph 6.14 wrongly refers to the lowest height building in the east of the site being 52m. The tall buildings policy caps building heights at 36m and the scheme is entirely consistent with this policy. Moreover, Block C is the smallest residential block on the scheme (2 storeys in height), responding to the constraints in this part of the site. The tallest building proposed (Block B) is 11 storeys.

#### Locally listed building

Paragraph 6.37 purports to quote two paragraphs from the submitted Heritage Statement. However, only the first paragraph is quoted text. It appears that the second paragraph is officer commentary, however this is suggested to be part of the quote which is incorrect and potentially misleading.

Paragraph 6.4 ignores the content of Section 4.2 of the submitted Heritage Statement which sets out that the building has been detrimentally altered and has lower significance than other examples.

#### Landscape/ecology

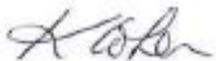
Revised landscaping proposals submitted in January 2021, including a revised selection of tree species, have not been considered as part of the report. The latest plan (448.LA.102F) includes species with smaller canopies than those initially selected and are therefore suitable for the space.

No townscape and visual justification is provided regarding the need for a relationship with large canopy trees.

We trust that the above clarifies inaccuracies within your report and look forward to seeing an update to Members in advance of Committee.

Should you have any queries or wish to discuss, please do not hesitate to contact me.

Yours sincerely,



**KIM COHEN**

Partner