

INSPECTOR'S NOTE TO PARTIES 29.4.22

VASTERN COURT, READING

APP/E0345/W/21/3289748

OPEN SPACE EVIDENCE

As the Council's open space witness is not now available for the remainder of the inquiry to 13th May, I consider that it may be possible to deal with the Open Space evidence by written representations.

To that end I invite the Council to respond to the following questions in writing. These would have been the questions put to the witness during the round table session which was due to take place earlier this week.

Once I have received the Council's response, I will ask for the appellants' final comments also in writing.

I will give this evidence the same weight as evidence heard orally at the inquiry.

Policy, Amount, Type of Open Space

Local Plan policy EN9 requires appropriate provision of open space based on the needs of the development. The OS Strategy (CD7.10 / 7.11) guides the provision, type and size of open space. The Council also refers to FiT guidelines and the conclusion to Dr Jenkins' proof of evidence (para 6.5) confirms that on site open space of this scale is expected.

The Council's concerns in relation to open space are set out at para 5.4 of Dr Jenkins' proof. This does not include the amount or type of open space to be provided on the site.

Q1. Can the Council therefore confirm that they are satisfied with the amount and type of open space to be provided on the site?

Council's Response:

Notwithstanding the issues identified with regard to the quality, shape and connectivity of the areas of open space within the site the Council is also not satisfied with the amount and type of open space to be provided on site.

As set out in para 2.14 of the Council's CIL Compliance Statement the Open Spaces Strategy (2007, CD7.10), which follows where practically deliverable, the recommendations of the National Playing Fields Association's 6 acre standard (Fields in Trust - CD7.54), envisages that developments of this scale should provide for 1-2ha of local park with sports facilities to serve this new community, which should include the satisfactory provision of children's play areas and neighbourhood parks.

The national benchmark guidelines for formal outdoor space is set out in Table 1 of the Fields in Trust document, copied below, and Table 4 the minimum recommended sizes for each open space typology. These benchmark guidelines provide the basis for the overall quantum sought for the appeal site. As will be noted the amount in hectares is directly related to the size of the population. The maximum number of dwellings proposed would be 1,000 and would comprise a mix of unit sizes, so it would be reasonable to assume that there would be significantly more than 1,000 new residents from the proposed development.

Table 1: Fields in Trust recommended benchmark guidelines – formal outdoor space

| Open space typology | QUANTITY GUIDELINE ² (hectares per 1,000 population) | WALKING GUIDELINE (walking distance: metres from dwellings) | QUALITY GUIDELINE |
|--|--|---|---|
| Playing pitches | 1.20 | 1,200m | <ul style="list-style-type: none"> * Quality appropriate to the intended level of performance, designed to appropriate technical standards. * Located where they are of most value to the community to be served. * Sufficiently diverse recreational use for the whole community. * Appropriately landscaped. * Maintained safely and to the highest possible condition with available finance. * Positively managed taking account of the need for repair and replacement over time as necessary. * Provision of appropriate ancillary facilities and equipment. * Provision of footpaths. * Designed so as to be free of the fear of harm or crime. * Local authorities can set their own quality benchmark standards for playing pitches, taking into account the level of play, topography, necessary safety margins and optimal orientation³. * Local authorities can set their own quality benchmark standards for play areas using the Play England Quality Tool. |
| All outdoor sports ¹ | 1.60 | 1,200m | |
| Equipped/designated play areas | 0.25 See table 4 for recommended minimum sizes | LAPs – 100m LEAPs – 400m NEAPs – 1,000m | |
| Other outdoor provision (MUGAs and skateboard parks) | 0.30 | 700m | |

Table 4: Recommended minimum sizes – formal outdoor space

| Open space typology | Minimum sizes | Minimum dimensions | Buffer zones | |
|--|------------------------------|----------------------|--|---|
| Playing pitches | Association football | | | |
| | Adult soccer | 0.74ha | 106 x 70 metres | - |
| | Mini soccer U7/U8 pitch | 0.14ha | 43 x 33 metres | - |
| | Mini soccer U9/U10 pitch | 0.25ha | 60 x 42 metres | - |
| | Rugby Union | 0.70ha | 100 x 70 metres | - |
| | Hockey | | | |
| Mini Hockey | 0.31ha | 65 x 48 metres | - | |
| Other outdoor (non-pitch) sports | Lacrosse | 0.66ha | 100 x 60 metres | - |
| | Cricket | | | |
| | Senior recreational 12 pitch | 1.43ha | 111.56 x 128.04 metres | - |
| | Athletics | | | |
| | 6 lane track | 1.51ha | 172.03 x 87.64 metres | - |
| | Tennis courts | | | |
| 1 recreational court | 0.06ha | 34.75 x 17.07 metres | - | |
| 2 recreational courts | 0.11ha | 34.75 x 31.70 metres | - | |
| For each adjacent court | 0.05ha | 34.75 x 14.63 metres | - | |
| Equipped/designated play areas | Bowling greens | | | |
| | Flat green | 0.12ha | 34.4 x 34.4 metres | - |
| | Crown green | 0.08ha | 27.4 x 27.4 metres | - |
| Equipped/designated play areas | LAP | 0.01ha | 10 x 10 metres (minimum activity zone of 100sqm) | 5m min separation between activity zone and nearest property containing a dwelling |
| | LEAP | 0.04ha | 20 x 20 metres (minimum activity zone of 400sqm) | 20m min separation between activity zone and the habitable room façade of dwellings |
| | NEAP | 0.1ha | 31.6 x 31.6 metres (minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football)) | 30m min separation between activity zone and the boundary of the nearest property containing a dwelling |
| Other outdoor provision (MUGAs and skateboard parks) | MUGA | 0.1ha | 40 x 20 metres | 30m min separation between activity zone and the boundary of the nearest property containing a dwelling |

The total quantum of open space proposed is below the required amount and it is not considered that the type of open space proposed would provide the type of recreational activity space, with opportunities for sport, that is sought in accordance with the Open Spaces Strategy. The majority of the proposed open space is described in the Design Code as street or access routes with no evaluation provided of the spaces' ability to provide recreation. The principal role is

considered to be of private landscaping and it would not function as publicly accessible leisure/ parkland, with its size heavily constraining its functionality.

Although the quantum and type of open space on site would not meet policy requirements the Council would be satisfied that the overall quantum and type of open space, in accordance with policy, could be satisfactorily addressed through the open space obligations sought through the S106, and as detailed in the CIL Compliance Statement.

APPELLANTS RESPONSE

It is noted that the Council accept that the overall quantum and type of open space can be satisfactorily addressed through the S106 Agreement. The Inspector will note that relevant obligations are included in the draft S106 Agreement and as such the Appellant assumes that RBC no longer pursue this as a matter at the Inquiry.

It is however also worth noting, notwithstanding the above, that the Local Plan contains no explicit guidance on scale and type of open space required as part of a development proposal and that the site specific policy for the appeal site (CR11e) requires a high quality green link (which is provided within the appeal scheme) and shows the main area of open space outside of the Appeal Site (on the adjacent 80 Caversham Road site) on Figure 5.3 (page 149) of the Local Plan (CD 4.1).

It is clearly not appropriate to apply the FiT guidelines to an allocated urban regeneration site. If the FiT guidelines were followed this would require provision of between 1-2 hectares of open space (when the Appeal Site only extends to 1.9 hectares) effectively neutralising the development of the site and the Council's longstanding regeneration aspirations.

The Appellant has agreed through the Amended Development Parameters Schedule – March 2022 CD1.34.9) that at least 10% of the overall site area will be provided as publicly accessible open space (paragraph 1.6) and that such publicly accessible open space shall include, but not be limited to, public realm including hard and soft landscaping, amenity spaces and children's play space provision (paragraph 3.7). This will be delivered through the reserve matters submission.

Further the Design Code (ID25) contains a number of commitments in terms of the detailed design of the public realm within the scheme (Section 6).

Play facilities

A mandatory requirement of the Design Code (6.1.5) requires play features for 0-5 year olds to be integrated into the landscape. The Code also includes a discretionary indication that play features for 5-11 year olds could be provided. At para 5.10, Dr Jenkins' proof says that these need to be 'private'. However, she then goes on to say that they should make a contribution to the wider neighbourhood.

Q2. Could the Council clarify this point and explain what the concern is in relation to the proposed play facilities.

Council’s Response:

Para 5.10 of Dr. Jenkins’ proof of evidence sets out that the proposed play space indicated would function as private play space, rather than making a contribution to the wider neighbourhood as policy requires. Play facilities which are closely associated and immediately adjacent to properties tend to be seen as not available to all and hence treated as private facilities. As an example, the Illustrative Landscape Scheme (Section 7 of the DAS CD1.54) refers to the provision of “a combination of playable landscape on the ground floor, and safe, inclusive play features on the podium gardens.” However, the Design Code (para 6.1.5) states that “the podium landscapes provide private active and passive amenity space for residents”, therefore, these would not provide publically accessible areas for play space.

The Illustrative Landscape Scheme also refers to a number of existing off-site play areas and the ability for young children to “play along the way”. Play features are not further defined, but the imagery included, extract below, clearly shows individual play items rather than a formal type of play area.



Figure L50: Play along the way



Figure L51: Play along the way

Albeit such play features would contribute to play, they would not meet the range of types of play space expected for a development of this size as set out in the table below (Table 2 of the national benchmark guidelines for equipped/ designated play space). The information presented in the DAS and Design Code, as described above, does not suggest such proposed proposals would meet this benchmark type or quantity of play space provision.

Table 2: Recommended Application of Quantity Benchmark Guidelines – Equipped/Designated Play Space

| Scale of Development | Local Area for Play (LAP) | Locally Equipped Area for Play (LEAP) | Neighbourhood Equipped Area for Play (NEAP) | Multi-Use Games Area (MUGA) |
|----------------------|---------------------------|---------------------------------------|---|-----------------------------|
| 5-10 dwellings | ✓ | | | |
| 1-200 dwellings | ✓ | ✓ | | Contribution |
| 201-500 dwellings | ✓ | ✓ | Contribution | ✓ |
| 501+ dwellings | ✓ | ✓ | ✓ | ✓ |

APPELLANTS RESPONSE

The Appeal Scheme will include both private and publicly accessible play space.

Private play space will be provided for the new residential population within the podium gardens.

However, all ground level play space provided will be publicly accessible. This is clear within the submission.

Detail of play space configuration and design will be agreed at the reserved matters stage.

On the basis the Council has accepted that the overall quantum and type of open space can be satisfactorily addressed through the S106 Agreement and the draft S106 Agreement contains the relevant obligations the Appellant assumes that RBC no longer pursue this as a matter at the Inquiry.

Overhang of plot D

Paragraph 5.7 of Dr Jenkins' proof sets out that overhead intrusion into the open space area will restrict its use.

However, the Council's sustainability evidence is suggesting that there should be more use of solar shading (para 43 Mr Crawshaw's proof).

Q3. Could this overhang be designed to serve this purpose and still operate as a useful part of the open space?

Council's Response:

The solar shading as referred to in Mr. Crawshaw's Proof of Evidence relates to the form of the buildings and the use of architectural features to reduce summer overheating. The overhang referred to is with respect to the whole building proposed to project out from the second floor upwards, rather than a specific individual structure.

The projection of the building would create an overly shaded area of open space that would neither provide a pleasant environment for enjoyment nor landscaping which would make a contribution to the energy efficiency of the development as a whole.

In order to be multifunctional, the open space should have been designed to benefit from natural daylight for significant parts of the day, otherwise maintenance and the ability to support green infrastructure would be heavily compromised.

APPELLANTS RESPONSE

The proposed overhang of Plot D will not compromise the use of the wider open space.

The distance from ground level to the underside of the overhang will be a minimum of 7m (and will be set back at a depth of 9 m). It is therefore a relatively small

area and importantly is south facing so would not be overly shaded. It clearly has the potential to serve as a useful part of the open space provision (Please see attached section and sun path analysis).

The overhang has been introduced in order to shield views of the multi-storey car park (beyond the Appeal Site) to the east of Trooper Potts Way as you enter the scheme and travel (east-west) along the avenue.

The Appellant has not prescribed any potential sustainability benefit to the inclusion of the overhang in the Appeal Scheme but notes the Council's acceptance that it could provide some benefit in terms of solar shading.

Plot D area with overhang:

Figure 1

Is a section through the area of the overhang showing the overall generous scale of the space:

Approximately 7 metres high and 9 metres deep

Figure 2

Shadow Path Analysis

The images show that the area beneath the overhang being south-facing and approximately 7m high and 9m deep will not be an overly shaded area as has been expressed by the Council.

The deepest shadows caused by the overhang are at noon in late June when the sun is at it's highest in the sky. During the whole afternoon the space receives sunshine.

During the other summer months, the space will receive plenty of sunshine throughout the day until it is put into shade (along with the rest of Station Square North) by the buildings on the Royal Mail site at about 4 pm.

In late March at the spring equinox, the space is in full sun - again until after 4 pm when the shadows cast by the Royal Mail development fall across the site.

In midwinter when the sun is low in the sky, the space receives sunlight except when surrounding buildings to the east and south-west cast shadows over Station Square North.

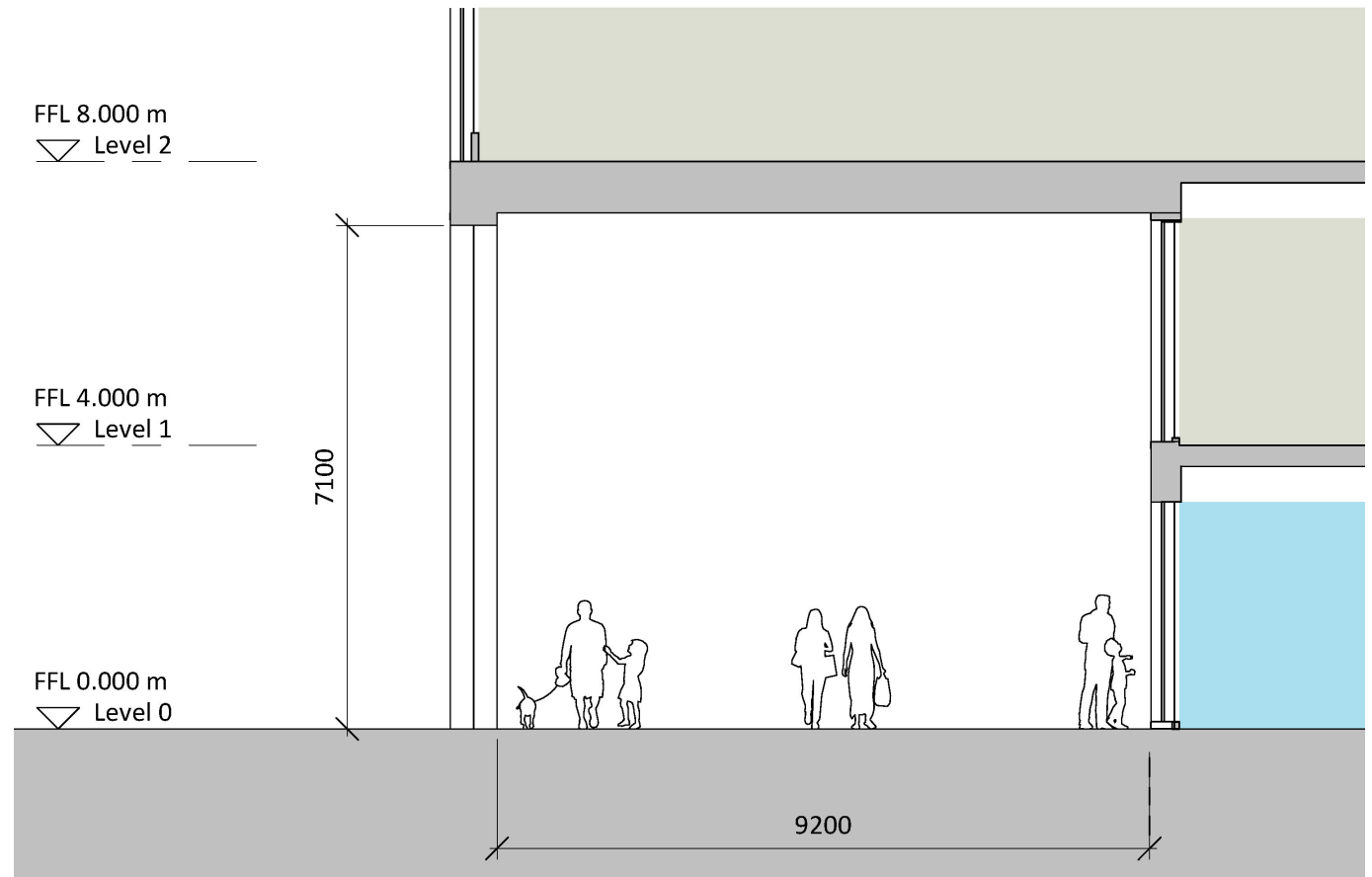


Figure 1. Section through overhang area

Figure 2. Shadow analysis

