

READING PARK STATION

**Response to Supplementary Statement on Design and Townscape
By Mr Doyle, dated September 2022**

PLANNING INSPECTORATE REFERENCE: APP/E0345/W/21/3289748

READING BOROUGH COUNCIL PLANNING REFERENCE: 200328/OUT

28th September 2022

1.0 General points

- 1.1 Mr Doyle's supplementary statement ("Statement") raises two related issues: (1) the extent to which the application is circumscribed by the combination of the Parameter Schedule, Parameter Plans, and Design Code; and (2) the extent to which the restrictions imposed by those documents ensure that any scheme that comes forward with detailed design at reserved matters stage would accord with the Illustrative Scheme.
- 1.2 In respect of (1), the Parameter Plans, Parameter Schedule, and Design Code operate together to establish limits, controls and mandatory requirements on any detailed design that can be approved at reserved matters. Reserved matters applications are to be constrained by the operation of those documents both independently and collectively.
- 1.3 In respect of (2), it is not disputed that any reserved matters applications might differ slightly from the Illustrative Scheme. However, due to the operation of the Parameter Plans, Parameter Schedule, and the Design Code, the scope for any difference is limited and it is both highly likely (and indeed fundamental, given the requirements contained in those documents) that any applications that come forward are very similar to the Illustrative Scheme.
- 1.4 Contrary to Mr Doyle's comments at page 5 of his Statement, it is not the case that the Illustrative Scheme is "piecemeal" or "imprecise"; rather, it has been accurately drawn and conclusions can clearly be based on what it shows.
- 1.5 The "fundamental concerns" expressed by Mr Doyle at paragraph 2.1 of his Statement are simply repetitions of his contested opinions about the merits of the scheme. These have been aired at the Inquiry and alternative assessments have been expressed by Mr Collado, Mr Miele and shortly, Mr Chard.
- 1.6 It is unhelpful to seek to criticise the application on the basis that the Parameters Schedule and Design Code might change at a later date, post-consent (as Mr Doyle does at paragraph 2.2.2 of his Statement); to do so is purely to speculate and in any event such circumstances would be wholly controlled by the Council as Local Planning Authority.
- 1.7 It is equally unhelpful to seek to criticise the Appellant for trying to narrow the areas of disagreement between the parties throughout the course of a long-running, protracted call-in inquiry. The Applicant has been actively seeking solutions and cooperation throughout, which contrasts sharply with the increasingly entrenched opposition adopted by Mr Doyle and reflected in his contributions.

2.0 The Illustrative scheme

- 2.1 There is no truth in Mr Doyle's suggestion at paragraph 2.2.12 of his Statement and throughout, that the Illustrative Scheme is incapable of being realised due to conflict with the controls imposed by the Parameter Plans, Parameter Schedule and the Design Code.
- 2.2 That the Illustrative Scheme falls within the maxima parameters, as pointed out by Mr Doyle at paragraph 2.2.8 of his Statement, does not in any way reveal a "fundamental" incompatibility between the two. As is often the case, the Parameter Plans are larger than the Illustrative Scheme; an incompatibility would only be true if it were the other way round. Any reserved matters applications that extend beyond the Illustrative Scheme must still fall within the parameters and controls established by the Parameter Plans, Parameter Schedule, and the Design Code.
- 2.3 The maximum floorspace cap of 87,002sqm must be read in conjunction with the other controls imposed by the Parameter Plans, Parameter Schedule and the Design

Code, and the suggestion by Mr Doyle at paragraph 2.2.11 of his Statement that to grant consent for the application is to indicate that a development of 115,000sqm is acceptable is simply wrong. The maximum floorspace cap of 87,002sqm must be complied with.

- 2.4 The exercise undertaken by Mr Doyle at Table 2 of his Statement does not show that the Illustrative Scheme could not be brought forward under the Parameter Plans, Parameter Schedule, and the Design Code. In fact, as Mr Doyle points out in paragraph 2.3.11 of his Statement, the Illustrative Scheme is within the parameter maximums.
- 2.5 The table in ID30 is simply there to show the comparative situation with other schemes in the vicinity of the application site. It does not show that the Illustrative Scheme exceeds the parameter height maxima; rather, it shows the opposite (for example at Biii where the height of the Illustrative Scheme is confirmed at 13.4m/51.5 AOD against a parameter height maximum of 17m/55.1 AOD). Indeed, this is confirmed by Mr Doyle in Tables 4 and 5 of his Statement which further show that the Illustrative Scheme sits within the parameters.
- 2.6 There is nothing unreliable about the Illustrative Scheme, either in terms of its conformity with the governing controls of the Parameter Plans, Parameter Schedule, and the Design Code, or as an indication of the kind of scheme which is likely to come forward at reserved matters stage.

3.0 How the Illustrative Scheme is circumscribed by the Parameter Plans, Parameter Schedule, and the Design Code

- 3.1 Mr Doyle appears to accept in his Statement that it would not be possible to bring forward an acceptable reserved matters application that built-out to the entirety of the parameter maxima. Mr Doyle's "concern" at paragraph 2.2.4 of his Statement is that a reserved matters application may more fully occupy the parameter maxima than the Illustrative Scheme. It is possible that a future scheme may differ from (and in some instances exceed) the Illustrative Scheme and its height and massing, but it would only be able to do so if it also remained in accordance with the composite controls imposed by the Parameter Plans, Parameter Schedule, and the Design Code. In practical terms, the result is that any future reserved matters application will look very similar to the Illustrative Scheme.
- 3.2 Mr Doyle also appears to acknowledge at paragraph 2.4.4 of his Statement that the most recent suite of controls added to the Design Code, Parameter Schedule, and Parameter Plans further prevents future reserved matters applications from being able to redeploy floorspace across the scheme.
- 3.3 Mr Doyle's position at paragraph 2.4.10 is that a future reserved matters application may "rise above the Illustrative Scheme" because of the availability of additional floorspace and height. However, in both instances the additionality available is limited, as evidenced by the small differences identified by Mr Doyle in Tables 4 and 5. Both tables clearly identify how closely aligned the Illustrative Scheme is with the parameter maxima.
- 3.4 There is some criticism generally of the drafting of the controls contained in the Parameter Plans, Parameter Schedule, and the Design Code. This is unwarranted, and it is entirely clear what is the maximum permitted height and individual and overall floorspace is, and is supported unequivocally by the stricture that the buildings along the Vastern Road frontage cannot have a greater effect in daylight/sunlight terms than the Illustrative Scheme (which in effect limits the heights of those buildings to those illustrated). Mr Doyle is wrong in his assertion

that the Daylight/Sunlight Assessment prepared by CHP Surveyors Ltd (dated 10th June 2022) was modelled against the parameter maxima and not the Illustrative Scheme; in fact the opposite is true, which enables the Applicant to use the assessment as a further control on future reserved matters applications by limiting the effects of any application to no more than those that would be brought forward by the Illustrative Scheme.

4.0 How much latitude is still afforded to depart from the Illustrative Scheme?

- 4.1 The application is for outline permission, and therefore there is intentionally some flexibility afforded for any reserved matters application to differ from the Illustrative Scheme. Contrary to Mr Doyle's suggestion at paragraph 2.3.15 of his Statement, it would not be appropriate to convert the application to a full application for the Illustrative Scheme. It is reasonable, appropriate and entirely common practice for there to be an element of flexibility, but Mr Doyle overstates the flexibility that is being afforded and ignores the effect of the controls imposed by the Parameter Plans, Parameter Schedule, and the Design Code.
- 4.2 Mr Doyle states that any future reserved matters application could extend beyond the Illustrative Scheme by a measure of 5m because of the presence of plant. Whilst this is true, much detail remains to be presented and approved at reserved matters stage as to the overall design, form and massing of such plant, and there is no guarantee that the resulting plant will be either 5m or a solid block form. The Illustrative Scheme has been designed without input from M&E engineers and it is impossible to know exactly how much plant space is needed.
- 4.3 With regards to floorspace, the revised Parameter Schedule areas have been measured accurately from the 3D model of the Illustrative Scheme. Mr Doyle's areas have presumably been measured from imported pdf plans. Floor plans that are not shown in the application documents have presumably been extrapolated by Mr Doyle from the plans that are in the application documents which would explain the differences. Less weight should be given to Mr Doyle's areas as a result.
- 4.4 Mr Doyle suggests that the floor to ceiling heights in the buildings could be higher and that would allow the building heights to increase without necessarily impacting upon the buildings' compliance with the floorspace caps. However, that suggestion entirely ignores that to do so would result in taller buildings which would then have a materially greater impact in sunlight/daylight terms on the buildings along Vastern Road, which would not be acceptable at reserved matters stage in accordance with the controls in the Design Code. The position is the same when considering Mr Doyle's suggestion that the lobbies could triple in height without impacting the floorspace caps: the only impact that would have on the development is reduce the developable amount of floors within the parameter maxima since to materially increase the overall height would result in unacceptable impacts in sunlight/daylight terms.
- 4.5 Mr Doyle's exercise at Figure 18 of his Statement merely adds one set-back storey to the lower angled part of the plot, and replaces the pitched roofs with an additional floor: a negligible impact in townscape terms. It is also noted that Mr Doyle doesn't present his revised Plot A from the viewpoint of the AVR used for the Illustrative Scheme, thereby rendering even less useful the exercise and resulting diagram.
- 4.6 There is nothing persuasive in Mr Doyle's suggestion at paragraph 2.7 of his Statement that the development will not result in 1,000 unit numbers. It is unclear what force this point has in any event, given that the description of development is "up to" 1,000 units.

5.0 Conclusion

- 5.1 The Illustrative Scheme fits within the suite of controls imposed by the Parameter Plans, Parameter Schedule, and the Design Code, and as such would be entirely deliverable at reserved matters stage.
- 5.2 Those controls would also allow a slightly different built form and disposition of form but would serve to preclude a development which adds very much more in the way of height and massing and which would be located in closer proximity to the properties along Vastern Road.
- 5.3 It is therefore not possible or appropriate to consider the Illustrative Scheme as a full application, but a substantial amount of weight should be placed upon it in weighing up the proposals for the outline permission along with a consideration of the Parameter Plans, Parameter Schedule, and the Design Code, and the suite of controls which they contain.

The Appellant will deal with any remaining points in the course of closing submissions.