

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING & TRANSPORT COMMITTEE		
DATE:	19 th March 2014	AGENDA ITEM:	13
TITLE:	DRAFT SECTION 106 PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (TO OPERATE ALONGSIDE THE COMMUNITY INFRASTRUCTURE LEVY)		
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to set out the key aspects of the proposed Draft Section 106 Supplementary Planning Document, which will operate alongside the Community Infrastructure Levy (CIL), once introduced by the Council. It should be noted that an interim Revised Section 106 SPD (November 2013), consulted on during the summer, was approved for adoption at the November 20th 2013 SEPT Committee. This was an update of the 2004 Section 106 Planning Obligations Supplementary Planning Guidance.
- 1.2 Once CIL is being operated by the Council, or from April 2015¹, there will be restrictions on how Section 106 receipts can be used. Essentially CIL will become the main means of securing developer contributions towards infrastructure to support development. Section 106 will be for site related infrastructure necessary to make a development acceptable in planning terms and can only be sought in accordance with relevant legal tests². Section 106 and CIL will not be able to be used for the same item of infrastructure. Additionally the 'pooling' of Section 106 planning obligations, to be used for an item of infrastructure, will be limited to no more than five.
- 1.3 It should be noted that obligations for affordable housing and for matters not deemed as infrastructure under CIL, are not subject to the same pooling restrictions. Therefore, this new SPD, once adopted, will need to be read in conjunction with the Employment, Skills and Training SPD (April 2013) and Affordable Housing SPD (July 2013).

¹ CIL Amendment Regulations 2014 (February)

² CIL Regulation 122 (2) sets out three tests: Necessary to make the development acceptable in planning terms; Directly related to the development; and Fairly and reasonably related in scale and kind to the development

2. RECOMMENDED ACTION

- 2.1 That Committee approves the Draft Section 106 Planning Obligations Supplementary Planning Document, attached at Appendix 1, for consultation.

3. POLICY CONTEXT

- 3.1 The Council's original Supplementary Planning Guidance on Planning Obligations was adopted in 2004. It has been used effectively to secure planning obligations from developers, which have contributed towards funding a range of infrastructure within the Borough. As a result of the significant changes to relevant policies and costs since its adoption, an interim version was consulted on during the summer 2013 and was adopted by SEPT Committee on November 20th 2013.
- 3.2 It is intended to operate the Community Infrastructure Levy from April 2015 (see separate report on this agenda), at which time the use of Section 106 planning obligations will be more restricted. CIL will become the primary mechanism for achieving infrastructure payments, but there may be instances where site specific contributions will be required to enable a site to be developed and these will be secured through Section 106. Section 106 and CIL cannot be used to fund the same item of infrastructure and the pooling of Section 106 obligations entered into, towards an item of infrastructure, will be limited to no more than five contributions. (dating back to April 2010).
- 3.3 In 2010 the Community Infrastructure Levy Regulations introduced three **legal** tests to be applied when seeking planning obligations from developers. These are as follows and are also set out in paragraph 204 of the National Planning Policy Framework (NPPF), 2012:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 3.4 The NPPF recognises that where safeguards are necessary to make a particular development acceptable in planning terms the development should not be approved if the measures required cannot be secured through appropriate conditions or obligations through agreements. The NPPF also sets out in paragraph 173 that it is important that the scale of obligations does not threaten the ability of a site to be developed viably.
- 3.5 At the local level there are a number of relevant adopted planning policies:
- Core Strategy (2008) Policy CS9: Infrastructure, Services, Resources and Amenities - which requires development proposals to be sustainable through the provision or re-provision of any infrastructure, services, resources or other assets affected by the development.
 - Sites and Detailed Policies Document (SDPD) Policy DM3: Infrastructure - sets out the specific infrastructure types, for which planning obligations will be sought. The Policy includes a prioritisation to be applied, for example for reasons of viability, when seeking to agree an appropriate range of measures for which planning obligations will be secured.
- 3.6 Additionally there are a number of policies within the Core Strategy, which include specific thresholds and quantified requirements for the provision of infrastructure, and policies, which include general requirements to enhance facilities, and to make new provision where appropriate. These include community infrastructure (CS32),

biodiversity (CS36) and access to open space (CS30). There are also policies which require specific mitigation measures including CS20: Implementation of the Reading Transport Strategy; CS22: Transport Assessments; CS34: Pollution and Water Resources; and CS38: Trees, Hedges and Woodland.

- 3.7 The adopted Reading Central Area Action Plan (RCAAP, 2009) and the adopted SDPD include a number of site specific allocations which include reference to specific infrastructure which will need to be considered in bringing the site forward for redevelopment as well as specific policies such as DM16: Provision of Open Space.
- 3.8 These policies seek to ensure that development proposals make an appropriate contribution towards necessary and relevant physical and social infrastructure in order to ensure that development is both sustainable and contributes to the proper planning of an area.

4. THE PROPOSAL

a) Current Position

- 4.1 The Council currently secures developer contributions negotiated through Section 106 for infrastructure, which meets the relevant legal tests, as set out in paragraph 3.3 above and in accordance with the Revised Section 106 Planning Obligations SPD adopted in November 2013, the Employment, Skills and Training SPD (May 2013), and the Affordable Housing SPD (July 2013). This system will fundamentally change as a result of the introduction of CIL. The existing Revised Planning Obligations SPD will cease to be operable. However there will be infrastructure requirements related to a specific site, e.g. the provision of a road junction or the provision of on-site open space, that it is necessary to provide as part of the development and which will need to be secured via a Section 106 agreement.

b) Option Proposed

- 4.2 It is proposed to consult on a new Draft Section 106 SPD, attached at Appendix 1, which will operate alongside the introduction of CIL. This sets out the relationship between CIL and Section 106 planning obligations and sets out the key principles, as follows, when S106 will be required:

- A need is established for specific site related infrastructure to make the development acceptable in planning terms and in accordance with relevant legal tests;
- A specific policy requirement needs to be met;
- Impacts on local infrastructure, directly resulting from the development, need to be mitigated, in accordance with relevant legal tests;

- 4.3 The SPD includes examples of site related infrastructure that Section 106 might be required for, depending on the circumstances of a scheme, and where the relevant legal tests are met.

c) Other Options Considered

(i) Not producing a new Section 106 guidance

- 4.4 The effect of not producing a new Section 106 guidance would be that there would be a lack of transparency as to the matters for which planning obligations could be sought, and the relationship between CIL and Section 106. Potentially it would also

mean that developers could not be required to carry out site specific works or make contributions towards infrastructure made necessary solely as a result of the development of that site. There is a requirement for Local Authorities to submit evidence to the CIL Examination as to the specific infrastructure it is intended will be funded through CIL and through Section 106.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The introduction of a New Section 106 SPD will contribute to achieving the Council's following strategic aims, through providing funding for a range of infrastructure to support development:

- To develop Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley;
- To establish Reading as a learning City and a stimulating and rewarding place to live and visit;
- To promote equality, social inclusion and a safe and healthy environment for all.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Consultation will be undertaken for six weeks, alongside the consultation on the Draft Charging Schedule for CIL. This will involve sending emails/ letters to a wide range of individuals, organisations, councillors, and internal officers, as well as being advertised via the local press and on the RBC website. This will be in accordance with the relevant Town and Country Planning Regulations³.

7. EQUALITY IMPACT ASSESSMENT

7.1 The Council has had regard to the general equality duty imposed by the Equality Act 2010 (S.149). This requires public authorities, in the exercise of their functions, to have due regard to the need to eliminate discrimination, harassment and victimisation etc.; to advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and to foster good relations between people who share a relevant protected characteristic and those who do not.

7.2 The Council has carried out an Equality Impact Assessment, and considers that the application of the Draft Section 106 Planning Obligations SPD will not have a direct impact on any groups with protected characteristics. A Scoping Assessment was undertaken (Attached at Appendix 2) and it was considered that an Equality Impact Assessment (EqIA) was not relevant as the SPD will apply to all developers, nor was there evidence or belief that the operation of seeking and securing Section 106 planning obligations would have a direct impact on any groups with protected characteristics.

8. LEGAL IMPLICATIONS

8.1 The framework for securing planning obligations was introduced under Section 106 the Town and Country Planning Act 1990. Regulation 122 (2) of the Community Infrastructure Levy Regulations introduced three legal tests to be applied when seeking planning obligations. This is reiterated in the National Planning Policy

³ The Town and Country Planning (Local Planning) (England) Regulations 2012.

Framework. The consultation on this Draft Section 106 SPD will be in accordance with Regulations 12 & 13 of the Regulations 2012².

9. FINANCIAL IMPLICATIONS

- 9.1 The cost of administering Section 106 will be covered by existing budgets and staff costs. The relevant costs for monitoring and legal costs can be recouped as they are included as costs within the Section 106 legal agreements.

Value for Money

- 9.2 The introduction of the Section 106 Planning Obligations SPD will ensure that the Council maximises developer funding towards infrastructure, and on the basis that the Council has the means to recoup legal and monitoring costs, then it represents value for money.

Risk Assessment

- 9.3 There are risks associated with not having a Section 106 SPD, which are that developers may challenge any obligations sought, which could affect the levels of site related infrastructure the Council is able to secure.

10. BACKGROUND PAPERS

- Town and Country Planning Act 1990
- The Community Infrastructure Levy Regulations 2010 (SI 948)
- The Town and Country Planning (Local Planning) (England) Regulations 2012.
- Reading Borough Council Revised Section 106 Planning Obligations SPD (2013)
- Employment, Skills and Training SPD (2013)
- Affordable Housing SPD (2013) ;
- Reading Borough Council Core Strategy (2008)
- Reading Borough Council Sites and Detailed Policies Document (2012)
- Reading Borough Council Reading Central Area Action Plan (2009)
- Reading Borough Council Infrastructure Delivery Plan (July 2011)
- Reading Borough Council Infrastructure Delivery Schedule (incorporated into the adopted Sites and Detailed Policies Document (2012)

Section 106 Planning Obligations

SUPPLEMENTARY PLANNING DOCUMENT

To operate alongside Community Infrastructure Levy

Draft March 2014

Consultation ends Wednesday 14th May 2014

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1.0 Purpose of this Guidance

- 1.1 This Guidance sets out the Council's approach towards seeking planning obligations, alongside the introduction of the Council's Community Infrastructure Levy (CIL) Charging Schedule.
- 1.2 It is a general guide, as development proposals will be assessed on a site-by-site basis with the individual circumstances of each site being taken into consideration.
- 1.3 Section 106 planning obligations are also set out in the Council's adopted Employment and Skills Supplementary Planning Document (SPD) and Affordable Housing SPD (both 2013), so reference should also be made to those documents. This SPD, once adopted and once CIL is operational, will replace the Revised Section 106 Planning Obligations Supplementary Planning Document (November, 2013).

2.0 Legislative and Policy Framework

- 2.1 The relevant statutory framework for planning obligations is set out in:
- Section 106 of the Town and Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act;
 - Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended);
 - Paragraphs 203 to 205 of the National Planning Policy Framework (NPPF) March 2012.
- 2.2 The NPPF advises that planning authorities should consider the use of planning obligations where they could make an otherwise unacceptable development acceptable. They should only be used where it is not possible to address unacceptable impacts through planning conditions. Paragraph 204 (also Regulation 122(2) of CIL) states that planning obligations should only be sought where they meet all of the following tests:
- They are necessary to make a development acceptable in planning terms;
 - They are directly related to a development;
 - They are fairly and reasonably related in scale and kind to a development.

National policy (National Planning Policy Framework - NPPF), and other guidance documents are relevant.

- 2.3 Upon the adoption of a CIL, or by 6th April 2015, whichever is the sooner, the use of planning obligations must be scaled back. Once CIL is in place the pooling of Section 106 Agreement contributions, towards an item of infrastructure, will be limited to five planning obligations.
- 2.4 Development proposals should be considered in line with adopted Reading Borough Council's development plan policies:
- Core Strategy 2008;

- Reading Central Area Action Plan (RCAAP, 2009);
- Sites and Detailed Policies Document (SDPD, 2012)

2.5 The two overarching local planning policies are Core Strategy Policy CS9: Infrastructure, Services, Resources and Amenities, and SDPD Policy DM3: Infrastructure. Other policies provide specific and detailed justification for various types of planning obligation, e.g. CS16: Affordable Housing, CS29: Open Space, etc.

2.6 The Council's Infrastructure Delivery Plan (IDP) was originally published in July 2011, and is incorporated into the Sites and Detailed Policies Document (October 2012). It has been refined and used as evidence for the CIL Draft Charging Schedule March 2014. The IDP identifies social, green and physical infrastructure required to support development within the plan period to 2026.

3.0 Key Principles

3.1 The key principles for securing Section 106 planning obligations are as follows:

- Where relevant, to apply to any development of 1 dwelling or more and commercial developments of 100m² or more (Net additional floorspace based on Gross Internal Area);
- In those cases where a need is established for specific site related infrastructure, to make the development acceptable in planning terms;
- the obligation requirement must meet the relevant CIL Regulation 122(2) legal tests;
- Where a specific policy requirement needs to be met, e.g. the provision of open space in accordance with policy Core Strategy Policy CS29 due to the size of a proposal;
- To provide the obligations specifically required by policies for specific allocated sites, e.g. SDPD Policy SA2a;
- Infrastructure that is necessary to enable a site to be developed, such as a new access/ junction improvement;
- Infrastructure not identified for investment under CIL (on the Regulation 123 list);
- Where impacts on local infrastructure directly resulting from a development scheme need to be mitigated. Some of these may be physically off-site, but will be secured under Section 106 where they are clearly linked to the development site and meet the relevant legal tests, e.g. community facilities.
- Obligations can be used to prescribe the nature and use of development, compensate for loss or damage caused by development, or mitigate impact.
- It is not the role of planning obligations to deal with existing issues, but to mitigate and/ or compensate for the impact of development.
- This SPD will normally apply to all developments comprising a net addition of 1 dwelling or more and to all commercial floorspace comprising a net addition of more than 100 m² (Gross Internal Floorspace). This SPD may also apply to changes of use where there is an increase in intensity of use. In all cases planning obligations will be sought where the relevant tests are met (set out in Paragraph 2.2 above).

- In accordance with SPD policy DM3 development proposals will be expected to mitigate all relevant impacts, where these meet the relevant legal tests. Where for example, for reasons of viability, this will not be possible, then the Council will take into account the priorities as set in the policy when seeking to agree an appropriate range of measures.

4.0 Section 106 Planning Obligations and CIL

The Interaction between S106 planning obligations and CIL

- 4.1 Once CIL is operational it will be the main source of tariff based developer contributions towards infrastructure, beyond the immediate needs of the development site, to support the sustainable development of the Borough. It will be an appropriate delivery mechanism for infrastructure, which can be anticipated based on the impacts of population growth resulting from development, rather than site related infrastructure, which could not have been foreseen. There is also a provision in the CIL Regulations that a proportion of CIL be used for neighbourhood funding in those areas where development has taken place.
- 4.2 Section 106 will continue to operate alongside CIL and will be collected for affordable housing provision, which is outside the remit of CIL, and for site related infrastructure requirements. Some of these requirements might be physically off site, but where clearly linked to the development site and needed to make the development as proposed of that particular site acceptable in planning terms. Each Section 106 obligation must meet the relevant CIL Regulation legal tests, as set out above.
- 4.3 CIL and Section 106 cannot be used for the same item of infrastructure.
- 4.4 Further details about the CIL levy is within the Draft Charging Schedule March 2014 out for consultation until 9th May 2014 and should be read in conjunction with this Draft SPD. CIL will only be used to fund infrastructure on the Council's Regulation 123 list. This is a list of those projects or types of infrastructure that it intends to fund through the Levy. This list will apply unless the need for specific infrastructure contributions are identified in this SPD, and the planning obligations are sought in accordance with the relevant regulations. A number of strategic sites, allocated in local policy documents, also have requirements to provide specific infrastructure.

Development mitigation and infrastructure delivery

- 4.5 The following summarises the Council's intended approach to CIL and Section 106, once CIL is operational.

Open Space, Green Infrastructure, and Biodiversity:

Infrastructure Type	CIL	Section 106
Enhancement and management of and access to local outdoor recreation and open space directly serving the development, including provision in line with adopted site- specific policy.	x	√
Enhancement and management of and access to outdoor recreation, open space and water courses serving the Borough.	√	x
Site related ecological and biodiversity mitigation measures	x	√
Environmental improvements and access arrangements related to a development.	x	√
<p><i>Commentary</i> - Section 106 will be used for ecological mitigation/ remediation required as a result of specific development scheme, and providing for appropriate biodiversity mitigation and compensation.</p> <p>CIL will be used for the provision and improvements of public open space, unless the provision of new open space is made on-site in line with adopted policy.</p> <p>The general principles of open space provision are included at Appendix 1.</p>		

Highways, Access and Transport:

Infrastructure Type	CIL	Section 106
Strategic Borough wide transport improvements as set out in the LTP and accompanying rolling delivery plan.	√	x
Site related highway works, which may include: <ul style="list-style-type: none"> • Works to footways/cycleways • Raised kerbs • New junctions • Access roads within the site • Link roads • Traffic lights • Pedestrian crossings • Signage Where made necessary by the development and are not part of any transport programme.	x	√
Other site related transportation mitigation measures including car clubs, electric vehicle charging points, travel plans, which result directly from the development.	x	√

Commentary - The Council will use CIL to mitigate the cumulative impacts of development to fund projects identified on the CIL Regulation 123 list.

All site-specific impacts of development on transport and highways will be mitigated using a combination of S278 and Section 106.

For some allocated sites there are specific requirements, identified in adopted policy, related to wider strategic transport infrastructure.

Education:

Infrastructure Type	CIL	Section 106
Early years, primary and secondary education facilities	✓	✓
<i>Commentary</i> - Following the introduction of CIL the intention is that the Council will use CIL for education facilities, except for one strategic site at Green Park, where Section 106 will be for the provision of a new primary school on-site.		

Public Realm, Environmental Improvements and Mitigation:

Infrastructure Type	CIL	Section 106
Improvements to public realm and green environment, including the implementation of a tree strategy, access to green space and improvements to landscapes and habitats, and street care enhancements including improvements to paving, and infrastructure for public safety, e.g. CCTV coverage.	✓	✓
Air quality monitoring	✓	x
Site related environmental mitigation measures, which may include: <ul style="list-style-type: none"> • Dealing with contamination issues • Climate change mitigation • Air pollution mitigation measures • Tree planting 	x	✓
<i>Commentary</i> - Site related environmental mitigation measures, to make a development acceptable in planning terms, which will be delivered through Section 106, e.g. green living wall/ green infrastructure. The Council will use CIL for public realm and environmental improvements resulting from the cumulative impacts of development. There may instances where such improvements will be necessitated by the development and provided on site or in close proximity to the site and these would be sought through Section 106.		

Leisure and Culture:

Infrastructure Type	CIL	Section 106
Enhancement of access to and interpretation of Heritage Assets.	√	x
On-site heritage asset protection and enhancement resulting from a specific planning proposal.	x	√
Upgrading provision, including enhancement, access to and interpretation of strategic cultural, arts and sports centre provision.	√	x
The provision of public art.	x	√
<p><i>Commentary</i> - The majority of leisure and culture facilities will be funded from CIL. However, there will some sites where on-site mitigation measures will be required and these would be sought through Section 106. This would include a public art obligation, to be sought on major schemes and determined on a site-by site basis, in accordance with relevant legal tests, with the aim of making a positive contribution to the appearance of a scheme, the wider public realm and the amenities of the area.</p>		

Community & Social Facilities:

Infrastructure Type	CIL	Section 106
Provision of new facilities such as youth and community centres, other meeting places, and other community facilities.	√	√
<p><i>Commentary</i> - In the main the Council will secure provision of new community facilities through CIL, including the requirement for extension and upgrade of facilities resulting from the cumulative impacts of development. However, where a specific development generates the need for new provision in its own right then this will be sought through Section 106.</p>		

Renewable Energy:

Infrastructure Type	CIL	Section 106
The provision of wide area decentralised energy centres and retrospective connections from existing developments to link to these.	√	x
On-site decentralised energy provision in accordance with Sites and Detailed Policies Document Policy DM2 and site related infrastructure to link new developments to	x	√

existing energy centres.		
<p><i>Commentary</i> - The Council will seek the provision of decentralised energy provision on-site through Section 106. This would be in accordance with policy requirements (Policy DM2), which states that developments of more than 20 dwellings and or non-residential development of over 1000m² shall consider the inclusion of on-site decentralised energy provision. This along with those circumstances where a new development scheme links into an existing decentralised energy network will be secured through Section 106.</p> <p>Possible wide area decentralised energy facilities could be delivered using CIL receipts.</p>		

Economic Development Services and Infrastructure:

Infrastructure Type	CIL	Section 106
Construction skills and end user employment	x	√
Central Reading Incubator Business Space	√	x
Employment and Training Facilities	√	x
<p><i>Commentary</i> - Requirements for contributions towards construction skills and end user employment will be sought through Section 106 obligations from major schemes, as detailed in the Employment, Skills and Training SPD (April 2013).</p> <p>For any specific physical infrastructure related to economic development, including employment and training facilities would be funded using CIL receipts.</p>		

Flood Mitigation and Protection

Infrastructure Type	CIL	Section 106
Site related flood mitigation/ adaptation measures	x	√
<p><i>Commentary</i> - New development in flood risk areas of the Borough will be assessed against Core Strategy Policy CS35 and the Council's Strategic Flood Risk Area. There may be instances where development schemes will be acceptable in these areas depending on the nature of the proposed scheme and the level of flood risk, and where certain mitigation measures are provided. If these cannot be addressed on site or by way of condition, it is anticipated that a Section 106 Agreement may be needed for those matters, which make a building more resistant and resilient to climate change such as; Green Roofs, or incorporate raised floors.</p>		

5.0 Procedures

- 5.1 At present the handling of Section 106 planning obligations is undertaken in accordance with the Council's adopted Section 106 Procedure (September 2011)¹. This Procedure covers the entire Section 106 process, from request for contributions from developers through to the monitoring and collection of monies and the final allocation of receipts to specific projects.
- 5.2 In summary, the Council will assess each application individually, to determine whether an obligation is needed, and what matters it should address, and will justify the reasons for seeking an obligation/s.
- 5.3 Any requirement for a Section 106 will be raised with a developer as early in the process as possible. Details of the agreement will be recorded on the Council's Section 106 database. As the timetable for determining planning applications is 8 weeks for minor applications and 13 weeks for major applications it is advisable for heads of terms for Section 106 agreements to be agreed and documented prior to the submission of any planning application. The Council encourages pre-application discussions, one reason is to ensure that the process of agreeing, drawing up and signing agreements is well advanced and can be completed within the planning application determination period. Applications may be refused where agreements are not ready to be signed within the determination period.
- 5.4 The Council will use its reasonable endeavours to process Section 106 negotiations and agreements as quickly as reasonable. However, it is a complicated legal process and ample time needs to be available to complete the process. Developers will need to brief their own legal advisors early in the pre-application process.
- 5.5 Where an agreement is needed, developers will need to provide the following information:
- (i) Proposed heads of terms of the legal agreement;
 - (ii) Copies of the "title deeds";
 - (iii) In the event that there are any charges, mortgages or other securities secured on the land, the names and addresses of the charges/mortgagees/holders of the security (since it will be necessary for any such to be joined as parties to the agreement and/or consent to its terms or execute a 'Consent to Dealing' as appropriate);
 - (iv) An undertaking to pay the Council's appropriate legal costs in connection with the preparation of the legal agreement/unilateral undertaking;

¹ <http://www.reading.gov.uk/meetings/details/3357/> Item 19 – Section 106 Agreements Process (internal procedure)

(v) In the event that the applicants are represented by solicitors, the relevant contact address and name of solicitor/person dealing with the matter.

5.6 Details should be included as part of the application to ensure that it is clear what is being offered by the development so that interested persons are aware of the full picture. It is unlikely that applications can be determined with a favourable recommendation where such information is not provided before or at the same time as the application is submitted and registered.

5.7 Payment of contributions will generally either be sought upon commencement of development, or on occupation, depending on the type of obligation, unless it is agreed that an alternative stage in development is appropriate and acceptable. For larger scale proposals, the Council will (where appropriate) consider payment of contributions "phased" (dependent on material circumstances) according to (a) commencement, (b) different stages in implementation, (c) occupation and (d) phased completions on site, to be agreed by negotiation. Payments will (where appropriate) be index linked to the Retail Prices Index from the date of the agreement.

6.0 Monitoring and Expenditure

6.1 All Section 106 agreements are recorded on the Council's Section 106 database and there is a specific Officer within the Planning Section responsible for Section 106 monitoring. The Officer is responsible for regularly monitoring the implementation of development and on-going monitoring is undertaken throughout the year. However, the principal method used to identify Section 106 payments, that are overdue, is the Council's commitments monitoring which provides a snap shot of development progress every year. The results of the monitoring are checked against the Section 106 database, which has a comprehensive record of signed agreements and unpaid contributions, and the records for payments received.

6.2 All Section 106 payments received are recorded on the database immediately so any reports of developments reaching the trigger points for payment of contributions can be checked to see if any action is necessary.

6.3 Where a development has been commenced the Officer checks the obligations to determine whether they have been met in accordance with the trigger and terms of the agreements and chases these up in writing accordingly.

6.4 The Council publishes annual information on its website on Section 106 as part of its annual statement and accounts. This sets out the details and description of the scheme, Section 106 agreement number, amount brought forward into the accounting year, receipts within the accounting year, expenditure total, for what, and the amount to be carried forward into the next financial year.

7.0 How to Comment

7.1 The consultation on this SPD commences on Friday 28th March and representations should be made in writing no later than 5pm on Wednesday 14th May 2014. This can either be:

Via Email: ldf@reading.gov.uk; or

Via post: LDF Team, Reading Borough Council, Civic Offices, Reading RG1 7AE.

7.2 This document is available to view online **INSERT LINK** and at the Council's offices and all public libraries in Reading Borough.

APPENDIX 1: General Principles of Open Space Provision

In general, open spaces planning obligations will require the following main elements:

- In areas deficient in recreational open space, the provision of appropriate (defined below) new public open space, with a commuted sum to ensure funding for future maintenance to a high standard
- In areas with an adequate quantity of public open space, a financial contribution to improving existing open space to cater for additional use

New public open space must be:

- A minimum of 0.2 ha where the provision of a new neighbourhood park is required; in the case of very large developments, the provision of a new local park (minimum area of 1.0-2.0 ha) should be required
- Integrated, not overly fragmented, open space (in terms of both area and topography)
- Linked to adjacent local communities (not buried within the new development)
- Accessible to the general public and to people of all capabilities
- Not severed by roads
- At least in part, informal landscaping for both aesthetic and recreational purposes
- Appropriate, in that it satisfies the most urgent local need, whether formal play provision for children; youth facilities; sports grounds; green links; or informal landscaping

The rationale for these requirements is as follows:

- An integrated space is important for creating a sense of place and local 'ownership'.
- Tall buildings or vehicular access within the space tend effectively to separate the spaces and reduce the recreational value of the park.
- In smaller fragmented spaces, buildings may dominate the space.
- In smaller fragmented spaces, activity in the space may adversely affect adjacent properties.
- Open space scattered amongst buildings will appear less accessible to the general public (who will think it is a private open space 'belonging' to the development and not to the community).
- Open space scattered between buildings is more difficult to manage, less attractive and more subject to being shaded.
- Small scattered spaces do not adequately accommodate sizeable parks-scale trees without impacting upon neighbouring properties. Large trees contribute to pollution abatement and rain water absorption, as well as to sense of place.
- A long linear space or wide corridor is likely to create the same difficulties as fragmentation.
- Vehicular access cutting across open spaces used by children is hazardous as well as aesthetically weak. Pedestrian routes, however, may be integrated into public open space.
- Densely populated residential areas, inadequately provided for in terms of appropriately landscaped public open space, are less desirable places in which to live.

- The appropriate provision standards, size, proximity, and level and mix of use, are set out in Table 17.1.
- A variety of landscape types within the area will increase community value, whether informal play, formal plantings, formal play, etc. These best benefit from being within an integrated area.
- Isolated pockets of open space accessed solely by very steep slopes are unlikely to serve a recreational need and should not be included with the calculation of recreational open space provided.

APPENDIX 2: EQUALITY IMPACT ASSESSMENT

Provide basic details

Name of proposal/activity/policy to be assessed:

Draft Section 106 Planning Obligations Supplementary Planning Document

Directorate: DENS - Department of ENVIRONMENT AND NEIGHBOURHOOD SERVICES

Service: Planning, Development and Regulatory Services

Name: Alison Amoah

Job Title: Principal Planner

Date of assessment: 7/2/14

Scope your proposal

What is the aim of your policy or new service?

To set out the proposed infrastructure types for which Section 106 planning obligations will be sought alongside the operation of the Community Infrastructure Levy.

Who will benefit from this proposal and how?

All developers will benefit as the Draft Section 106 Planning Obligations Supplementary Planning Document (SPD) will set out the proposed planning obligations that will be sought from developers.

What outcomes will the change achieve and for whom?

The Draft SPD is the first stage of consultation leading to the adoption of a Final Section 106 Planning Obligations SPD. This will enable the Council to secure developer contributions towards infrastructure, which in turn will enable sustainable development within the Borough. The SPD will provide a clear framework for developers, and the residents of the Borough will benefit from the outputs of spend of Section 106.

Who are the main stakeholders and what do they want?

All developers and the public. Developers want certainty over relevant costs to apply in bringing forward development proposals. Other stakeholders want to ensure that the Council uses all measures available to secure infrastructure to support development.

Assess whether an EIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc)

Yes No

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, feedback.

Yes No

If the answer is Yes to any of the above you need to do an Equality Impact Assessment.

If No you MUST complete this statement

An Equality Impact Assessment is not relevant because the Section 106 Planning Obligations SPD, would apply to all developers, and the levels of contribution would be directly related to the site related mitigation/ compensation for each proposed scheme. There is no evidence that any group would be treated differently. The output of the policy would be the provision of infrastructure, for which there is no evidence or belief that any group would be treated differently.

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	19 th March 2014	AGENDA ITEM:	14
TITLE:	PRE-SUBMISSION DRAFT ALTERATION TO THE READING BOROUGH LDF (LOCAL PLAN) - CORE STRATEGY POLICY CS16 AND POLICY DM 6 OF THE SITES AND DETAILED POLICIES DOCUMENT - AFFORDABLE HOUSING		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT TRANSPORT AND PLANNING
SERVICE:	PLANNING	WARDS:	ABBEY
LEAD OFFICER:	KIARAN ROUGHAN	TEL:	0118 9374530
JOB TITLE:	PLANNING POLICY MANAGER	E-MAIL:	kiaran.roughan@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 Reading Borough Council has long supported a policy position that seeks to achieve high levels of affordable housing provision as part of developments to meet the acknowledged high levels of need for such housing in the Borough. However, current government policy, contained in the National Planning Policy Framework (NPPF), with its emphasis on economic growth and the delivery of development, gives very high priority to the issue of viability. Inevitably that means that some existing planning policies do not fully meet the requirements of national policy and will have to be changed as part of any review of the local plan.
- 1.2 In November 2013, Strategic Environment, Planning and Transport Committee resolved that a fast track review of the existing policies on affordable housing would be undertaken to bring them into line with government policy. Committee approved the publication of Draft Issues and Options Paper on the proposed Alteration for consultation. This report details the results of that consultation and seeks approval of the Pre-Submission Draft Alteration

2. RECOMMENDED ACTION

- 2.1 That Committee notes the results of community involvement on Issues and Options for the proposed Alteration to the Local Plan and approves the recommended responses to the representations made (Appendix 1);
- 2.2 That Committee approves and authorises community involvement on the Pre-Submission Draft Alteration to the Local Plan in respect of Policies CS16 and DM6, attached at Appendix 2, along with the Sustainability Appraisal of the Draft Alteration attached at Appendix 3.
- 2.3 That Committee approves the submission of the Submission Draft Alteration to the Local Plan to the Secretary of State for subsequent Public Examination,

subject to there being no need to make any amendments that would alter the policy direction, except for a change that results from a change in government policy affecting the threshold at which affordable housing can be sought, as discussed in the report.

- 2.4 That the Head of Planning, Development and Regulatory Services be authorised to make any amendments necessary to the Pre-Submission Draft Alteration to the Local Plan arising from community involvement that do not alter the policy direction, or that result from a change in government policy affecting the threshold at which affordable housing can be sought, as discussed in this report, in consultation with the Lead Councillor for Strategic Environment Transport and Planning, prior to its submission to the Secretary of State and prior to the consequent Public Examination of the Document.

3. POLICY CONTEXT

- 3.1 As a result of consulting on a Community Infrastructure Levy (CIL) Charging Schedule earlier during 2013, it became apparent that the Council's existing adopted policies on affordable housing, in particular Core Strategy policy CS16 and policy DM6 in the adopted Sites and Detailed Policies Document, have a significant effect on the viability of development and thus the calculation of CIL. From recent CIL Examinations, it is clear that CIL Examiners are generally only accepting CIL rates that are informed by viability assessments that are based on the full policy compliant position. They argue that any other approach would not be in accordance with the NPPF and DCLG guidance on CIL.
- 3.2 The current high affordable housing targets in the Council's Local Development Framework will, therefore, have a significant effect on CIL charging rates. They could result in low or even nil rates of CIL that, in Reading, would severely affect the funding of transport, education, open space and other infrastructure that is normally provided and funded through the use of developer contributions. In order to progress a CIL charge which maintains a reasonable level of income for development related infrastructure provision, it was agreed that the Council should fast track an alteration to its local plan (Local Development Framework) reviewing its affordable housing policies, namely policies CS16 and DM6, in relation to the policies in the NPPF.

4. THE PROPOSAL

(a) Current Position

- 4.1 As a result of the consultation on the Issues and Options Paper on the proposed Alteration that was published following approval by committee in November 2013, representations were received from 6 separate consultees. A summary of the representations along with recommended Council responses are attached at Appendix 1. One, on behalf of the University of Reading, made a number of detailed points. Committee is asked to agree the recommended Council responses. The points made in representations have been considered in preparing the Pre-Submission Draft Alteration and taken on board as indicated in the recommended responses.
- 4.2 Viability consultants have carried out a review of the viability work undertaken to inform the Community Infrastructure Levy Preliminary Draft Charging Schedule,

published in February 2013. The same consultants have now also produced a separate short report, based on the same viability information along with some additional sampling, making recommendations on viable levels of affordable housing provision for different sizes of sites as dealt with in the 2 existing policies. The additional sample sites are derived from the viability evidence produced during 2011/12 to inform the targets for sites of less than 15 dwellings under policy DM6. It also takes account of the council's experience of delivering affordable housing and financial contributions towards affordable housing on sites of less than 15 dwellings since policy DM6 was adopted in October 2012.

- 4.3 In relation to sites of less than 15 dwellings, Committee should be aware that, in his Autumn Statement, the Chancellor announced the government's intention to introduce a threshold of 10 dwelling units below which local authorities would not be allowed to seek affordable housing as part of planning proposals. No further information on this threshold has been forthcoming. Nevertheless it means that there is the prospect that this new threshold will remove the ability of the authority to seek the provision of, or contributions towards, affordable housing as part of schemes below 10 dwellings before this Draft Alteration is examined or adopted. The recommendations take account of the government's stated intention to introduce this change.

(b) Option Proposed

- 4.4 The work undertaken by the viability consultants confirms, in line with the assumptions used in the viability assessment for CIL, that a target of 30% provision of affordable housing can be achieved, based on viability in the current economic conditions, for residential schemes of 15 dwellings or more under policy CS16, assuming the CIL rate recommended in their updated report (February 2014).
- 4.5 Their work in relation to sites below 15 dwellings under policy DM6 indicates that, based on viability in the current economic conditions, the target levels of provision can be achieved, providing that a stipulation in the policy wording that states, **"The council will seek a tenure split of 70% social rented and 30% intermediate affordable units."** is amended. This tenure split, which is an aspirational target, would affect the viability of achieving the existing targets in policy DM6. It is therefore proposed to replace these words with the following sentence, **"The council will seek an appropriate tenure mix of affordable housing to include social rented, affordable rent, intermediate rent and shared ownership affordable units."**
- 4.6 A Draft Alteration to the Local Plan has been prepared based on the above recommended target level of affordable housing provision for policy CS16 and the wording change to policy DM6. A copy of the Draft Alteration is attached at Appendix 2. This will form the basis of a community involvement exercise to be carried out during April and May 2014.
- 4.7 The target level of provision in the Draft Alteration reflect current economic conditions and experience of negotiating contributions and affordable housing as a result of viability assessments in a number of approved schemes. There will be an opportunity through the main review of the local plan to revisit the viability issue and corresponding evidence and to revise the affordable housing and the CIL requirement to reflect, hopefully improved, economic conditions in the future. One of the implications of a planning regime that revolves so heavily around the issue of viability, a somewhat volatile concept, is that policies will need to be

reviewed periodically, or even frequently, to reflect and take account of changing economic circumstances.

- 4.8 Following consultation on the Draft Alteration, assuming that no issues are raised that would involve a substantive change to the document, the Alteration, along with its evidence base, will be submitted to the Secretary of State. It will then be referred to the Planning Inspectorate who will conduct an examination into the soundness of the document. The Inspectorate operates fast track reviews of specific policy issues to help councils update discrete parts of their local plan. A condensed Examination timetable can be operated on the basis of an Examination Hearing lasting only 1-2 days. Such an arrangement will be sought from the Inspectorate, although the examination may be more complicated in this instance because it will be run in parallel with an examination of the CIL Charging Schedule. It is anticipated that any examination will be held during autumn 2014.
- 4.9 Assuming that it is found sound following examination, the Alteration will be adopted by Council as part of the local plan during spring 2015, in advance of the introduction of the Community Infrastructure which is programmed for April 2015. It is intended that the CIL Charging schedule will be run in parallel to the progression of the Alteration to the Local Plan with its examination programmed to follow any examination of the Alteration to the local plan. Committee is requested to approve the Draft Alteration of the Local Plan for consultation and its subsequent submission to the Secretary of State in accordance with the above recommendations.

Other Options Considered

- 4.10 The alternative to proceeding with a fast track Alteration to the local plan is not to alter the local plan but to await the full review of the local plan. However, as is discussed above, such a review will take at least 36 months and the CIL Charging Schedule needs to be in place by April 2015. In terms of CIL, there is a high risk that an Examiner would impose a very low residential CIL charge if the council continued to rely on existing policies rather than the recommended Alteration to the Local Plan. This would result in a severe reduction in expected income for infrastructure (in particular, Transport, Education, Leisure, etc.).

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The review of policies will continue to achieve the provision of affordable housing as part of planned development and will thus contribute to achieving the following strategic aims:

- The development of Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley;
- Establishing Reading as a learning City and a stimulating and rewarding place to live and visit;
- Promoting equality, social inclusion and a safe and healthy environment for all.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 It is proposed to undertake community engagement in relation to the Pre-Submission Draft Alteration. This will be undertaken in accordance with the Council's updated Statement of Community Involvement (SCI)(2014). Any representations will be considered prior to the submission of the document to the

Secretary of State. Those making representations will have an opportunity to appear at any examination held by a planning inspector.

7. EQUALITY ASSESSMENT

- 7.1 The Scoping Assessment, included at Appendix 4 identifies that an Equality Impact Assessment (EqIA) is not required. The Council has had regard to the general equality duty imposed by the Equality Act 2010 (S.149). This requires public authorities, in the exercise of their functions, to have due regard to the need to eliminate discrimination, harassment and victimisation etc.; to advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and to foster good relations between people who share a relevant protected characteristic and those who do not.
- 7.2 The Council has carried out an Equality Impact Assessment, and considers that the application of the proposed Alteration of the Local Plan will not have a direct impact on any groups with protected characteristics. A Scoping Assessment has been undertaken (attached at Appendix 3) and it is considered that an Equality Impact Assessment (EqIA) is not required as the SPD will apply to all developers, nor was there evidence or belief that the operation of seeking and securing affordable housing will have a direct impact on any groups with protected characteristics.

8. LEGAL IMPLICATIONS

- 8.1 The preparation of the proposed Alteration to the Local Plan will be undertaken under powers contained in the Planning and Compulsory Purchase Act 2004, as amended by Planning Act 2008 and the Localism Act 2011. It is being prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Regard has been given to the National Planning Policy Framework and any associated guidance.

9 FINANCIAL IMPLICATIONS

- 9.1 The preparation of the Alteration to the Local Plan will be funded from existing budgets and will have limited financial implications (some expenditure on developing the evidence base, undertaking consultation and paying for an Examination) that can be accommodated within existing budgets. The holding of the examination will involve some cost to pay for the inspector/examiner, for the accommodation used to hold the examination and for any representations by consultants on behalf of the Council (for example to present the viability case). There is no budget provision for this examination at the current time.

Value for Money (VFM)

- 9.2 The preparation of the Alteration to the local plan will ensure that developments make appropriate contributions to the provision of affordable housing to meet the identified needs in the area. It will also enable the Council to progress with CIL and to set a CIL charge that will result in receipts to the Council sufficient to ensure that significant effects are mitigated, and that contributions are made to local infrastructure made necessary by new development. Robust policies will also reduce the likelihood of planning by appeal, which can result in the Council losing control over the form of some development, as well as significant financial implications. Production of the documents set out, in line with legislation, national policy and best practice, therefore represents good value for money.

Risk Assessment

9.7 There are no direct financial risks associated with the report.

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004 (Section 15);
- Planning Act 2008;
- Localism Act 2011 (Section 111);
- The Town and Country Planning (Local Planning) (England) Regulations 2012;
- National Planning Policy Framework;
- Local Development Scheme 2011.

ANNEX 1: SUMMARY OF WRITTEN COMMENTS RECEIVED AND COUNCIL RESPONSE

Ref	Respondent	Document section/topic	Summary of response	Council response
002645	Environment Agency	General	The Environment Agency has no objections. We do not consider any such revision to the Council's thresholds for affordable housing provision to adversely affect the Council's ability to meet any environmental obligations for new development for which we would be concerned.	Noted.
000017	English Heritage	General	<p>English Heritage has no comments on the proposed reduction in the proportion of affordable housing to be sought from housing developments.</p> <p>However, in respect of paragraphs A.6 of the Core Strategy and B.6 of the Sites and Detailed Policies Document, English Heritage trusts that the Council would be willing to consider a reduction in the required affordable housing provision where viability was an issue and the scheme would deliver other public benefits in the form of the conservation or enhancement of heritage assets.</p>	<p>Noted.</p> <p>Benefits to heritage assets would certainly be a material consideration in determining such applications.</p>
	Hermes	General	Hermes supports RBC's intention to reduce affordable housing targets across the Borough to reflect what they consider to be more realistic and achievable levels of provision, within the context of the prevailing economic climate and the urgent national requirement to 'boost significantly' housing growth (NPPF), which will facilitate the overall deliverability of affordable housing.	Noted.
	Hermes	General	<p>Whilst Hermes appreciate that increasing the supply of housing and, in particular, affordable housing, is one of RBC's priorities, viability can act as a serious obstacle to housing delivery, and development should not be subject to such a scale of obligations and policy burdens that its ability to be developed viably is threatened (NPPF, paragraph 173).</p> <p>Whilst the exact reduced affordable housing targets to be contained within the replacement policies will need to be</p>	<p>Noted.</p> <p>The Council already operates affordable housing policies in this way, and the intention is to continue to do so. The policy will allow for the viability of specific schemes to be taken into account at application stage if it can be demonstrated that the policy target is not viable in that case, in the same way that existing policies do.</p>

			<p>established through a detailed viability assessment, which we note has not currently been undertaken, the appropriate time to test the viability of specific development proposals remains at the planning application stage. It is essential that RBC's policy approach is applied flexibly to individual schemes based upon their specific viability, individual site considerations, the cumulative impact of all obligations and policy burdens and the need to encourage rather than restrain development. Hermes therefore consider that it is essential that the replacement policies allow for circumstances where a lower level of affordable housing provision is justified on the grounds of economic viability.</p>	<p>The draft altered policies and associated text allows the specific viability of individual schemes to be tested, although as the policy has been viability tested, the assumption will be that the specific viability of individual schemes will only need to be tested in exceptional circumstances.</p>
	Hermes	General	<p>Hermes recognises the need for affordable housing requirements, having regard to their size, type and tenure, to be reflective of current identified local needs through a range of housing types, tenures and sizes. A flexible approach to the provision of affordable housing and innovative proposals that can meet specific local needs should be adopted in this regard.</p>	<p>Noted. It is agreed that the policy should be sufficiently flexible to allow innovative proposals to meet specific local needs. However, there still needs to be policy in place to guide proposals in terms of size, type and tenure for the majority of cases, in order that the right kind of housing is delivered. As for any planning application, the law allows other material considerations to be weighed against the requirement to determine an application in accordance with the development plan.</p>
	Thames Valley Police Crime Prevention Design Advisor	General	<p>Affordable housing can have residents who are sometimes the most vulnerable in society and who therefore cannot afford to pay for any uplift in security for their accommodation. Therefore it is important that any new dwellings built should be to part 2 (physical security) of the Secured by Design award, which is entry level security using British Standard tested doors and windows.</p> <p>Crime is also a generator of CO2 emissions and in England & Wales is estimated to create 12 million tonnes of CO2 emissions - equivalent to 2% of the UK's total CO2 output. If new development is constructed to part 2 (physical security) of the Secured by Design award, not only will this reduce crime, but also reduce CO2 emissions and make the development more sustainable for its lifetime.</p> <p>I would therefore suggest extra wording to the policy</p>	<p>Not agreed. Security of design is an issue that is not simply applicable to affordable housing, but many other types of development as well. The purpose of this early review is to keep to the specific issues that are identified, i.e. the proportion of affordable housing sought. Security of design is an issue that is dealt with in Core Strategy policy CS7, and the consideration of this and all other policies will be for the Local Plan review, timetabled to begin later in 2014.</p>

		(perhaps at section B.4) such as: “Developers will show how the physical security of development proposals will be achieved in Design and Access Statements (when a DAS is required). All developments will be expected to meet the standards for new homes in Secured By Design New Homes, Part 2: Physical Security.”	
Mr David Parsons	General	<p>The policies make an abrupt level shift when adding a fifth or a tenth or a fifteenth house to a site. This can have a distorting effect on the best development on a site. For example, a builder may have a site which could be developed for 10 houses. If he did so, 3 would have to be affordable and 7 would be profitable. Instead he is likely to build 9 houses, where under the 20% tariff only 1.8 would have to be affordable and he can build 7.2 for profit. With less space tied up in affordable properties he can make the 7 houses larger and make more profit - but leaving the Council with one fewer affordable property than if the tariff had been set to optimise affordable development.</p> <p>Similarly adding a fifteenth house makes no sense for a builder. What determines a builder’s profitability is the number of dwellings for sale, not the % affordables. Under the tariff, the fifteenth house would be affordable, so represents more work for no more profit.</p> <p>In the British tax system everyone gets £9440 tax free, then pays 20% on the next slice of income, then 40% on the next slice. Could this principle be applied to affordable housing? To remove the level shifts, policy could be set, for example, to say that the first four houses on any site - whatever the size - would attract a 10% affordable requirement; the next five houses say 25%; the next 35%; then 45%; or some such scheme. There would be some ‘winners’ and some ‘losers’ compared with the present lumpy scheme, but less chance to ‘play the system’.</p>	<p>Noted.</p> <p>Any such policy is inevitably going to result in some unevenness in how it is applied. The previous position of not seeking affordable housing below 15 units led to a rash of 14 unit schemes, and the introduction of DM6 has at least mitigated this to some extent.</p> <p>There is some merit in this proposal and it is worthy of more detailed consideration. However, at the current time, any consideration of this issue has to be mindful of the possibility of the Government introducing a 10-unit threshold for seeking affordable housing, which would undermine any efforts the Council makes to smooth the calculation from one unit through to 15.</p> <p>If the government’s stated intention to introduce a 10-unit threshold is not implemented, then the review of affordable housing policies under the forthcoming review of the local plan will give this proposal serious consideration.</p>

			Alternatively would a fairer way be to assess as a proportion of the number of bedrooms. In the old days builders would build 50% of the number of dwellings as luxury 5-bed houses and 50% as one-bed flats. In this case only 16.7% of the bedrooms was affordable. A scheme on these lines would help promote the need for family size affordable properties.	
	University of Reading		The University of Reading is concerned by paragraph 2.3 since it states that "one or two of the targets" within Policy DM6 may be lowered. The Policy includes three targets and as such the University does not consider it appropriate for the alterations to the Policy to be limited to "one or two of the targets". The further viability assessments which the Council has committed to undertaking may indicate that all three of the targets within the Policy, as well as within Policy CS16 of the Core Strategy, should be altered. In fact, the University notes that the proposed wording of replacement Policy DM6 does suggest that all three targets could be altered.	No change needed. The targets will be revised in line with the evidence, including the viability assessment. It is agreed that the somewhat informal language used in the Issues and Options when interpreted literally may lead to a perception that the Council will not make any more than minor amendments, but this was not the intention.
	University of Reading		Paragraph 2.3 states that the targets within the SDPD will be altered by "small amounts to reflect actual viability in the current market conditions". The University considers that it is inappropriate to commit to targets only being revised by "small amounts" since the viability assessments to be undertaken may indicate that more significant alterations are required to ensure that development remains viable in accordance with paragraph 173 of the NPPF.	No change needed. The targets will be revised in line with the evidence, including the viability assessment. It is agreed that the somewhat informal language used in the Issues and Options when interpreted literally may lead to a perception that the Council will not make any more than minor amendments, but this was not the intention.
	University of Reading		Paragraph A.4 of the Issues and Options consultation document indicates that affordable housing will be sought from major B1 developments of more than 2,500 sqm. The paragraph then continues by stating that on-site provision of affordable housing will always be sought in the first instance but that surrogate sites or commuted sums towards affordable housing will be considered in exceptional circumstances. Unless a development is of significant scale and truly mixed use, it is unlikely that major B1 developments of more than 2,500sqm will be	Agreed. Change proposed. This reference is not particularly relevant to policy CS16; it is covered in policy CS13 which is not the subject of this alteration. Remove reference to B1 developments from the text to the policy.

	University of Reading	<p>capable of providing affordable housing on-site.</p> <p>The possible revised text to Policy DM6 of the Sites and Detailed Policies DPD states that the Affordable Housing SPD provides additional detail on affordable housing provision and we note that this SPD includes the calculation to be used when identifying the level of financial contribution which will be sought from major B1 developments. Our calculations indicate that the SPD suggests that a financial contribution of approximately £5.8m would be required from a development of 10,000 sqm of B1 floorspace (based on the Council's current affordable housing target of 40% which is set out within the Housing Strategy 2009-2013).</p> <p>The Council's affordable housing target within the Housing Strategy should be updated in light of this current consultation, the evidence that RBC will need to collate and the acknowledgement that the Core Strategy requirement of 50% affordable housing is generally unachievable.</p> <p>However we also note that the level of affordable housing contribution identified as being necessary from B1 developments within the Affordable Housing SPD is likely to act as a significant deterrent to developers who might otherwise bring forward such schemes.</p> <p>Even at the affordable housing levels being proposed within the Issues and Options consultation document, a target of 30% would still indicate that affordable housing contributions of approximately £4.3m would be required from a development of 10,000 sqm of B1 floorspace and we consider is likely to continue to act as a significant deterrent to developers.</p> <p>As such, we strongly urge the Borough Council to also reconsider the calculation of affordable housing contributions payable from major B1 developments in order to help facilitate development which may well help</p>	<p>No change needed.</p> <p>The issue of affordable housing contribution from B1 development is not currently subject to consultation. It is referred to in Policy CS13 that is not subject to this fast track alteration. This consultation is intended as a focused consultation on a particular issue, namely affordable housing contributions from housing development, which will enable those policies to be updated in a streamlined examination process. Expanding the scope of the consultation will mean lengthening the process, thus negating the point of consulting on this particular issue prior to a full Local Plan review. The issue of affordable housing contributions from B1 office development will be dealt with as part of the Local Plan review as appropriate.</p> <p>The Council is not aware of any evidence that its policy in terms of B1 office is deterring development, and the University of Reading has not provided any. Large scale B1 office development which fails to attempt to mitigate its impact on the housing market is not sustainable development, for reasons set out in the SPD and policy CS13.</p>
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		to contribute towards economic growth and the availability of employment opportunities in the town which is currently being deterred.	
University of Reading		Viability can act as a serious obstacle to housing delivery, and paragraphs 173 and 174 set out how this is to be taken into account. Whilst the exact reduced affordable housing targets will need to be established through detailed viability assessment, which we note has not currently been undertaken, the appropriate time to test the viability of specific development proposals remains at the planning application stage. On this basis it is essential that RBC's policy approach is applied flexibly to individual schemes based upon their specific viability, individual site considerations, the cumulative impact of all obligations and policy burdens and the need to encourage rather than restrain development. The University therefore considers that it is essential that the replacement policies allow for circumstances where a lower level of affordable housing provision is justified on the grounds of economic viability.	<p>Noted.</p> <p>The Council already operates affordable housing policies in this way, and the intention is to continue to do so. The policy and associated text will allow for viability of specific schemes to be taken into account at application stage if it can be demonstrated that the policy target is not viable in that case, in the same way that existing policies do. However, as the policy has been viability tested, the assumption will be that the specific viability of individual schemes will only need to be tested in exceptional circumstances</p>
University of Reading		<p>The recognition by Reading BC that their adopted policies in respect of affordable housing provision do not conform with the NPPF is to be welcomed.</p> <p>This lack of conformity - particularly in respect of DM6 - was formally brought to the Council's attention in May 2012 before the SDPD examination closed as it has been a longstanding flaw in the Council's position to base Policy upon aspiration and social engineering objectives rather than proven evidence as is stipulated in national guidance. It is, consequently, unlikely that the proposed alterations will be sufficient as the Council are still relying upon presumption and untested evidence. In that regard it can be noted that the Council are not proposing to amend associated policies (e.g. CS15 and DM5) or the adopted Affordable Housing SPD and it is therefore likely that the LDF will continue to deter development in direct conflict with the NPPF.</p>	<p>Noted.</p> <p>The support for revising the affordable housing policies is noted, and one would assume that the University would therefore wish to engage constructively with the process to ensure that these revisions can be made as quickly as possible.</p> <p>It is a bizarre approach to argue that the proposed alterations will be insufficient when the actual draft policy has not yet been published, and suggests a rather combative attitude as opposed to the constructive approach that makes a genuine contribution to the debate which the planning policy system is supposed to engender, and which is certainly required in this case.</p> <p>Reference to a "democratic deficit" in the way the SDPD policies were generated is particularly perverse. Policies were subject to a number of public consultation exercises, and adopted by a democratically elected Council who have long made their commitment to delivering affordable housing clear.</p> <p>Claims that the existing policies have handicapped the development industry at a time of economic crisis are entirely unsupported in this submission.</p>

	<p>Therefore, it is recommended that bearing in mind there has been no previous opportunity to robustly examine the underlying assumptions, methodology or conclusions in a public examination of the background evidence base (i.e. the SHMA - completed by DTZ after the CS and SDPD were adopted and Viability Study - which has not yet been undertaken) should be made part of the Inquiry process. It is inappropriate for Reading BC to present such documents as factual when they have not been subject to either consultation or examination in public. Therefore, to base draft alterations upon what it is assumed they demonstrate is in itself a contradiction of the requirements of the NPPF.</p> <p>Furthermore, it is self-evident that any SPD to be referred to for development control purposes should only be introduced after the draft Policy on which it is intended to provide guidance has been examined and adopted: in the interim the weight to be attached to any existing SPD is significantly reduced and it would be prudent to formally acknowledge this and confirm that the Affordable Housing SPD adopted in July 2013 will be withdrawn and revised.</p> <p>In essence it does not appear that the draft alterations reflect recognition of the need emphasised in the NPPF to reduce the cumulative financial burden imposed upon development but rather of a desire to merely amend the apportionment of planning obligations to facilitate the imposition of a borough-wide Community Infrastructure Levy.</p> <p>Thus, it can be concluded that unless there are substantial additional changes the proposed draft alterations will not remedy the conflict of the Local Plan with the NPPF and the adopted policies of Reading BC will continue to deter development activity.</p> <p>Proposed draft alterations</p>	<p>SHMA</p> <p>The examination process will of course include all background evidence, including latest SHMA information and viability work, as is normal practice. Viability information will underpin the draft policies - it should be noted that the Council has not yet produced full draft policies, so these objections are more than a little premature.</p> <p>Contrary to claims here, no SHMA was produced by DTZ after adoption of the SDPD. The main SHMA was completed in 2007 and was part of the background evidence for the Core Strategy examination. A narrow update on the need for housing and affordable rent was completed by DTZ in February 2012, some months before the SDPD was adopted in October 2012. All that this did was to confirm that there continues to be very significant need for affordable housing in Reading. It can surely not be the contention that this is not the case. The representation is seeking to quibble on dates and processes of documents that have already been adopted, when the basic issue is clear to everyone, i.e. that there is a very substantial need for affordable housing in Reading Borough over the plan period.</p> <p>The examination process will of course include all background evidence, including latest SHMA information and viability work, as is normal practice.</p> <p>Viability</p> <p>The draft policies will be supported by a viability assessment of the cumulative policy implications of the entire plan, which will comply with requirements of the NPPF. It is premature to seek to claim that changes will not comply with the NPPF before the full draft of those changes is published.</p> <p>The viability assessment will be published when the pre-submission draft policies are published. It is unclear what 'full involvement of all interested parties' means in practice, but it is not a requirement of the NPPF that such involvement takes place, and doing so would place an enormous time and resource strain on the local authority and delay the timetable for reviewing these policies.</p> <p>Affordable Housing SPD</p> <p>Until such time as they are replaced, adopted policies upon which the SPD is</p>
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		<p>The contention put forward by Reading BC in the “Issues and Options” paper of November 2013 is that they propose to amend just two specific policies within the adopted Local Plan to reflect three factors:-</p> <ol style="list-style-type: none"> 1. Policies CS16 and DM6 were “adopted/largely adopted” before the NPPF was published in March 2012 2. A revised SHMA has been prepared which reinforces the need to maximise the provision of affordable housing via the imposition of planning obligations 3. The preparation of viability evidence to support the introduction of CIL has highlighted that proposed development schemes cannot support the aspirational targets for affordable housing provision which may therefore need to be adjusted <p>However, the Council continue to maintain that in general terms “the system has worked well” and it was a deliberate intent of Policy formulation that individual viability assessments would be needed to accompany “most applications” as the policies were “intended to be relevant for a number of years” as they were premised on the assumption that “the economy will come out of recession reasonably quickly”.</p> <p>It can thereby be observed that the Council are acknowledging the Policies were not realistic when they were adopted and have imposed a need for applicants to submit viability evidence demonstrating why individual schemes could not fulfil policy targets which were known to be unviable from the outset.</p> <p>Conclusion</p> <p>Having reviewed the proposed draft alterations to CS16 and DM6 against the NPPF it can be observed that, in summary:-</p> <ol style="list-style-type: none"> 1. The central thrust of the NPPF is that policy making should respond to objectively assessed need whereas, in 	<p>based will continue to apply in determining planning applications. This includes policy CS13 which is not proposed to be revised as part of this exercise in any case. There is no need to withdraw or amend the Affordable Housing SPD prior to adoption of revised affordable housing policies.</p> <p>Purpose of Affordable Housing</p> <p>Continual references to it being inappropriate for the Council to base its policy on “social engineering objectives” are difficult to understand. The need for mixed and balanced communities remains a key justification for seeking affordable housing, and is referenced strongly at paragraph 50 of the NPPF. No other ‘social-engineering’ objectives are at play.</p> <p>Review of Other Aspects</p> <p>The representation makes reference to a need for commitment to review various other aspects, e.g. housing land supply, cumulative viability impact of policies. The Council published a Local Development Scheme during 2013, which makes clear the intention to review all policies within development plan documents as part of a single Local Plan. Appendix 2 of the LDS sets out more detail, including a timetable for production, and this references the need to reassess housing needs through a SHMA, and test policies for viability, early in the process.</p> <p>The Planning Inspectorate have set out streamlined procedures for carrying out narrow reviews of certain policies, which the Council is seeking to utilise to review affordable housing policies in advance of the main Local Plan review, as explained in the LDS. These streamlined processes will not be possible with a whole range of policies, and certainly will not be possible if the policies to be reviewed include setting housing figures. If the approach suggested by the representation were to be taken, we could expect the adoption of revised affordable housing policies to take place in 2016 at the earliest, rather than the 2014 currently envisaged. That surely cannot be what the University is trying to achieve.</p> <p>In summary, it is disappointing that this submission does not make a more positive contribution to the development of policy. It is to be hoped that a more constructive approach is adopted when the draft altered policies are published for consultation supported by the evidence that is required by the NPPF.</p>
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that regard, it appears that Reading BC continue to seek to respond to aspiration and a desire to socially engineer communities.

2. Great emphasis is given within NPPF to not imposing planning burdens which will stifle viability however Reading BC have not yet appraised the impact of either CS16 or DM6 upon financial viability and are instead responding to difficulties highlighted during the attempt to introduce a Community Infrastructure Levy.

Thus, Reading BC appears to be promoting planning obligations without assessing the potential impact upon the release of sites. Neither the cumulative impact upon land supply or financial implications for individual sites has been considered. There is therefore a fundamental conflict between the NPPF and both CS16 and DM6 which was immediately out of date when adopted and has deliberately resulted in affordable housing proposals being determined in accordance with individual scheme viability appraisals.

It is inevitable that the inflexible imposition of such unnecessary delay and expense upon applicants has been injurious to the provision of new housing in Reading but it is of greater concern that - rather than remedy the acknowledged conflict with the NPPF by considering a thorough overhaul of the Local Plan - the Council are now proposing to make only very minor adjustments. In that respect (and setting aside the issue of two wasted years bearing in mind the NPPF was published during the EiP some seven months before the SDPD was adopted) there is no confirmation given in the 'Issues and Options' paper that:

- the Council anticipate a thorough examination of the new SHMA of 2012 (which has never been subject to public scrutiny) in advance of, or during, the examination concerning the proposed draft alterations
- housing supply and SHLAA targets will be enhanced in accordance with the requirements of the NPPF to reflect

		<p>the increased need for affordable housing which it is suggested the SHMA of 2012 has identified</p> <ul style="list-style-type: none">- all adopted policies which impact upon viability (e.g. CS15 and DM5) will be re-considered on a cumulative basis to conform with the requirements of the NPPF- the viability assessment exercise to be undertaken in advance of the publication of the Pre-Submission Draft Alteration planned for March 2014 will be subject to public consultation and be prepared with the full involvement of all interested parties including land owners and private sector house builders- the Affordable Housing SPD of July 2013 will be withdrawn until this exercise is completed. <p>It is likely therefore that unless dramatically amended the route proposed by Reading BC will merely extenuate the democratic deficit which characterised the imposition of the SDPD policies irrespective of the publication of the NPPF and which have handicapped the development industry during a time of severe economic crisis.</p>	
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Reading Borough Council

Pre-Submission Draft Alteration Reading Borough Local Development Framework (Local Plan)

Policies on Affordable Housing Provision

*Director of Environment and
Neighbourhood Services*

March 2014



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Reading
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Reading Borough Council, Planning Section
Pre-Submission Draft Alteration to the Reading Borough Local Development
Framework (Local Plan)

Contents.

1. Introduction to the Pre-Submission Draft Alteration to the Reading Borough Local Development Framework (Local Plan)

- A1. Reading Borough Council views the provision of affordable housing as a high priority. It has had high aspirations and has sought to ensure that the planning system provides appropriate levels of affordable housing to meet the identified needs in the Borough. It has been reasonably successful in achieving high levels of provision to meet those needs and its aspirations. Going forward, the provision of affordable housing remains a key part of the Council's programme in serving its constituents as set out in its Corporate Plan.
- A2. In terms of affordable housing, as with most authorities in the south east of England, Reading Borough exhibits very high levels of need for affordable housing. The main evidence for this is a Housing Needs Assessment undertaken on behalf of 5 of the 6 Berkshire Unitary Authorities and published in 2012. Preparatory work is currently underway on new Housing Market Assessment(s) for authorities in Berkshire. Under their duty to co-operate the six unitary authorities in Berkshire are jointly producing a methodology that they will all work to as part of forthcoming reviews of local plans.
- A3. As a result of consulting on a Community Infrastructure Levy (CIL) Charging Schedule during February to April 2013, it became apparent that the Council's existing adopted policies on affordable housing, in particular Core Strategy policy CS16 and policy DM6 in the adopted Sites and Detailed Policies Document, have a significant effect on the viability of development and thus the calculation of CIL charges. CIL rates were generally only being accepted where they were informed by viability assessments that are based on the full policy compliant position. It is argued that any other approach would not be in accordance with the NPPF and DCLG guidance on CIL.
- A4. In order to progress a CIL charge which maintains a reasonable level of income for development related infrastructure provision, the Council resolved that it should fast track an alteration to its local plan (Local Development Framework) reviewing its affordable housing policies, namely policies CS16 and DM6, in relation to the policies in the NPPF. An Issues and Options Consultation was undertaken during December 2013 - January 2014. Matters raised in representations have been considered in preparing this Draft Alteration. Further work has been undertaken on viability to inform on the viability of different levels of affordable housing provision in relation to both CIL and the draft altered policies. As a result of that work, this paper publishes altered policies CS16 and DM6.
- A5. This Pre-Submission Draft Alteration to the Reading Borough Local Development Framework (Local Plan) is open for consultation, the closing date for which will be ?? May 2014. The results of consultation will inform any proposed amendments to the Draft Alteration. Assuming that any changes/amendments are relatively minor, the document will then be submitted to the Secretary of State. It will then be subject to an examination by an appointed Inspector. It is expected that the examination will take place in autumn 2014. The intention is to link the examination to a separate examination of the Draft CIL charging Schedule. Representations to the Draft Alteration will be considered by the Inspector conducting the examination into the Draft Alteration.

Pre-Submission Draft Alteration to the Reading Borough Local Development Framework (Local Plan)

Affordable Housing Provision

1.0 Background

- 1.1 Reading Borough Council has long supported a policy position that seeks to achieve high levels of affordable housing provision as part of developments to meet the acknowledged high levels of need for such housing in the Borough. Over the years, various studies have demonstrated high levels of need for affordable housing in the Borough.
- 1.3 Policy CS16 of the Core Strategy (adopted in 2008), in particular, reflects the Council's long-term policy target for affordable housing on sites of 15 or more dwellings. Generally, the policy has worked well and there has been a high level of delivery of housing, including affordable housing, in the Borough albeit below the target indicated in the original policy.
- 1.4 Policy DM6 has been in operation for decisions made on applications to which it applies since October 2012, when the Sites and Detailed Policies Document was adopted. That policy has also brought in significant provision and contributions towards provision of affordable housing.
- 1.5 Under the NPPF, the expectation is that authorities will set policy targets having carried out an assessment of viability, taking account of, *"...all the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle."*
- 1.6 Community Infrastructure Levy Charging Schedules are being assessed on these principles. In the light of this significant change to national policy, the Council has reluctantly accepted that it can no longer sustain its target in policy CS16 of 50% affordable housing for schemes of more than 15 dwellings. It must therefore change the policy to provide a policy target that has been tested as part of an exercise that assesses the cumulative impact of all requirements on the viability of development in the area.
- 1.7 Policy DM6 in the Sites and Detailed Policies Document sets targets that were intended to be relevant for a number of years as the economy comes out of recession. Its targets assumed that the economy would come out of recession reasonably quickly. It provided for the policy targets to be considered in each case in the light of individual viability assessments. The publication of the NPPF has changed the policy basis for considering viability. As a result the targets in policy DM6 have been reviewed.
- 1.8 Further viability work has been carried out, updating the previous work undertaken to inform a CIL charging rate. At the same time work has been carried out to assess the viability of different levels of affordable housing

provision to inform targets that would be appropriate during early 2014, as the Council goes forward with its CIL Charging Schedule and Alteration to its Local Plan. The result is a reduced proposed target for policy CS16 of 30% affordable housing provision. The targets in policy DM6 have been found to be viable in most of the scenarios tested and will therefore remain unaltered. However references in the policy to the tenure split of social rented and intermediate affordable housing units would have an impact on viability. It is therefore proposed that a sentence in the final paragraph of the policy is altered.

2.0 Policy CS16 - Draft Altered Policy

Policy CS16: Affordable Housing

All developments of 15 dwellings and above will provide 30% of the total number of dwellings in the form of affordable housing to meet the needs of the area, as defined in a housing needs assessment.

Affordable housing is subsidised housing that enables the asking price or rent to be substantially lower than the prevailing market prices or rents in the locality, and is subject to mechanisms that will ensure that the housing remains affordable for those who cannot afford market housing.

In all cases where proposals fall short of the policy target as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.

In determining residential applications the Council will assess the site size, suitability and type of units to be delivered in relation to the current evidence of identified needs. The Council will seek an appropriate tenure mix of affordable housing to include social rented, affordable rent, intermediate rent and shared ownership affordable units. The affordable units provided should be integrated into the development.

Priority needs, in 2014, are for family sized housing, specialist accommodation for vulnerable people and extra care housing. The Council will regularly monitor and review the need for, and delivery of, affordable housing.

Aim of the Policy

- 2.1 The National Planning Policy Framework indicates that in order to boost significantly the supply of housing, local authorities should ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. It goes on to indicate that local planning authorities need to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Reason for the Policy

- 2.2 The Berkshire Strategic Housing Market Assessment (SHMA, 2007), along with the Housing Needs Assessment published in 2012, provide evidence of the high level of need for affordable housing that exists in Reading and the surrounding areas. The Reading Borough Housing Strategy sets out strategic housing objectives and priorities for housing provision within the overall needs identified. The provision of family sized housing, specialist accommodation for vulnerable people and extra care housing for the elderly have the highest priority under the Strategy.
- 2.3 Affordable housing is defined (in the National Planning Policy Framework (NPPF)) as, "Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market." Where they have identified that affordable housing is needed, authorities have to set policies for meeting this need and contributing to the objective of creating mixed and balanced communities¹.

How will the Policy be achieved?

- 2.3 Affordable housing contributions will be sought from residential-only developments and mixed-use developments. On-site provision (serviced land or completed units) of affordable housing will always be sought in the first instance. Where there are exceptional reasons, the provision of surrogate sites (serviced land or completed units) or commuted sums that will enable the provision of a commensurate number and mix of affordable units, will be considered. In the case of commuted sums, the Council will choose the registered provider to which to direct the funding.
- 2.4 The target set in the policy has been determined as the result of an assessment of the viability of development of sites of various sizes in the Borough during early 2014 in accordance with the requirements of the NPPF. This will be the expected level of affordable housing provision.
- 2.5 However, the Council will be sensitive to exceptional costs of bringing a site to market such as for reasons of expensive reclamation, or infrastructure costs, or high existing use values. Where applicants can demonstrate, to the satisfaction of the Council, exceptional difficulties in bringing a site to market, the Council will be prepared to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement. As development costs are usually reflected in the residual land value, the purchase price of a particular site will not, on its own, be a reason for reducing the affordable housing requirement. The Council will generally secure provision of affordable housing through a Section 106 agreement.
- 2.6 The tenure, size and type of affordable housing provided as part of any scheme should respond to the identified need for affordable housing taking account of the details and specific priorities set out in an Affordable Housing Supplementary Planning Document or other Supplementary Planning Document. New development should therefore include a range and mix of tenures, sizes and types (e.g. house types, flats) of affordable housing (as appropriate depending on site size) to reflect local needs and to reflect the range and mix of house types in

¹ DCLG, National Planning Policy Framework (NPPF) (2012). See Glossary - extract provided at Appendix 1.

the scheme as a whole (i.e. the mix of dwelling sizes in the provision of affordable housing should reflect the mix proposed for the private housing).

3.0 Draft Altered Policy DM6

DM6: AFFORDABLE HOUSING

On development sites of less than 15 dwellings, the following proportions of affordable housing provision will be provided:

- on sites of 10 - 14 dwellings 30% provision;
- on sites of 5 - 9 dwellings 20% provision; and
- on sites of 1 - 4 dwellings, a financial contribution will be made that will enable the equivalent of 10% of the housing to be provided as affordable housing elsewhere in the Borough.

For sites of more than 4 dwellings, provision should be made on site in the first instance with a financial contribution being negotiated to make up the full requirement as appropriate.

In all cases where proposals fall short of the policy targets as a result of viability considerations, an open-book approach will be taken and the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution.

In determining residential applications the Council will assess the site size, suitability and type of units to be delivered in relation to the current evidence of identified needs. The council will seek an appropriate tenure mix of affordable housing to include social rented, affordable rent, intermediate rent and shared ownership affordable units.

Priority needs are for family sized housing, specialist accommodation for vulnerable people and extra care housing. The Council will regularly monitor and review the need for, and delivery of, affordable housing.

Aim of the Policy

- 3.1 The key national policy goal is that everyone should have the opportunity of a decent home, which they can afford. National policy seeks to provide sustainable, inclusive mixed and balanced communities in all areas. The key characteristics of a mixed community are defined as a variety of housing, particularly in terms of tenure and price, and a mix of different households such as families with children, single person households and older people. This policy seeks to achieve those aims. In doing so it achieves Core Objective 2 of the Core Strategy.

Reason for the Policy

- 3.2 The NPPF indicates that obligations and policy burdens should be weighed against viability considerations. It notes that affordable housing should involve high quality design.
- 3.3 The Berkshire Strategic Housing Market Assessment (SHMA, 2007), along with the Housing Needs Assessment published in 2012, provides up to date evidence of the

high level of need for affordable housing that exists in Reading and the surrounding areas. The Berkshire SHMA has informed the preparation of a new Reading Borough Housing Strategy 2009-2014 that sets out strategic housing objectives and priorities for housing provision within the overall needs identified. The provision of family sized housing, specialist accommodation for vulnerable people and extra care housing for the elderly have the highest priority under the Strategy. These priorities are reflected in the policy.

How will the Policy be achieved?

- 3.4 In implementing the policy, the Council will have regard to the definitions and provisions in relevant national guidance. The type/mix of affordable housing provided should reflect the type/mix of the development as a whole and at least reflect the type/mix sought under Policy CS16. Affordable housing provision should include an appropriate proportion of wheelchair accessible homes within the mix, and should comply with the Lifetime Homes requirements. All development should meet the appropriate standards for Sustainable Design and Construction and an appropriate quality of design.
- 3.5 In the case of residential-only and mixed-use schemes, Reading's policy preference is for the affordable housing contribution to be in the form of serviced land or completed units on site. This contributes to forming mixed communities in line with national and other planning policy. In exceptional cases, it may be acceptable for the required affordable housing to be provided off-site, or for an appropriate financial contribution to be made instead of on-site provision. Examples may include sites where there are existing concentrations of particular types of affordable housing, where there are demonstrable benefits to be gained by providing the new units elsewhere (e.g. to create more socially-balanced communities), or where there is an opportunity to provide a particular type of much needed housing elsewhere (e.g. family housing). Under this policy it is accepted that affordable housing provision can take place off site or through contributions in the case of sites of less than 5 dwellings.
- 3.6 Affordable housing contributions must be secured in perpetuity and thus be available to successive generations of households in recognised housing need. The most effective way of doing this is through the involvement of a registered provider (RP).
- 3.7 The Council has carried out an informed assessment of the viability of the various thresholds and proportions of affordable housing proposed under its affordable housing policies. This assessment shows that the thresholds and proportions required can be achieved without making these forms of development unviable. However, it is accepted that these circumstances will not always exist and that meeting the targets set will be ambitious in some cases in different economic conditions. Where applicants can demonstrate, to the satisfaction of the Council, exceptional difficulties in bringing a site to market, it will be prepared to consider detailed open book evidence on the viability of a particular scheme and, where justified, to reduce the affordable housing requirement. However, as development costs are usually reflected in the residual land value, the purchase price of a particular site will not, on its own, be a reason for reducing the affordable housing requirement.

- 3.8 The tenure, size and type of affordable housing provided as part of any scheme should respond to the identified need for affordable housing taking account of the details and specific priorities set out in an Affordable Housing Supplementary Planning Document or other Supplementary Planning Document. New development should therefore include a range and mix of tenures, sizes and types (e.g. house types, flats) of affordable housing (as appropriate depending on site size) to reflect local needs and to reflect the range and mix of house types in the scheme as a whole (i.e. the mix of dwelling sizes in the provision of affordable housing should reflect the mix proposed for the private housing).

SUSTAINABILITY APPRAISAL REPORT

Alteration to the Reading Borough Local Development Framework (Local Plan)

March 2014

NON-TECHNICAL SUMMARY

- 1.1 The Alteration to the Local Plan (2014) will form part of the Reading Borough Local Development Framework (LDF), now termed a local plan, setting out policies for the provision of affordable housing as part of residential developments, in line with the objectives of the Core Strategy.
- 1.2 In preparing a Development Plan Document, it is a legal requirement that a Sustainability Appraisal of the effects of the document be carried out. A Sustainability Appraisal has therefore been undertaken to assess the environmental, social and economic effects of the options for reviewing and replacing adopted policies in the existing LDF. The Appraisal is based on the 18 sustainability objectives set out in the Revised Sustainability Appraisal Scoping Report (October 2008)¹ produced for the preparation of what became the Sites and Detailed Policies Document (adopted in 2012). This report should be read in conjunction with that report in terms of the baseline information methodology used in preparing a sustainability appraisal. This Alteration only considers 2 policies and the sustainability appraisal of those policies is similar to the appraisal of the original policies as the results of those appraisals have not have changed.
- 1.3 The Revised Sustainability Appraisal Scoping Report identified the main sustainability issues affecting the Borough. The report also assessed the objectives of the Core Strategy for consistency with the sustainability objectives. No areas of particular inconsistency were identified.
- 1.4 Appendix 1 contains the appraisal of the 2 policies reviewed in the Pre-Submission Draft Alteration. The policies reviewed show positive sustainability effects, although these effects are limited to a small number of relevant objectives in each case. The provision of affordable housing in itself does not have additional environmental impacts over the general provision of housing. The provision of affordable housing will, however, promote human health and well-being, and help create stronger communities. Positive economic impacts are also likely to result.
- 1.5 This Sustainability Appraisal Report will be open for community involvement alongside the Pre-Submission Draft Alteration. Representations on it will be considered in the same way as for that document.

¹ [Revised Sustainability Appraisal Scoping Report, October 2008](#)

INTRODUCTION

2.1 Requirement for Sustainability Appraisal

- 2.1.1 Planning authorities are required to carry out a Strategic Environmental Assessment (SEA) of Local Development Documents in accordance with the requirements of a European Directive (2001/42/EC). This was enshrined in national law by the Planning and Compulsory Purchase Act 2004, which introduced a requirement to carry out Sustainability Appraisal for all LDDs. Sustainability Appraisal fully incorporates the European SEA requirements, but expands it to also take account of social and economic matters. Thus, where this report refers to the SEA Directive, these requirements also apply to the wider remit of Sustainability Appraisal.
- 2.1.2 The Sustainability Appraisal process is intended to be an integral part of preparing an LDD, rather than an adjunct to it. The intention is that it will help planning authorities to fulfil the objective of contributing to the achievement of sustainable development in preparing their plans, and thus contribute to sound plan making. Sustainability Appraisal should inform the evaluation of options, and should provide a key means to demonstrate the appropriateness of a plan given reasonable alternatives.
- 2.1.3 Therefore, Sustainability Appraisal is more than a simple checking exercise. It is a key part of the process of evaluating plans and proposals as they emerge.

2.2 Local Development Framework

- 2.2.1 The Local Development Framework (LDF), which under the National Planning Policy Framework becomes a local plan, comprises a series of documents that collectively deliver the planning strategy for Reading Borough. The key documents within the LDF, or local plan, are Development Plan Documents (DPDs), which have 'development plan' status for the determination of planning applications. The Council's Local Plan currently comprises three DPDs, as follows:
- Core Strategy;
 - Reading Central Area Action Plan;
 - Sites and Detailed Policies Document.
- 2.2.2 The **Core Strategy** is the key plan within the Local Development Framework, and was adopted in January 2008. It sets out the overarching policy framework for the Borough up to 2026, including the vision and objectives, the spatial strategy for development, and core policies to help in implementing the strategy. All other DPDs must be in general conformity with the Core Strategy.
- 2.2.3 The **Reading Central Area Action Plan (RCAAP)**, adopted in January 2009, is the document that sets out the planning strategy for the significant change that will be occurring in the central area up to 2026. It identifies a spatial strategy for the centre, identifies key sites, includes specific policies and sets out an implementation framework.
- 2.2.4 The **Sites and Detailed Policies Allocations Document (SAD)** allocates land for a range of uses, and designates land for protection, to support the strategic spatial vision and objectives of the Core Strategy up to 2026. This document was adopted in October 2012.

2.2.5 Alongside the above documents, the Council has produced a **Proposals Map**. This is a map showing the relevant policies and allocations from the Borough's LDF. The map has DPD status, and was therefore subject to Sustainability Appraisal, but the map cannot introduce new policy by itself - it merely represents the content of the other DPDs.

2.3 What has been appraised?

2.3.1 The Act requires development plan documents to undergo a Sustainability Appraisal as part of the process of ensuring that they will contribute to sustainable development. The integration of the Sustainability Appraisal (SA) into development plan preparation is considered to be fundamental to sound plan making.

2.3.2 This Sustainability Appraisal assesses the content of the Pre-Submission Draft Alteration to the Local Plan. The Appraisal assesses each of the 2 policies in turn, along with a range of reasonable alternative approaches for each.

2.3.6 In terms of options, these need to be reasonable. An option which would be clearly out of conformity with the Core Strategy, or higher level policy, would not be reasonable as it would render the Alteration unsound. Therefore, the options assessed are the options that are possible within the context of higher-level policy. They are similar to the options considered for the preparation of the original LDF documents.

2.4 Limitations

2.4.1 Sustainability Appraisal is an extremely valuable exercise in terms of balancing various effects against each other. However, it does not represent the whole of the analysis needed. Even where one option scores most positively in terms of sustainability, it may not be appropriate for other reasons.

2.4.2 Care also needs to be taken not to treat the SA as a quantitative exercise. It is not simply a matter of how many ticks are in the appraisal. On some sites, one positive effect may outweigh several negative effects, and vice versa. Again, the background evidence to support the draft SDPD explains why such decisions have been made.

2.5 Who carried out the Sustainability Appraisal?

2.5.1 The production of the SA is the responsibility of the Local Planning Authority, Reading Borough Council. There is no requirement that the report be prepared by an independent body to that responsible for the LDD, which is the subject of the appraisal. Indeed, the core philosophy behind the system of sustainability appraisal is that the process informs the production of the LDD, and therefore, too great an independence is not desirable.

2.5.2 This Sustainability Appraisal was drafted by the officers responsible for the production of the Alteration. This is appropriate at this stage, as the consideration of environmental, social and economic outcomes is the central element to deciding on the policy approach and the suitability of each site.

2.6 Influence of the Sustainability Appraisal

2.6.1 Sustainability Appraisal was an integral part of drawing up the various Local Development Framework Documents. This appraisal uses those previous appraisals as the starting point. In the light of the limited changes proposed to the policies, the appraisal results remain largely as determined when the policies were originally drafted. Little has changed in terms of the positive effects of the policies in sustainability terms.

2.7 Consultation on the Sustainability Appraisal

2.7.1 This Sustainability Appraisal of the SDPD and Proposals Map is open for consultation and comments can be made to the Council as part of the consultation on the Draft Alteration which is programmed to take place during March, April and May 2014.

3.0 BASELINE AND CONTEXTUAL INFORMATION

3.1 Sustainability Appraisal Baseline Information

3.1.1 Baseline information for Reading Borough is contained within the Council's Revised Sustainability Appraisal Scoping Report, October 2008. This document was originally published for the Reading Borough Local Development Framework in June 2005, and was updated in March 2006, January 2007 and again in October 2008. This latter update was tailored to the emerging Site Allocations and Development Management DPDs (which became the Sites and Detailed Policies Document), and was also brought up to date with new information, and in line with new plans and strategies. Section 5 of the Scoping Report is the key section.

3.1.2 The information presented in the 2008 Scoping Report which has informed this Sustainability Appraisal includes the following:

- Reading Borough is a tightly drawn authority, and the urban area of Reading extends significantly beyond the Borough boundaries;
- Substantial recent development, particularly developments in the centre such as the Oracle and Reading Station, have raised Reading's profile and strengthened its centre;
- Reading is one of the major contributors to an overall strong regional and sub-regional economy;
- In overall terms, there are relatively low levels of unemployment and general affluence;
- However, there are some significant pockets of deprivation in parts of Reading where unemployment is high and income is low;
- There is a disparity in skill and qualification levels, with higher than average levels of both highly qualified people and people with low or no qualifications;
- There is a substantial need for affordable housing, larger than the Borough's overall housing allocation;
- Reading is a major transport hub, and its station is the second busiest outside London;
- Although the Borough is primarily urban, it also includes two important landscape types - the flood meadows of the Thames and Kennet, and the fringe of the Chiltern hills; and
- There is a distinct historic environment, including over 800 listed buildings, two Scheduled Ancient Monuments and 15 Conservation Areas, as well as archaeological remains.

3.1.3 In addition, previous sustainability appraisals of the Council's Core Strategy DPD have provided a general overview of Reading Borough, which have (and continue to) inform the evaluation and prediction of sustainability effects arising from plans and proposals forming part of the Local Development Framework (refer to *Sustainability Appraisal of the Core Strategy Document Preferred Options* for details on the characteristics of Reading Borough, and Appendix 1 of the *Sustainability Appraisal of the Core Strategy Submission Draft* for a list of key sustainability issues).

3.1.4 It is accepted that much of this information is now out of date. A new Sustainability Appraisal Framework with updated profile is currently in preparation as part of the forthcoming review of the local plan. Nevertheless, much of the

earlier information remains relevant in terms of Reading's role as capital of the Thames Valley and an important hub in the South East of England that remains committed to growth. It is a relatively large urban area exhibiting issues and problems normally associated with such an urban area. Inevitably, there are some important elements which have changed since the Scoping Report.

- 3.1.5 In particular, the economic downturn has affected Reading, much as it has affected other urban centres outside London. The indications are that development is not proceeding as quickly as had been anticipated on some sites. However, there are no indications that there will be long-term changes to the economic characteristics of Reading. A number of factors, including the proximity and links to London and Heathrow Airport, should continue to ensure that Reading remains, in overall terms, economically buoyant and attractive to growth in accordance with the vision and strategy set out in the Core Strategy.

3.2 Review of Other Plans and Programmes

- 3.2.1 Figure 1 of the Strategic Environmental Assessment (SEA) Directive states that an SEA must provide information on the 'relationship with other relevant plans and programmes'. As for any Development Plan Document (DPD), the two policies in the Alteration have been drafted to be consistent with national planning guidance in the form of the National Planning Policy Framework (NPPF).
- 3.2.2 At a local level, the Alteration will sit within the Local Development Framework (LDF) as part of a group of documents forming Reading's planning strategy. The most important relationship is with the **Core Strategy**. This is the key plan within the LDF. It sets out the overarching policy framework for the Borough, including the vision and objectives, the spatial strategy for development, and core high-level policies, to guide development to 2026. It was adopted in January 2008. The Alteration must be in general conformity with the Core Strategy. The Alteration shares the vision and objectives of the Core Strategy.
- 3.2.3 The Alteration also needs to be seen within the context of the **Sites and Detailed Policies Document** and the **Reading Central Area Action Plan**. The SDPD in particular is of importance, as it contains a range of policies relating to housing, other development management policies, and a number of housing allocations.

4.0 FRAMEWORK FOR SUSTAINABILITY APPRAISAL

- 4.1 The Sustainability Appraisal Framework forms the basis against which sustainability appraisal of any Local Development Document should be carried out. According to the Government guidance 'Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks' (ODPM, November 2005), a SA Framework should 'consist of objectives, which should, where possible, be expressed in the form of targets, the achievement of which should be measurable using identified indicators' (3.2.14, p46).
- 4.2 The SA Framework comprises eighteen (18) objectives, against which the sites have been appraised. These objectives were amended in 2008 to take account of current planning issues and priorities. The sustainability objectives are set out below. The Framework also indicates how these objectives will be measured, and sets out a list of indicators for each objective.

Revised Sustainability Objectives (2008)	
Living within Environmental Limits (Environmental Objectives)	
1	To limit the impact of climate change through minimising CO2 emissions and other greenhouse gases
2	Adapt to inevitable climate change in terms of preparedness for extreme weather events, including managing the risk of flooding
3	Use energy, water, minerals and other natural resources appropriately, efficiently and with care
4	Minimise the consumption of, and reduce damage to, undeveloped land, appropriately utilising brownfield land
5	Minimise the generation of waste and promote more sustainable approaches to waste management
6	Minimise air, water, soil/ ground and noise pollution
7	Value, protect and enhance the amount and diversity of wildlife and habitat, and other contributors to natural diversity, including establishing/enhancing ecological networks
8	Create, enhance and maintain safer, cleaner and greener environments and attractive and functional buildings
9	Value, protect and, where appropriate, enhance the historic environment
Ensuring a Strong, Healthy and Just Society (Social & Economic Objectives)	
10	Protect, promote and improve human health and well-being through healthy lifestyles and healthcare provision
11	Promote safe, stronger and vibrant communities through measures to reduce crime and the fear of crime and enhance community cohesion
12	Provide high quality housing of a type and cost appropriate to the needs of the area
13	Reduce the need for travel and transport particularly by car or lorry while providing good physical access for all to services, facilities and other people by means such as walking and cycling
14	Value the social and cultural diversity and the local distinctiveness of communities
15	Ensure accessible opportunities for all to engage in culture, leisure, and physical and recreational activity, particularly in areas of open space and waterspace.
16	Facilitate sustainable economic growth and regeneration that provides employment opportunities for all and supports a successful, competitive, and balanced local economy that meets the needs of the area, and improves the economic situation for particularly deprived communities
17	Maximise access for all to the necessary education, skills and knowledge to play a full role in society
18	Provide opportunities for all to participate fully in society including local democracy and decision-making processes

5.0 STAGES OF A SUSTAINABILITY APPRAISAL

The stages of a Sustainability Appraisal (as documented in the government guidance) are outlined Section 5 of the Revised Sustainability Appraisal Scoping Report (October 2008).

6.0 SIGNIFICANT SUSTAINABILITY IMPLICATIONS

- 1.5 The only significant effects for the 2 policies that are reviewed in the draft Alteration to the local plan are significant positive effects in terms of the provision of housing. No significant negative effects are expected. The provision of affordable housing in itself does not have additional environmental impacts over the general provision of housing. The provision of affordable housing will, however, promote human health and well-being, and help create stronger communities. Positive economic impacts are also likely to result.

7.0 REFERENCES

- Office of the Deputy Prime Minister (2005), Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents
- Office of the Deputy Prime Minister (2005), **A Practical Guide to the Strategic Environmental Assessment Directive**
- Reading Borough Council (2007), **Sustainability Appraisal of the Core Strategy Submission Draft**
- Reading Borough Council (2007), **Local Development Scheme**
- Reading Borough Council (October 2008), **Revised Sustainability Appraisal Scoping Report**
- Reading Borough Council (2008), **Adopted Core Strategy**
- Reading Borough Council (2009), **Adopted Reading Central Area Action Plan**
- Reading Borough Council (2012), **Adopted Sites and Detailed Policies Document**

✓✓	Clear, strong positive impact	✓	Overall impact likely to be positive	0	Overall impact neutral	X	Overall impact likely to be negative	XX	Clear, strong negative impact	?	Uncertain effect	?✓	Tendency for positive impacts
												?X	Tendency for negative impacts

Appendix 1

Policy	Sustainability Objectives & Effect																		Comments on Significant Effects
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
<u>Affordable Housing</u> CS16 (i): Draft Altered Policy	0	0	0	0	0	0	0	0	0	✓	✓	✓✓	0	✓	0	✓	0	0	<p>The provision of affordable housing in itself does not have additional environmental impacts over the general provision of housing. The provision of affordable housing will promote human health and well-being, and help create stronger communities. Positive economic impacts are also likely to result.</p> <p>Mitigation: Policies in the document, particularly the cross cutting policies and policies on open space, the built and natural environmental, etc., seek to mitigate as far as possible the negative environmental effects of new development. Policies in the document seek to mitigate effects on transport, crime and pressure on facilities, etc.</p>
CS16 (ii): 'Business as Usual' Approach	0	0	0	0	0	0	0	0	0	✓/ ?X	✓	✓✓	?X	✓	?X	✓	?X	0	<p>Assumptions: Rely on continuation of existing policies. Existing local plan policy does not accord with NPPF, particularly in relation to viability. The Council's CIL charge is likely to be detrimentally suppressed and, as a result contributions to infrastructure may not achieve existing levels. It could therefore result in poorer levels of infrastructure provision which will be less socially and economically beneficial.</p>

✓✓	Clear, strong positive impact	✓	Overall impact likely to be positive	0	Overall impact neutral	X	Overall impact likely to be negative	XX	Clear, strong negative impact	?	Uncertain effect	?✓	Tendency for positive impacts
												?X	Tendency for negative impacts

Policy	Sustainability Objectives & Effect																		Comments on Significant Effects	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
CS16 (iii) No policy																				Assumption: Policy is deleted. Policy framework would not enable provision of affordable housing and would not therefore be socially beneficial in terms of the provision of much needed affordable housing. It would improve viability of development and allow higher CIL charge towards infrastructure provision.
CS16 (iv) Reduce targets in the policy further	0	0	0	0	0	0	0	0	0	0	✓	✓	✓	0	✓	0	✓	0	0	Assumption: that the targets for affordable housing in the draft altered policy should be at a lower level. A lower level of affordable housing provision as part of development schemes proposing 15 or more dwellings would affect the overall provision of affordable housing. This lower provision will be less socially beneficial, denying housing that could viably be provided to households in need of such housing in the Borough.
DM6: (i) Draft Altered Policy	0	0	0	0	0	0	0	0	0	0	✓	✓	✓✓	0	✓	0	✓	0	0	The provision of affordable housing in itself does not have additional environmental impacts over the general provision of housing. The provision of affordable housing will promote human health and well-being, and help create stronger communities. Positive economic impacts are also likely to result. In addition, on-site provision on these smaller sites will help to provide vibrant, mixed, sustainable communities. Mitigation: Policies in the document, particularly the cross cutting policies and policies on open

✓✓	Clear, strong positive impact	✓	Overall impact likely to be positive	0	Overall impact neutral	X	Overall impact likely to be negative	XX	Clear, strong negative impact	?	Uncertain effect	?✓	Tendency for positive impacts
												?X	Tendency for negative impacts

Policy	Sustainability Objectives & Effect																		Comments on Significant Effects	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
																				space, the built and natural environmental, etc., seek to mitigate as far as possible the negative environmental effects of new development. Policies in the document seek to mitigate effects on transport, crime and pressure on facilities, etc.
DM6(ii) No Policy for AH provision on sites below 15 dwellings	0	0	0	0	0	0	0	0	0	0	✓	✓X	0	?✓	0	✓	0	0	This would mean reliance solely on CS16 for the provision of affordable housing, which would fail to maximise the potential contribution from sites of less than 15 dwellings as currently allowed by the NPPF. This lower level of provision will be less socially beneficial, denying housing that could viably be provided to households in need of such housing in the Borough.	
DM6(iii) adopt lower threshold only for 10-14 units.	0	0	0	0	0	0	0	0	0	0	✓	✓	0	✓	0	✓	0	0	This becomes a possibility in the light of the Chancellor's 2013 Autumn Statement when he announced the government intention to introduce a threshold of 10 units. This will result in a significant decrease in delivery of affordable housing. This will reduce the level of housing that could viably be provided to households in need of such housing in the Borough.	
DM6(iii) Business as Usual	0	0	0	0	0	0	0	0	0	0	✓	✓	✓✓	0	✓	0	✓	0	Assumption: that existing policy is unaltered. Policy alteration is relatively minor compared to DM6 (i) above.	

APPENDIX 4: EQUALITY IMPACT ASSESSMENT

Provide basic details

Name of proposal/activity/policy to be assessed: Review and Alteration of the Council's Affordable Housing Policies in its Local Development Framework.

Directorate: DENS - Directorate of Environment and Neighbourhood Services.

Service: Planning and Building Control

Name: Kieran Roughan

Job Title: Planning Policy Manager

Date of assessment: 05/03/2014

Scope your proposal

What is the aim of your policy or new service?

To review and alter existing planning policy on affordable housing to meet requirements in the National Planning Policy Framework.

Who will benefit from this proposal and how?

The Council will benefit from having an up to date policy that will at the same time allow the charging schedule for the Community Infrastructure Levy (CIL) to be set at an appropriate level to maintain a level of investment in infrastructure made necessary by new development. Stakeholders, including members of the public and the development industry, will benefit from the provision of affordable housing and new infrastructure as part of the overall benefits of new development in terms of the economic growth of the Borough and housing to meet demand and need within the Borough.

What outcomes will the change achieve and for whom?

The outcome will be a revised up to date policy that accords with the National Planning Policy Framework. It will also enable CIL to be progressed on the basis of providing a reasonable contribution to the provision of infrastructure in the future while continuing to achieve a reasonable level of provision of affordable housing.

Who are the main stakeholders and what do they want?

Developers/landowners, the public and community groups, infrastructure providers. All parties want certainty through up to date policy position. In addition, while the provision of affordable housing as part of new development is important to stakeholders, this has to be balanced with the need for new infrastructure to mitigate the impacts of new development. This policy review is intended to maintain the existing balance between these competing demands arising from new development.

Assess whether an EIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc)

Yes No

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, feedback.

Yes No

If the answer is Yes to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because the policies contained in the Local Plan Alteration will apply to all developers, and the levels of contribution will be based on the size and/or type of the proposed scheme. There is no evidence that any group would be treated differently. The output of the policy will be the provision of affordable housing balanced by contributions towards infrastructure provision, for which there is no evidence or belief that any group would be treated differently.

Signed (completing officer)	Kiaran Roughan	Date: 5 th March 2014
Signed (Lead Officer)	Kiaran Roughan	Date: 5 th March 2014

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	19 th MARCH 2014	AGENDA ITEM:	15
TITLE:	STATEMENT OF COMMUNITY INVOLVEMENT ADOPTION		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	REGENERATION, TRANSPORT AND PLANNING
SERVICE:	PLANNING	WARDS:	ALL
LEAD OFFICER:	MARK WORRINGHAM	TEL:	0118 9373337
JOB TITLE:	PRINCIPAL PLANNER	E-MAIL:	mark.worringham@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The Statement of Community Involvement (SCI) is a planning document that details how consultation and community involvement on plans and major developments will be carried out. It is a statutory requirement to have a SCI in place.
- 1.2 The existing SCI was adopted in 2006. However, with work expected to begin soon on reviewing the local plan, it is important to revise the SCI to take account of recent changes, learn from experience, and make it more appropriate to current circumstances.
- 1.3 A draft version of the SCI was approved by Strategic Environment, Planning and Transport Committee on 20th November 2013 (Minute 22 refers). It was subject to consultation between November 2013 and January 2014. A revised version, taking accounts of the results of consultation (Appendix 3), has been produced, and is proposed to be adopted. Committee is also asked to approve the responses to the comments received (within the Report of Consultation in Appendix 2).

2. RECOMMENDED ACTION

- 2.1 That the responses to representations received during the consultation on the Draft Statement of Community Involvement, undertaken between November 2013 and January 2014 (as set out in the Report of Consultation at Appendix 2), be agreed.

2.2 That the Statement of Community Involvement (Appendix 3) be adopted.

3. POLICY CONTEXT

3.1 The Statement of Community Involvement (SCI) is part of a local authority's set of planning policy documents, and its purpose is to set out how the local planning authority will involve the community in producing planning documents, as well as on planning applications and pre-application enquiries. It discusses who will be consulted, when, how and for how long. It is a statutory requirement that a local planning authority should have a SCI.

4. THE PROPOSAL

(a) Current Position

4.1 The Council adopted its existing SCI in July 2006, after going through two consultation stages and an independent examination. Its role was to provide the basis for undertaking consultation and community involvement in producing the Local Development Framework (LDF).

4.2 The existing SCI therefore was used in designing and carrying out community involvement in producing the Core Strategy (adopted in January 2008), Reading Central Area Action Plan (adopted January 2009) and the Sites and Detailed Policies Document (adopted October 2012), as well as a number of Supplementary Planning Documents providing more detail on these documents. The Council is now at a stage where the main LDF documents have been produced, and now intends to work towards replacing these documents with a single Local Plan. The process for undertaking this is set out in the Local Development Scheme, approved by Strategic Environment, Planning and Transport Committee on 9th July 2013 (Minute 8 refers), and amended by Strategic Environment, Planning and Transport Committee on 20th November 2013 (Minute 19 refers), and it includes production of a revised SCI.

4.3 A revised SCI represents an opportunity to bring the document into line with new Council consultation guidance, to reflect the substantial recent experience of community involvement, to streamline processes to make the most of resources, and to slim down the document to make it more concise.

4.4 The Draft SCI was approved for community involvement by Strategic Environment, Planning and Transport Committee on 20th November 2013 (Minute 22 refers). Consultation started in November 2013 and lasted until 24th January 2014. The response was fairly limited, with only five respondents. The main representations of substance related to the section on pre-application consultation on development proposals, with two respondents arguing that the requirements were a little onerous for

applicants given the need to make the process as swift as possible. The representations are summarised in Appendix 2.

(b) Option Proposed

4.5 Committee is recommended to agree the response to the representations (as set out in Appendix 2) and adopt the SCI incorporating the proposed amendments (Appendix 3).

4.6 Once adopted, the SCI will be used as a basis for carrying out consultations on planning policy documents, and for consultation on major development schemes. Among other documents, it will inform the production of a new Local Plan for Reading.

4.7 In response to the comments received, and also to further internal discussion, a number of amendments are proposed to the SCI. In summary, the main changes proposed are:

- Updates to reflect that this will be the adopted document;
- A glossary of terms;
- Reference to cases where there is a statutory requirement for pre-application consultation, which currently only relates to certain types of onshore wind development;
- Clarification of thresholds for pre-application consultation for mixed use developments and developments for other uses (other than residential, retail, leisure and employment); and
- Slightly reducing the laboriousness of the requirements for pre-application consultation to reduce burdens on the developer and the Council.

(c) Other Options Considered

4.7 There is one alternative option, which is not to produce new versions of the documents and instead continue to rely on the 2006 version.

4.8 This option would continue to fulfil the statutory minimum requirements. However, it would result in a consultation approach which does not target resources most efficiently and which does not reflect the Council's current consultation guidance.

5. **CONTRIBUTION TO STRATEGIC AIMS**

5.1 The SCI will contribute to achieving the following strategic aims, through ensuring that planning policy takes account of the views of the community:

- The development of Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley;
- Establishing Reading as a learning City and a stimulating and rewarding place to live and visit;

- Promoting equality, social inclusion and a safe and healthy environment for all.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 The SCI sets out how community involvement on planning matters will be carried out. The Draft SCI was subject to a period of consultation between November 2013 and January 2014. This was carried out in line with the existing SCI, adopted by Council on 27 June 2006 (minute 17 refers).

7. EQUALITY ASSESSMENT

- 7.1 The Scoping Assessment, included at Appendix 1 identifies that an Equality Impact Assessment (EqIA) is relevant to the SCI. The EqIA (also at Appendix 1) identifies that there are positive impacts for many of the protected characteristics, but particularly on age and racial groups, as defined in the Equality Act. This is because some of these groups have traditionally been underrepresented in consultation in the past, and are now specifically targeted in the SCI. Compliance with the duties under S149 of the Equality Act 2010 can involve treating some persons more favourably than others, but it is not considered that there will be a negative impact on other groups with relevant protected characteristics.

8. LEGAL IMPLICATIONS

- 8.1 A SCI is a requirement under Section 18 of the Planning and Compulsory Purchase Act 2004. The 2004 Act was amended by section 180 of the Planning Act 2008, which streamlined the process of production, including removing the need for independent examination. An additional amendment to Section 18 was made by Schedule 12 of the Localism Act 2011 to reflect neighbourhood planning.

9 FINANCIAL IMPLICATIONS

- 9.1 The work undertaken on drafting the documents and the expenditure on community engagement has been, and will continue to be, funded from existing budgets. There are no other direct revenue or financial implications arising from this report.

Value for Money (VFM)

- 9.2 The SCI will provide value for money in that it specifically considers how resources could be most efficiently used in carrying out community involvement, particularly including through electronic communications. It also considers how to target specific groups and areas to make best use of resources.

Risk Assessment

9.3 There are no direct financial risks associated with the report.

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004
- Planning Act 2008
- Town and Country Planning (Local Planning) (England) Regulations 2012
- National Planning Policy Framework (2012)
- Statement of Community Involvement (adopted June 2006)
- Local Development Scheme (July 2013, as amended November 2013)
- Working Better With You - Community Involvement Guidance (2012)

APPENDIX 1: EQUALITY IMPACT ASSESSMENT

Provide basic details

Name of proposal/activity/policy to be assessed:

Statement of Community Involvement (SCI)

Directorate: DENS - Directorate of Environment and Neighbourhood Services

Service: Planning, Development and Regulatory Services

Name: Mark Worringham

Job Title: Principal Planner

Date of assessment: 11/02/14

Scope your proposal

What is the aim of your policy or new service?

To set out how community involvement on planning documents and decisions will be carried out.

Who will benefit from this proposal and how?

The local community and other stakeholders will benefit through being involved in planning documents and decisions at a time and in a way when there is a genuine opportunity to shape the results.

What outcomes will the change achieve and for whom?

The community will have a genuine say in planning documents and decisions. For planning policy documents, specific efforts will be made to reach previously underrepresented groups, e.g. younger people, ethnic minorities and people in certain areas of Reading.

Who are the main stakeholders and what do they want?

Local residents, community and voluntary groups, local businesses, relevant developers and landowners, infrastructure providers, statutory consultees. All stakeholders would like a greater say in the planning process, and in a manner which enables them to have a genuine influence.

Assess whether an EIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc)

Yes No

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, feedback.

Yes No

If the answer is Yes to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because: N/A

Assess the Impact of the Proposal

Your assessment must include:

- Consultation
- Collection and Assessment of Data
- Judgement about whether the impact is negative or positive

Consultation

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Local residents, community and voluntary groups, local businesses, relevant developers and landowners, infrastructure providers, statutory consultees	Consultation involved notifying consultees of the documents, publication on the website, availability in key offices, press releases, social media etc.	November - December 2013

Collect and Assess your Data

Describe how could this proposal impact on Racial groups

In the SCI, ethnic minority groups have been specifically identified as being groups whose involvement should be specifically sought due to their underrepresentation in previous consultations. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Gender/transgender (cover pregnancy and maternity, marriage)

No impacts on gender/transgender are anticipated.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Disability

The SCI specifically identifies the need to ensure that consultation methods and materials are accessible to all. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Sexual orientation (cover civil partnership)

No impacts on sexual orientation are anticipated.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Age

In the SCI, younger people (under 40) have been specifically identified as being groups whose involvement should be specifically sought due to their underrepresentation in previous consultations. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Describe how could this proposal impact on Religious belief?

The SCI does not specifically identify measures aimed at specific religious groups. However, following the SCI guidelines will make consultations appropriate to the groups that are likely to be affected. Impacts are therefore expected to be positive.

Is there a negative impact? Yes No Not sure

Make a Decision

Tick which applies

1. No negative impact identified Go to sign off
2. Negative impact identified but there is a justifiable reason

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.
Reason
3. Negative impact identified or uncertain

What action will you take to eliminate or reduce the impact? Set out your actions and timescale?

How will you monitor for adverse impact in the future?

The results of consultation exercises will continue to be analysed to identify whether any particular groups are particularly excluded from the community involvement processes.

Signed (completing officer) Mark Worringham Date: 11th February 2014
Signed (Lead Officer) Mark Worringham Date: 11th February 2014

Appendix 2: Report of Consultation

DRAFT STATEMENT OF COMMUNITY INVOLVEMENT REPORT OF CONSULTATION March 2014

1. INTRODUCTION

- 1.1 This report summarises the consultation on the Draft Statement of Community Involvement (SCI), which was carried out between November 2013 and January 2014. It summarises the consultation measures undertaken in section 2, and discusses the results of consultation in section 3.
- 1.2 The next stage after consultation is to adopt the SCI. This is expected to take place in March 2014.
- 1.3 For any further information on this consultation exercise or the production of planning policy for the area, please contact the Planning LDF Team:

E-mail: LDF@reading.gov.uk

Tel: 0118 9373337

Address: Planning LDF Team
Level 8
Civic Offices
Reading
RG1 7AE

2. DESCRIPTION OF CONSULTATION EXERCISE

- 2.1 The Draft Statement of Community Involvement was published for consultation on 26th November 2013. Consultation lasted until 24th January 2014. This was a period of eight weeks, longer than the standard planning consultation due to the fact that the period took in the Christmas and New Year period, and it therefore reflected the approach set out within the SCI itself.
- 2.2 The consultation was undertaken alongside consultation on two other issues - proposed alterations to affordable housing policies, and the Sustainability Appraisal Scoping Report.

- 2.3 The consultation consisted of an e-mail or, in exceptional cases, a letter to around 750 contacts on the Council's consultation database, which consists of developers, landowners, adjoining authorities, national organisations, community and voluntary groups and interested individuals. The Draft SCI was published online, and hard copies were available in all Reading Borough libraries and in the Civic Offices.

3. RESULTS OF CONSULTATION

- 3.1 A total of five responses were received to the Draft Statement of Community Involvement. The responses were from:

- English Heritage
- Environment Agency
- Taylor Wimpey West London
- Thames Valley Police Crime Prevention Design Advisor
- University of Reading

- 3.2 The results are summarised in Annex 1, together with a Council response to each point made. The responses were to matters of detail with the document, and did not raise any fundamental issues with the overall approach.

ANNEX 1: SUMMARY OF WRITTEN COMMENTS RECEIVED AND COUNCIL RESPONSE

Ref	Respondent	Document section/topic	Summary of response	Council response
002645	Environment Agency	General	We are pleased to see that Reading Borough Council has paid regard to statutory requirements and that the Council generally exceeds that statutory minimum on every major planning policy consultation. In this respect the Environment Agency have no objections to the aims and content of the DSCI. This DSCI does not prejudice our consultation under the Town and Country Planning (Development Management Procedure (England) Order 2010 as a statutory consultation body.	Noted. No change needed.
000017	English Heritage	General	English Heritage has no specific comments to make on the Draft Statement, and we are generally very satisfied with how we are consulted by the Borough, both on policy documents and on planning and other applications. However, we would find it very helpful if a copy of the application form was included with the latter consultations, if that was possible please.	Noted. No change needed.
002788	University of Reading	2: Statutory Requirements	Section 2 of the draft SCI should explain the consultation requirements of the Localism Act. The Localism Act reinforced a requirement for applicants to consult local communities before submitting planning applications for some larger scale developments and assess the application in light of feedback received.	Partially agreed. Change proposed. A paragraph should be introduced to highlight the pre-application consultation requirements of Section 122 of the Localism Act, which has currently only been brought into force in relation to certain onshore wind development, but which may be used to require consultation for other forms of development in future legislation.
002788	University of Reading	3: Duty to Cooperate	The University of Reading welcomes the acknowledgement at paragraph 3.2 of the draft SCI that the duty to co-operate is a "substantially more significant task than merely consulting certain organisations within specific periods."	Noted. No change needed.
002788	University of Reading	4: Principles	The principles set out in section 4 of the SCI are considered to provide a clear and concise way of involving the community.	Noted. No change needed.
002788	University of Reading	4: Principles 4.3	Suggest under 'Accessibility and Choice' addition of " <i>that the materials and methods of consultation maximise accessibility;</i> "	Agreed. Change proposed. This is an appropriate change, although it will need to have the caveat "insofar as

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				is possible" due to resource constraints.
004882	Thames Valley Police Crime Prevention Design Advisor	4. Principles 4.3	Thames Valley Police Crime Prevention Design Advisors (CPDA's) are willing to take part in planning major application consultations, where appropriate as regards designing out crime.	Noted. No change needed.
004882	Thames Valley Police Crime Prevention Design Advisor	4. Principles 4.4	I am pleased with the Council's stance that where possible planning consultations over Christmas and New Year will be extended because it is the holiday season.	Noted. No change needed.
002788	University of Reading	4: Principles 4.5	We welcome the focus on young adults between 25 and 35 - often those within the bracket of needing new homes but unaware of the processes which define how these would be delivered.	Noted. No change proposed.
002788	University of Reading	5: Resources 5.2	We agree with the points raised in paragraph 5.2. This updates methods of communication towards electronic notifications - which is a positive step and saves time and money. Indeed, effective use of social media could help the Borough Council reach the wider community, beyond those already on the existing planning consultation list. However, it is important to retain a commitment to make hard copies available for those who do not have access to the internet.	Agreed. Change proposed. This is already implied in paragraph 5.2, but an amendment can make it clearer.
004882	Thames Valley Police Crime Prevention Design Advisor	5. Resources 5.2	Thames Valley Police CPDA's are very happy to correspond via e-mail without the need for letters and the commensurate saving in costs and time for all.	Noted. No change needed.
002788	University of Reading	6: Document Types 6.5	This should be expanded to refer to the use of more innovative and interactive online/mobile webpages as representing one opportunity to gather the views of harder to reach age groups.	Agreed. Change proposed. Use of such methods will not always be possible or appropriate, but can be a useful tool if resources are available.
002788	University of Reading	6: Document Types	Developers and landowners should be engaged in specific forums (as listed under appropriate involvement tools in	Agreed. Change proposed.

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		6.5	paragraph 6.5), to assist in delivering robust development proposals.	This part of paragraph 6.5 can be slightly expanded to reflect this.
004882	Thames Valley Police Crime Prevention Design Advisor	7. Development Proposals 7.1	Thames Valley Police Crime Prevention Design Advisors (CPDA's) are willing to take part in pre-planning major application consultations, where appropriate as regards designing out crime.	Noted. No change needed.
004925	Taylor Wimpey West London	7. Development Proposals 7.1	Paragraph 189 of the National Planning Policy Framework (the Framework) should be reported more fully under paragraph 7.1 to make it clearer that pre-application engagement on development proposals is a recommendation rather than a requirement.	No change proposed. Paragraph 7.1 already quotes the part of this paragraph that refers to pre-application community involvement in full. The remainder of this paragraph is about whether developers engage with the local authority rather than with the community.
004925	Taylor Wimpey West London	7. Development Proposals 7.3	To better reflect the wording of paragraph 189 of the NPPF the wording of paragraph 7.3 should be amended, with the suggested changes shown in bold: <i>"The following categories of development are considered to be sensitive or of a significant scale. If a development falls within any of the following categories the developer will usually be encouraged to follow the guidance in this section."</i>	Partially agreed. Change proposed. It is recognised that the Council cannot insist on pre-application community involvement. However, it still feels that this stage is a very important one for significant and sensitive proposals, so it is considered that "strongly advises" is a more appropriate form of words than "encourages".
004925	Taylor Wimpey West London	7. Development Proposals 7.3	The wording of the final sub-category under the first bullet point (Development Thresholds) is unclear and should be reworded to make it apparent which mixed uses development proposals fall within this category.	Agreed. Change proposed. This will be amended to ensure there is clarity about thresholds. Whilst some development of other types or below the thresholds should also ideally be subject to pre-application consultation, this is picked up by the final bullet point of 7.3 in any case.
004925	Taylor Wimpey West London	7. Development Proposals 7.4	In order to be consistent with the wording of paragraph 7.3, paragraph 7.4 should include reference to sensitive as well as significant development schemes. Paragraph 7.4 should also be reworded to omit "will need to" and replace with "should".	Agreed. Change proposed. Changes would improve clarity and consistency.
004925	Taylor Wimpey West London	7. Development Proposals 7.4	The bullet points could be reduced to a list of acceptable alternative means of public engagement from which the developer could use their discretion to decide which form(s) of engagement would be most appropriate for them and their development schemes.	Partially agreed. Change proposed. The information in these bullet points is considered to be useful and necessary to help to achieve a robust pre-application community involvement process. There is still scope for developers to use their discretion in the methods used, but the principles set out are sound.

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			In particular the requirements to agree details in advance with Council officers is not considered necessary and could unacceptably delay the progress of proposals) as could the proposed measure to invite suggestions from the community on how involvement should take place. These are considered to be unnecessarily onerous.	It is considered that there are cases where it would be advisable to engage with the community at the initial stage to discuss how the community involvement will take place. However, it is agreed that there are many cases where this will be unnecessary and would serve only to hold the process up. This should therefore be amended to identify that this is only likely to be necessary in the most significant or sensitive cases.
002788	University of Reading	7: Development Proposals 7.4	The first and second bullet points list the need for a full project plan for the consultation to be discussed and agreed with officers. We do not consider that it is necessary for applicants to outline the manpower and resources which will be made available during the community involvement. We would recommend that this project plan focused instead on the milestones of the project, including the timescales, reach of consultation, materials and methods which will be used. It should also highlight the stakeholders which will be engaged and how they would intend this engagement to take place.	Agreed. Change proposed. The resources and manpower to be made available is relevant only insofar as it relates to the methods and materials to be used, so it is covered elsewhere in this paragraph. A minor change is proposed.
002788	University of Reading	7: Development Proposals 7.4	The fifth bullet point requests that developers agree the form and content of consultation information with officers regarding pre-application consultation. We disagree and consider it more appropriate to discuss these issues and take a steer from the advice of officers. The consultation should be managed by the applicant and be assessed by officers as the planning body, which will make the best use of resources at the authority.	Agreed. Change proposed. In practice there is rarely a need for formal agreement of all of the consultation material. Officers can provide advice, and, where this advice is not taken and the Council feels it has significantly affected the outcome of the consultation, this will be weighed against the results of consultation at application stage.
002788	University of Reading	7: Development Proposals 7.4	We would suggest that, regarding bullet point eight, following initial guidance from officers on the structure of the public consultation, that the requirement to formally pre-agree illustrative materials, facilitation arrangement and event programme is unnecessary.	Agreed. Change proposed. Whilst this is advisable, it is somewhat onerous to require agreement on these detailed issues, and although it is currently in the adopted SCI, is rarely applied in practice. The text should be amended to make it advisory rather than a requirement.
002788	University of Reading	7: Development Proposals 7.4	The eighth bullet point also lists the types of events that could be undertaken. It is considered that the SCI would be a more useful document if it were to provide an explanation of the form that the different types of event could take.	Agreed. Change proposed. The types of event listed may be somewhat confusing for those who do not regularly undertake consultation exercises. It is now proposed to include a glossary, which will set out the meanings of these terms and provide links to further information where needed.
002788	University of	7: Development	Regarding the final bullet point, we would recommend	Agreed. Change proposed.

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	Reading	Proposals 7.4	that the 'public report of the community involvement for submission' reviews the responses to the feedback and in particular listing where changes have been made in response to feedback and where this is not possible, warranted or practical, why this is the case.	Most of these elements are already covered, but where no changes are proposed the report should set out why this is the case.
002788	University of Reading	7: Development Proposals 7.4	The text of the final bullet point is unclear since it states that developers or prospective applicants will be expected to prepare a public report of community involvement for submission with any planning application. That text should be amended since public consultation will not be necessary in all proposals which require a planning application.	Agreed. Change proposed. This should only refer to the types of application covered by this SCI, not all planning applications.
002788	University of Reading	7: Development Proposals 7.4	Officers can play an important role in facilitating pre-application discussions between elected members and applicants - be that individual meetings or wider presentations to broad member groups on more major schemes. The input of elected members is important but can often be missing from initial stages of consultation.	Agreed. Change proposed. This should be reflected in the list of expectations of case officers.
002788	University of Reading	7: Development Proposals 7.6	It appears as though paragraph 7.6 is intended to imply that consultation will be carried out in line with the relevant statutory requirements if the resources are available to do so and if that is its intended meaning is considered inappropriate and must be amended. The Town and Country Planning (Development Management Procedure) (England) Order 2010 (the DMPO 2010) does not provide an opportunity for consultation bodies to be consulted "taking account of resource availability" and instead it is a statutory requirement that they are.	Agreed. Change proposed. This is not intended to imply that the Council will only comply with the statutory requirements when resources are available. The Council will of course seek to comply with all statutory requirements. It was intended to state that resources will be an additional consideration when deciding on to what extent the consultation should go beyond statutory requirements. The text should be amended to make this clearer.

Appendix 3: Statement of Community Involvement (amended version for adoption in tracked changes format)

READING BOROUGH COUNCIL

~~DRAFT~~ STATEMENT OF COMMUNITY
INVOLVEMENT

ADOPTED ~~NOVEMBER 2013~~ MARCH 2014

1. Introduction

1.1 Under the Planning and Compulsory Purchase Act 2004, the Council is required to produce a Statement of Community Involvement (SCI). This document sets out how the authority intends to achieve continuous community involvement in the preparation of local development documents in their area. The SCI also covers how people and the community will be engaged in decisions on planning applications for major development that affect the authority's area.

1.2 The SCI needs to set out a clear framework for how to involve the community, whilst allowing for the fact that different consultations will have different purposes and emphases. It should give clarity about what standards the Council will be expected to adhere to in carrying out community involvement on planning matters.

1.3 The statement ~~will apply~~ to all planning projects: Local Development Documents (LDD's); Supplementary Planning Documents (SPD's) covering policy interpretation, development frameworks, development briefs; changes to the service and procedures of the Planning Section; major planning applications; monitoring/ information packs; etc.

1.4 ~~This version of the SCI is a draft for community involvement. Your comments on the document are welcomed. Please send any comments to:~~

~~LDF Planning Team~~

~~Civic Offices~~

~~Reading~~

~~RG1 7AE~~

~~LDF@reading.gov.uk~~

~~Please ensure that any comments are received by 5pm on xxx January 2014. The SCI was adopted on 19th March 2014, and forms the basis for carrying out consultations on planning policy documents and guiding developers in undertaking pre-application consultation.~~

2. Statutory Requirements

- 2.1 In consulting with the community and other key stakeholders, the Council must comply with some minimum statutory requirements. For planning policy documents, these requirements are at the time of writing set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. For planning applications, the requirements are set out in the Town and Country Planning (Development Management Procedure) (England) Order 2010. This section deals primarily with the planning policy procedures.
- 2.2 The main requirements of the 2012 Regulations for local plans and supplementary planning documents can be summarised as follows:
- For local plans, two periods of consultation or community involvement are required - an early stage where representations are invited on the scope and content of the document, and a pre-submission stage when representations are invited on the full [draft](#) document (Regulations 18, 19, 20). The pre-submission consultation should be a minimum of six weeks [in length](#);
 - For supplementary planning documents, a single consultation period is required which cannot be less than four weeks (Regulation 12);
 - Documents should be available at the Council's principal offices during normal office hours, and published on the web (Regulation 35);
 - For local plans, a number of specific bodies must be consulted if they have an interest in the area (e.g. English Heritage, Natural England, Highways Agency, utilities providers and adjoining authorities); and
 - For local plans, the Council must consult whichever more general bodies (voluntary groups, groups representing ethnicities or nationalities, businesses etc) it considers appropriate.
- 2.3 Other legislation, whilst not dictating the form and timing of planning consultations, has an impact on how they should be carried out. In summary:
- The Local Government and Public Involvement in Health Act 2007 placed a duty on local authorities to involve local people by keeping them informed, consulting them and involving them in other ways in the design and delivery of services
 - The Equality Act 2010 places an 'Equality Duty' on public bodies, to understand how their plans to introduce new, or change existing, policies, procedures or services will affect groups protected under equality legislation
 - The Gunning principles (1985)¹ established 4 necessary elements for statutory consultations:
 - Consult when proposals are still at a formative stage
 - Give sufficient reasons (and information) for your proposals to permit 'intelligent consideration'
 - Give adequate time for consideration and response
 - Take responses conscientiously into account
- 2.4 What is demonstrated above is that the minimum statutory requirements for consultation are actually quite limited. The Council generally significantly exceeds the statutory minimum on every major planning policy consultation. Of most importance is the requirement to carry out

¹ R v LB Brent ex parte Gunning (1985)

consultation in line with an adopted Statement of Community Involvement, which underlines the importance of this document.

2.5 In terms of pre-application consultations, Section 122 of the Localism Act 2011 introduces a requirement for certain types of development to be subject to pre-application consultation. It is left to secondary legislation to specify what types of development will be subject to this requirement. To date, the only secondary legislation has been to require pre-application consultation for onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres². However, the Government has indicated that further classes of development may be included via secondary legislation in the future.

² The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013

3. Duty to Co-Operate

- 3.1 In addition to statutory consultation requirements, Section 110 of the Localism Act 2011 introduced a duty to co-operate in relation to planning of sustainable development. The 'duty to co-operate', as it is generally known, requires local planning authorities to engage constructively with one another and with other specified bodies such as the Environment Agency, English Heritage and the Homes and Communities Agency on an ongoing basis in preparing local planning documents.
- 3.2 The duty to co-operate is a substantially more significant task than merely consulting certain organisations within specified periods. It requires ongoing co-operation from the very start of the process, and is the first test that will be considered in an examination on a local plan. Where compliance with the duty to co-operate cannot be demonstrated, local plans will have no hope of being found 'sound'.
- 3.3 Because the duty to co-operate is a separate task from community involvement, and will also be dependent on the timescales and processes of other bodies, this SCI does not set out proposals for how it will be undertaken. However, it is important to be aware of its existence, as it means that consultation with the bodies prescribed in the Regulations³ will only be part of an overall picture of how those bodies are engaged. The Council is in the process of agreeing Memoranda of Understanding with the other five Berkshire Unitary Authorities in terms of strategic planning and minerals and waste planning to guide how the duty to co-operate will be undertaken with those bodies.

³ Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012

4. Principles

4.1 The Council produced 'Working Better With You: Community Involvement Guidance' in 2012, which sets out a policy and set of principles for involving residents and customers. The guidance is based around eight principles for community consultation, as follows:

- **Accessibility and choice:** We will ensure that you are informed/consulted/involved in a way that considers your needs. It is your choice whether to be involved, how to get involved and to what extent (within legal boundaries).
- **Timeliness:** We will inform, consult and/or involve you as early as possible.
- **Inclusiveness and equity:** We will seek and welcome all views. We value diversity. Opportunities to get involved will be equally accessible to everyone, young people's views are considered equal to those of adults.
- **Transparency and honesty:** We will be open from the start about our proposals, the process, outcomes, timeframes for implementation and levels of influence, any resource limitations or statutory requirements. You have the right to challenge any barrier to your involvement (e.g. process, approach, assumptions) and to work with us to seek solutions.
- **Respect and listening:** We value, listen to, respect and learn from the contribution of all participants.
- **Accountability:** We will demonstrate what difference your involvement makes in processes or outcomes.
- **Flexibility and evolution:** We will regularly re-evaluate our involvement processes and methods and modify them in response to feedback or changing or developing needs. We will seek and share innovative and creative ways to improve involvement.

4.2 These can be further developed into a number of principles for consulting and involving on planning matters, using the same headings. These principles should be used to guide how consultation and community involvement exercises are carried out. More specific guidance on particular types of planning document is included in section 6.

4.3 *Accessibility and Choice*

1. The Council will maintain a list of individuals, groups and organisations that have expressed an interest in being involved in consultations on planning matters, and will consult them on all relevant planning matters.
2. Measures to involve and consult the community will be appropriate to the type, scope and stage of the policy or plan, and to the community itself.
3. The Council will clearly state the methods for responding, and the timescales, at the beginning of the process. This will be on the website, and any consultation material, letters and e-mails produced.
4. The Council is emphasising the importance of working at a neighbourhood level. In consulting on planning documents, the Council will use existing neighbourhood networks and structures to consult and involve, where those networks and structures are representative of the neighbourhood, and this may mean a differing approach in different neighbourhoods.

5. The materials, documents and methods of community involvement will be designed to maximise accessibility insofar as is possible.

4.4 *Timeliness*

5-6. Community involvement on policies and proposals will be front-loaded. This means that the most wide-ranging and open involvement will take place at the earliest stage, when the opportunity to shape the outcome is greatest. As policies and proposals develop further, consultations should become more focussed and seek views on more detailed matters.

6-7. Any community involvement stage for a planning policy document will last for a minimum of six weeks;

7-8. The Council will avoid consulting over Christmas and New Year insofar as is possible. Where consultations over these periods are inevitable, consultation periods will be extended to take account of this. Where consultation is necessary in other holiday periods, consideration will also be given to extending deadlines.

8-9. Events designed to publicise the community involvement (e.g. public exhibitions) will be held at a time within the community involvement period which allows time for responses afterwards, e.g. not within the last ten days before the period closes.

4.5 *Inclusiveness and Equity*

9-10. All groups will have equal opportunities to get involved in the process, and this will include the selection of venues and timing of events.

10-11. Whilst enabling all groups to be involved in the process, the Council will make particular efforts to reach groups that have typically been difficult to involve in past planning policy consultation exercises in Reading. These include:

- Younger people (under 40);
- Black and minority ethnic populations; and
- Residents of less affluent communities, including much of South Reading and parts of West and Central Reading

4.6 *Transparency and Honesty*

11-12. Where background evidence is vital to an understanding of the decisions to be made, this will be made available on the Council's website and on request, and will be highlighted within the consultation documents themselves.

12-13. The Council will highlight any significant constraints that prevent the pursuit of certain options, and will not consult on options that are not realistic or achievable.

4.7 *Respect and Listening*

13-14. All responses received in writing within the specified consultation period will be taken into account.

14-15. When publishing consultation results, the Council will publish only the name of the respondent and no other personal details.

4.8 *Accountability*

15-16. In reporting on the community involvement, the Council will respond to each individual point made, stating what action, if any, the Council will be taking to address the point. Where the number of responses is

reasonably low, for example under 50, this may be done individually for each respondent. However, where a significant number of responses have been received, where the same point has been made by a number of different respondents, these may be grouped together with a single Council response.

16.17. A report of consultation will be published which summarises the consultation undertaken, and summarises the representations received and the Council response to those representations. This will be published at the next stage of the document at the latest and will be available on the website and in hard copy in Reading Borough libraries and the Civic Offices.

17.18. The Council will contact anyone who made representations on planning policy to notify them of the next stage of that policy production. In doing so, the Council will highlight the availability of the report of consultation.

4.9 *Flexibility and Evolution*

18.19. The Council will welcome any comments on the community involvement processes used, and will take account of them in future exercises, and will ask for feedback on specific events, e.g. workshops and exhibitions.

19.20. Lessons learned from individual community involvement stages will be reported on in the Report of Consultation, and will be taken into account in future exercises.

20.21. The Council will not set consultation processes in stone, but will instead evolve each consultation taking account of past experience, whilst still following the principles of this SCI.

5. Resources

- 5.1 Whilst well-designed and appropriate community involvement adds significant value to the process, planning and preparation, carrying out consultation, recording and analysis of results and reporting results and giving feedback does take considerable time and effort, involving significant manpower and financial resources. Therefore, while being fully committed to ensuring that all sections of the community are fully involved in planning decision-making processes and that their views are taken into account, methodologies must be cost effective and capable of being contained within defined manpower and financial budgets, particularly in the current climate. As such, the Council will need to consider at each stage of each document the type and extent of community involvement that represents best use of resources whilst complying with statutory requirements and the principles of this SCI.
- 5.2 In the past, the Council has kept a number of individuals and organisations on its planning consultation lists for years, where there is no e-mail address. This has meant that letters have been sent out every year, costing the Council a great deal in postage and staff time. The response rate has been very poor. This approach is not effective and no longer sustainable, and, as part of the process of producing the Sites and Detailed Policies Document, the Council specifically asked whether respondents without e-mail addresses wished to continue to receive letters. Very few responded positively. Therefore, notifications of consultation will generally be sent to those on the lists by e-mail, unless correspondence by letter has been specifically requested, e.g. with a handful of exceptions (such as those who have specifically requested letters due to having no access to e-mail or the internet), the Council will now send notifications of consultation to those on the lists by e-mail only.
- 5.3 Electronic communications are of increasing importance in involvement and consultation, and can be a very resource-efficient measure. The Council will need to continue to evolve the way that it uses such areas as social networking and interactive online tools to better enable community involvement.
- 5.4 An important way of significantly reducing resource burdens is by combining consultations, either with other planning consultations, or with other consultations being carried out by the Council. The recent Residential Conversions SPD, for example, was consulted upon as part of the wider 'Let's Talk Housing' consultation. The Council will continue to look for such opportunities to combine consultations where appropriate.

6. Document Types

- 6.1 This section gives some commentary on the main types of planning policy document and gives some information on how the process of production may fit in with the principles. It also highlights different approaches to engaging with the community, using the five levels of involvement set out in the Council's consultation guidance, as follows:

	Inform	Consult	Involve	Collaborate	Empower
Participation level	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Example methods	Fact sheets Web sites Road shows	Public comment Focus groups Surveys Public meetings	Workshops Deliberative polling	Citizen advisory committees Consensus-building Participatory decision-making	Citizen juries Ballots Delegated decision

Local Plan

- 6.2 The local plan comprises a document, or documents, with 'development plan' status, i.e. it is the primary consideration in determining planning applications. These are the most important [planning](#) documents that the Council produces, and the community involvement should reflect the fact that it is in the local plan that the planning strategy for the Borough is decided.

Pre-Preparation

- 6.3 This stage is referred to in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, which states that the local planning authority should consult on what a local plan should contain. This stage is therefore a very wide-ranging stage, where the front-loading referred to in principle 5 should occur. The main emphasis at this stage will be to *involve*.
- 6.4 This stage may be based around discussions of which issues to cover, and how to approach those issues, together with a range of alternative options. A full draft document would not be available, or appropriate, at this stage.
- 6.5 Appropriate involvement tools at this stage might include:
- Interactive workshops;
 - Questionnaires;
 - Leaflet drops across a defined area;

—Exhibitions, particularly in locations and at times which would maximise the number of people not previously involved in planning matters attending, e.g. shopping centres;

- Online resources, including interactive webpages or questionnaires;
- Forum discussions, which could include specific groups such as developer/landowner forums.

Pre-Submission Draft

6.6 This is the statutory consultation stage on the full draft document, as specified in Regulation 19. A full draft of the document must be published and comments invited. As there is now a full draft in place, there is little purpose in asking open-ended questions, or posing multiple options, and this could in fact be construed as being actively dishonest. Instead, the Council should be asking for views on the document, whether the approach is correct, and how it might be improved. The emphasis here is to *consult*.

6.7 Appropriate involvement tools at this stage might include:

- Directly contacting important consultees, including those involved at earlier stages;
- Direct discussion with key stakeholders;
- Drop-in events, particularly in locations and at times where interested individuals have a chance to discuss aspects of the policy or plan with Council representatives;
- Publication of the policy or plan online.

6.8 The Pre-Submission Draft consultation stage can be repeated if necessary.

Examination

6.9 Once the document is submitted to the Secretary of State, this marks the beginning of the process of Examination. Whilst some consultees will be involved in the Examination process, including providing written evidence and appearing at hearings, this will be under the control of the Inspector rather than the Council, so this is not for the SCI to manage.

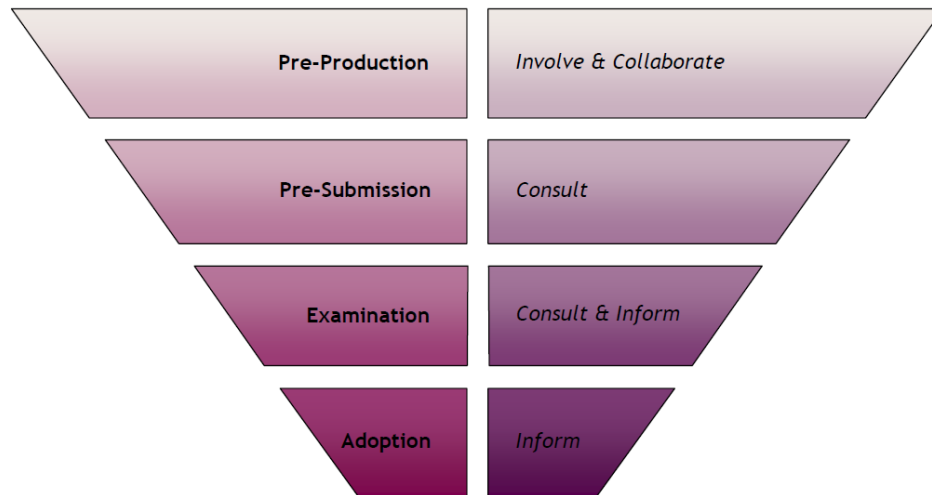
6.10 If it appears during the Examination process that changes are needed that would not result in significant policy shifts, there is a process by which the Council can consult on some limited changes and request that the Inspector make these changes to the document. This happened twice, for instance, during the Examination of the Sites and Detailed Policies Document in spring and summer 2012. The consultation will need to be fairly limited, as there is not scope to make substantial changes at this point. However, the Council will need to consult broadly the same groups and individuals consulted at Pre-Submission stage.

Adoption

6.11 When the DPD is adopted in its final form, the Council simply needs to *inform*, as there is no longer an opportunity to affect the document other than through the judicial review process. Appropriate tools at this stage might include:

- Directly informing important consultees and those previously involved;
- Publication of the policy and plan online.

Figure 1: Approach to Development Plan Documents



Supplementary Planning Documents

- 6.12 Supplementary Planning Documents (SPDs) supplement policy in higher level Development Plan Documents. They are not able to make entirely new policy themselves. Examples of SPDs include Briefs for specific sites, particularly where they are identified in DPDs, or detailed guidelines on matters such as sustainable design or parking standards. As these are lower-level documents, there are fewer consultation or involvement stages.

Initial Involvement (optional)

- 6.13 Initial involvement is not a statutory stage in preparing a Supplementary Planning Document, and may only be necessary in certain cases. For instance, where [a SPD the Local Plan](#) already provides clear guidance, from which a SPD cannot deviate, there is little benefit of a consultation that seeks to start from scratch.
- 6.14 However, in other cases an initial involvement exercise may be vital. For instance, the Meadway Centre Planning Brief process started with a wide consultation on issues and potential options for the development of the centre, based on a questionnaire. This received a good response, which played a crucial role ~~on~~ in the contents of the Brief once drafted. This was appropriate in this case because; (a) the Meadway Centre, as a district centre, plays a key role in the functioning of the local community, who will ultimately be the users of the site; and (b), because the adopted policy that it supplemented did not already give a great deal of specific guidance on the site. An initial involvement exercise can therefore be an extremely useful tool in some circumstances. The emphasis here is to *involve*.
- 6.15 Appropriate involvement tools at this stage might include:
- Interactive workshops;
 - Questionnaires;
 - Leaflet drops across a defined area;
 - Exhibitions, particularly in locations and at times which would maximise the number of people not previously involved in planning matters attending, e.g. shopping centres;
 - Forum discussions.

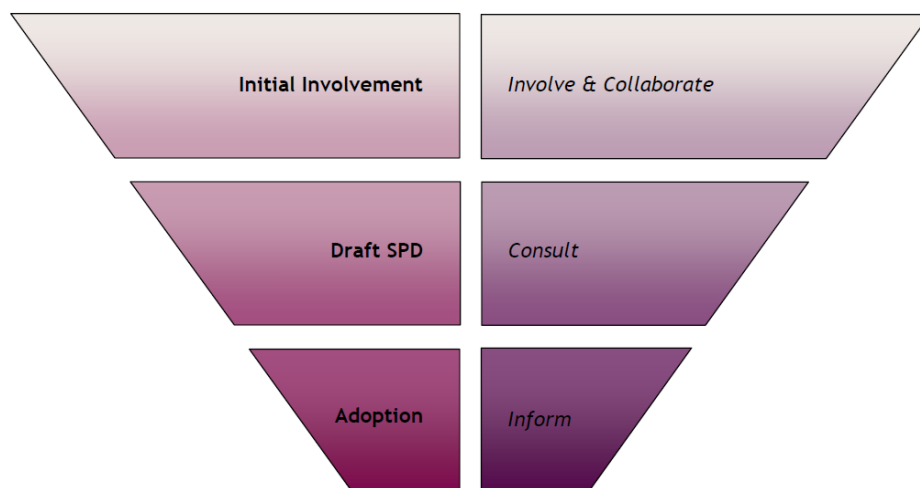
Draft SPD

- 6.16 This is the statutory consultation stage on the Draft SPD. A full draft of the document must be published and comments invited. As there is now a full draft in place, there is little purpose in asking open-ended questions, or posing multiple options, and this could in fact be construed as being actively dishonest. Instead, the Council should be asking for views on the document, whether the approach is correct, and how it might be improved. The emphasis here is to *consult*.
- 6.17 The minimum statutory period for a Draft SPD consultation is four weeks, but the Council will consult for at least six weeks to give sufficient time for responses.
- 6.18 Appropriate involvement tools at this stage might include:
- Directly contacting important consultees, including those involved at earlier stages;
 - Direct discussion with key stakeholders;
 - Drop-in events, particularly in locations and at times where interested individuals have a chance to discuss aspects of the policy or plan with Council representatives;
 - Publication of the policy or plan online.
- 6.19 The Draft SPD consultation stage can be repeated if necessary.

Adopted SPD

- 6.20 When the SPD is adopted in its final form, the Council simply needs to *inform*, as there is no longer an opportunity to affect the document other than through the judicial review process. Appropriate tools at this stage might include:
- Directly informing important consultees and those previously involved;
 - Publication of the policy and plan online.

Figure 2: Approach to Supplementary Planning Documents



Neighbourhood Plans

- 6.21 At this point, the Council is not aware of any proposals to produce neighbourhood plans in Reading. However, such plans could emerge over the life of the SCI. Although the Council has an important role in providing support to those producing neighbourhood plans, it will be for the neighbourhood forum to take the lead on the document. The emphasis at every stage of such a document is therefore to *empower*.
- 6.22 The statutory requirements for consultation on neighbourhood plans are set out in sections 14 and 16 of the Neighbourhood Planning (General) Regulations 2012. Unlike for other planning documents, neighbourhood plans are not required by law to comply with the SCI, so it is not for this document to include any more detail. However, the principles set out in section 4 are a useful guide to how to undertake consultation and involvement on planning matters. The Planning Advisory Service also publishes a useful guide on the process for neighbourhood plans, including undertaking consultation⁴.

⁴ <http://www.pas.gov.uk/process-for-preparing-neighbourhood-plans-and-orders#2>

7. Development Proposals

Pre-Application Consultation on Significant or Sensitive Proposals

- 7.1 The Government has identified the importance of applicants engaging with the local community prior to making a planning application, as part of the pre-application process. Paragraph 189 of the National Planning Policy Framework states that a local planning authority:

"... should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications."

- 7.2 The Council agrees with this emphasis on engaging the community from the outset. It can result in an improved scheme which takes the needs of the existing community into account, and a better relationship between the developer and the community that carries through the application process and beyond. This is particularly the case for proposals that are sensitive or of a significant scale.

- 7.3 The following categories of development are considered to be sensitive or of a significant scale. If a development falls within any of the following categories, ~~it will generally be~~ applicants are strongly advised ~~expected~~ to follow the guidance in this section:

- Development exceeding the following thresholds:
 - Housing: a net increase of more than 50 units;
 - Retail or leisure: a net increase in floorspace of 2,500m²;
 - Office: a net increase of 2,500 m²;
 - Other employment: development with similar levels of employment to 2,500m² office floorspace.
 - ~~Other uses or mixed uses: developments involving other uses or mixed uses will be assessed in terms of being "major" on their individual merits. which would have equivalent total levels of development to those listed above, e.g. a net increase of 25 units together with 1,250 sq m of offices.~~
 - Other uses: a net increase of 5,000m².
- Development which would not be in accordance with the development plan;
- Development proposed on playing fields owned by a local authority or used by an educational institution;
- Development proposed on more than 5 ha of greenfield land;
- Schedule 1 and 2 developments as defined by the Environmental Impact Assessment Regulations;
- Developments involving the loss of allotments; and
- Any other proposals that are judged by the planning case officer to be particularly sensitive or of significant interest to the wider local community.

7.3 Developers of schemes proposing lower amounts of development are also invited to carry out similar pre-application involvement and consultation in line with the provisions set out in this paper, as a matter of good practice.

7.4 Promoters of significant or sensitive development schemes should will need ~~to~~ have regard to the principles set out in section 4 of this SCI. They should pay particular attention to the need to properly plan and resource community involvement exercises. In particular, the following measures should be taken:

- Developers should prepare a ~~full~~ project plan for pre-application involvement and consultation to be discussed and agreed with the case officer. The case officer will provide assistance in identifying and providing contact information ~~on for~~ local representatives, groups and individuals who should be invited by the applicant to become involved in the proposals. This will include local residential and other property, representatives of community groups, including local Councillors, relevant statutory and non-statutory consultees, statutory undertakers and any other bodies or individuals to which such information is deemed relevant by the local planning authority. Where proposals relate to the historic environment, the developer will be required to consult a number of organisations with interests in these matters⁵.
- The Developers project plan should ~~include an outline of the manpower and other resources that will be made available for the intended community involvement. This should~~ include details of the scope of the community involvement including which stakeholders will be engaged, timescales and milestones, -materials that will be made available to the community and stakeholders and the venues proposed for holding interactive events. Website development resources should also be highlighted.
- The project plan should also discuss the need for local authority officer resources as part of the involvement process. Reading Borough Council already faces considerable pressure on planning staff resources ~~with continuing issues over recruitment and retention of staff~~. The Council cannot therefore guarantee to make staff resources available to assist involvement exercises or to attend public events. As a minimum, as part of pre- application discussions and correspondence, case officers from the Planning Section will:—
 - Provide information and advice on consultees and stakeholders relevant to involvement in a particular proposal;
 - Provide information and advice on potential venues for public interactive events;
 - Facilitate involvement with elected members where necessary;

⁵ English Heritage; CABE; Ancient Monuments Society; Council for British Archaeology; Society for the Protection of Ancient Buildings; The Georgian Group; The Victorian Society; The Twentieth Century Society; Garden History Society; The National Trust; Local Civic/Amenity Society; Local Building Preservation Trust; Local Archaeological and Antiquarian Societies, and local history societies. Also refer to “Planning and Development in the Historic Environment – A Charter for English Heritage Advisory Services,” English Heritage, 2005.

- Appraise and provide comment and advice on a community involvement project plan prepared by the developer/~~potential~~ applicant; and
- Arrange for links or material to be loaded onto the Council's website.

Case officers will make efforts to attend events and take part in involvement exercises as observers, if time and resources allow. Where officer attendance or assistance in pre-application involvement exercises is specifically requested by a developer/ potential applicant, and this is agreed on a "without prejudice" basis by the Planning Manager, any cost to the local authority will be charged to the developer/ potential applicant at the Council's standard rates for officer time and any materials.

- On the most significant or sensitive proposals, where very wide community interest is anticipated, it would be advisable to discuss community involvement arrangements with the community at the initial stage. Council officers can help to identify where this is likely to be required. Such initial approaches to the community and stakeholders should offer a range of involvement approaches and express willingness to meet groups or hold exhibitions/~~meetings~~ to explore proposals. They should invite suggestions from the community and stakeholders on how involvement should take place to best meet the needs of the community. Prospective applicants should discuss with the community matters such as possible venues for exhibitions, meetings and other events, and the timing of those events to meet the needs of all in the community. This will be particularly important in involving hard to reach and specific groups within the community.
- Developers should prepare circular information on the developer/ applicant's intentions to make a planning application and develop a particular site. Developers should agree/discuss the form and content of the information to be provided with the local planning authority. Such circular information shall be designed to include a means to feed back appropriate responses either by prompted questions or through other written and digital communication.
- Developers should widely distribute such information as may be agreed by the local planning authority by posting to household addresses and other addresses determined in conjunction with and agreed by the local planning authority.
- Developers should arrange and provide at least one professionally facilitated, interactive involvement event designed to enable all consultees to attend, receive information, participate and feed back information on their area and its community and their views on possible development or other change in the area.
- Such an event might take the form of a place check, enquiry by design event, exhibition and workshop, a planning for real exercise, public meeting or similar, facilitated interactive event⁶. The timing and arrangements for the event should be set out in the project plan.

⁶ See Glossary for more explanation of these terms

~~Details of the time, location, It is advisable for developers to discuss the illustrative materials, facilitation arrangements and event programme should be agreed in writing with the local planning authority as part of the project plan.~~ The local planning authority must be invited to send representatives to observe and, if appropriate, to participate in any event.

- Developers should provide a website of relevant information or provide digital images and information (or a suitable document such as a document in .pdf format) that can be put on the planning page of the Reading Borough Council Website.
- Developers or prospective applicants will be expected to prepare a public report of community involvement for submission with a significant or sensitive planning application (as defined in this SCI), detailing the extent of the community involvement exercise carried out, reporting all views and responses and indicating the actions or changes that have been carried out or that it is proposed are carried out in order to meet the views and concerns raised by the community involvement. Where no actions are changes are proposed, the report should explain why this is the case.

7.5 In order to meet these requirements, a prospective applicant will need to allow considerable time for carrying out pre-application involvement.

Consultation on Planning Applications

7.6 Consultation on planning applications will be carried out in line with the relevant statutory requirements, taking account of resource availability.

Glossary

<u>Adoption</u>	<u>Adoption is the point at which a planning document becomes official policy.</u>
<u>Citizen advisory committee</u>	<u>Committees that include citizens or community representatives, to advise on policy-making or decisions.</u>
<u>Citizen jury</u>	<u>A group of people chosen to represent the community or communities, who are not experts in the issue.</u>
<u>Consensus building</u>	<u>A collaborative approach to problem solving that seeks solutions that are agreeable to all sides.</u>
<u>Deliberative polling</u>	<u>A form of consultation that combines techniques of public opinion research and public deliberation. A sample of people are polled on a specific issue. This is followed up by some of the sample being invited to an event to discuss the issue. (See http://cdd.stanford.edu/polls/docs/summary/ for further information)</u>
<u>Drop-in event</u>	<u>Similar to an exhibition (see below), and often used interchangeably, but there may be less illustrative materials and may focus on the opportunity to speak one-to-one with a Council officer or representative of the developer.</u>
<u>Enquiry by design</u>	<u>An intensive, usually multi-day event (also known as a 'charrette', where a group of stakeholders seek to come up with a solution to a planning or design problem. (See http://www.princes-foundation.org/content/enquiry-design-neighbourhood-planning for further information)</u>
<u>Examination</u>	<u>Local plans are assessed at an examination, during which an independent inspector assesses the soundness of the document.</u>
<u>Exhibition</u>	<u>An event consisting of the display of illustrative materials, usually manned, where the public can attend without appointment.</u>
<u>Focus group</u>	<u>A small group of people whose opinions about something (such as a politician or a new product) are studied to learn the opinions that can be expected from a larger group⁷</u>
<u>Judicial review</u>	<u>A type of court proceeding in which a judge reviews the lawfulness of a decision or action made by a public body. (Definition from http://www.judiciary.gov.uk/you-and-the-judiciary/judicial-review, which includes further information)</u>
<u>Local Development Documents</u>	<u>A document making up part of the planning strategy.</u>
<u>Local Plan</u>	<u>The main planning policy document for a local authority area. The local plan has 'development plan' status, which means that it is the primary consideration in deciding planning applications.</u>
<u>Memorandum</u>	<u>A document that describes the general principles of an</u>

⁷ Source: www.meriam-webster.com

<u>of Understanding</u>	<u>agreement between parties, but does not amount to a substantive contract.</u> ⁸
<u>Neighbourhood forum</u>	<u>Community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.</u> ⁹
<u>Neighbourhood plan</u>	<u>A type of planning policy document prepared by the local community via a neighbourhood forum. They are subject to procedures set out in the Neighbourhood Planning (General) Regulations 2012</u>
<u>Placecheck</u>	<u>A Placecheck consists of one or more walkabouts, followed by discussion of the information and opinions they turn up, and some serious thinking about the next steps and who needs to be involved.</u> <u>(Definition from www.placecheck.info, which includes more information)</u>
<u>Planning for Real event</u>	<u>A community planning event based around a 3-dimensional model with scope for attendees to make suggestions.</u> <u>(See www.planningforreal.org.uk for more information)</u>
<u>Pre-Application</u>	<u>Discussions between a prospective applicant and the Council prior to making a planning application, generally confidential in nature.</u>
<u>Public meeting</u>	<u>A meeting open to the public, usually with a number of speakers and a chance for questions and answers. This type of event may well be larger scale than the others listed.</u> <u>(See http://www.unlockdemocracy.org.uk/guides/entry/how-to-hold-a-public-meeting for further information)</u>
<u>Road Show</u>	<u>A traveling presentation advocating a political idea or agenda.</u> ¹⁰
<u>Supplementary Planning Document</u>	<u>Supplementary Planning Documents (SPDs) supplement policy in higher level Development Plan Documents. They are not able to make entirely new policy themselves.</u>
<u>Workshop</u>	<u>An interactive event where attendees can participate in activities and discussions centred around planning issues.</u>

⁸ Source: www.collinsdictionary.com

⁹ Source: www.planningportal.gov.uk

¹⁰ Source: www.thefreedictionary.com

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	19 MARCH 2014	AGENDA ITEM:	16
TITLE:	PLANNING ANNUAL MONITORING REPORT APRIL 2012 TO MARCH 2013		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT TRANSPORT AND PLANNING
SERVICE:	PLANNING	WARDS:	ALL
LEAD OFFICER:	KIARAN ROUGHAN	TEL:	0118 9374530
JOB TITLE:	PLANNING POLICY MANAGER	E-MAIL:	kiaran.roughan@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The Annual Monitoring Report (AMR) presents a digest of monitoring information collected by the Council to assess the progress of the Local Development Framework (LDF) and to monitor the outcome of LDF policies. Government has issued new regulations which require local authorities to put monitoring information on their websites when it becomes available on at least an annual basis, Reading Borough Council is in the process of moving over to this model of reporting.
- 1.2 A draft AMR was made available on the Council's website in December 2013. An amended final version has now been prepared and published on the Council's website at:
<http://www.reading.gov.uk/businesses/planning/planning-policy/research--monitoring-and-technical-reports/www-reading-gov-uk-amr/>

2. RECOMMENDED ACTION

- 2.1 That the committee notes the content of the Annual Monitoring Report 2012 - 2013.

3. POLICY CONTEXT

- 3.1. The Planning and Compulsory Purchase Act 2004, Section 35 has been amended the by Localism Act 2011. Section 113 and of the Town and

Country Planning (Local Planning) (England) Regulations 2012 No.767 removes the requirement for authorities to produce Annual Monitoring Reports (AMRs). Reading Borough Council is in the process of moving over the new model of reporting which requires that "A local planning authority must make any up-to-date information, which they have collected for monitoring purposes, available in accordance with regulation 35 as soon as possible after the information becomes available" (Regulation 34(7)) The regulations intend that the normal method of dissemination will be the Council's website and that the information should be updated on an annual basis or more frequently.

3.2. The purpose of the AMR is to assess:-

- the implementation of the Council's Local Development Scheme in producing the Council's Local Development Framework; and
- the extent to which policies in local development documents are being achieved.

To meet the regulations the AMR reviews actual progress in preparing the Local Development Framework (LDF¹) with the targets and milestones set out in the approved Local Development Scheme (LDS). It assesses whether the council has met, or is on target to meet, the Local Development Scheme (LDS) targets and milestones. Where it is necessary to update the LDS, the AMR should state the steps and the timetable needed for the revision. The report is also expected detail the results of the monitoring of policies. This monitoring should include a summary of the Council's development commitments monitoring and include specific information on matters such as the Council's 5 year housing land supply. This monitoring will also indicate whether policies need to be reviewed.

4. THE PROPOSAL

- 4.1 The committee is asked to note that reporting will be revised to comply with the current regulations. However, officers propose that the Council continues to produce a single annual monitoring report similar to the form and content of the 2013 report and that it continues to be published in the latter part of each calendar year. The scope of monitoring and the content of the AMR can continue to be reviewed over time.
- 4.2 The committee is asked to note the following key points from the 2012-13 AMR. This AMR covers the period April 2012 to March 2013.
- 4.3 The Sites & Detailed Policies Document was adopted in October 2012 completing the Borough's main LDF documents.
- Housing completions for the 2012/13 are below Core Strategy targets but show a significant improvement on the last two years. However

¹

delivery over the plan period remains ahead of the target set out in the Adopted Core Strategy.

- Affordable housing completions have again increased. On average, since 2006, planning permissions have delivered 155 affordable units per year with an average of a further 44 provided from other sources (mainly through Homebuy). In addition, the Council received developer contributions for affordable housing provision of £720,000
- The Borough's five year land supply (2012/13-2016/17) stands at a projected supply of 7.82 years.
- The total gross internal floorspace of development for employment uses was negative save for the extremely large Tesco distribution warehouse. The loss of Class B1 Business space (mostly office) was 11,035m². There was also a net loss of B1 space from newly permitted sites as part of a net loss across all B class Business, General Industrial and Storage and Distribution floorspace. This is not believed to represent a long term trend only the short term balance of permissions during 2012/13.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The availability of the data in the AMR will contribute to achieving the following strategic aims:

- The development of Reading as a Green City with a sustainable environment and economy at the heart of the Thames Valley;
- Establishing Reading as a learning City and a stimulating and rewarding place to live and visit;
- Promoting equality, social inclusion and a safe and healthy environment for all.

6. COMMUNITY ENGAGEMENT AND INFORMATION

There are no statutory requirements to consult on the AMR but best practice guidance advises that its availability should be widely disseminated and that views on its content and usefulness should be sought. A copy has been published on the Council's website.

7. EQUALITY ASSESSMENT

7.1 The Council has had regard to the general equality duty imposed by the Equality Act 2010 (S.149). This requires public authorities, in the exercise of their functions, to have due regard to the need to eliminate discrimination, harassment and victimisation etc.; to advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and to foster good relations between people who share a relevant protected characteristic and those who do not.

8. LEGAL IMPLICATIONS

- 8.1 The Annual Monitoring Report is a discretionary method of disseminating the monitoring information that is required by the Regulations.

9 FINANCIAL IMPLICATIONS

- 9.1 There are manpower and financial resource implications in producing the AMR. However, these are accommodated within existing budgets.

Value for Money (VFM)

- 9.2 As there is no longer a requirement to submit an AMR to the Secretary of State, its content has been reduced to focus on the data still required by regulation. The duplication of data available elsewhere has been avoided. Production of the document, in line with legislation, national policy and best practice, therefore represents good value for money.

Risk Assessment

- 9.7 There are no direct financial risks associated with the report.

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004 (Section 35);
- Planning Act 2008;
- Localism Act 2011 (Section 113);
- The Town and Country Planning (Local Planning) (England) Regulations 2012 No.767;
- National Planning Policy Framework;
- Local Development Scheme 2011.