

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	18 MARCH 2019		
TITLE:	MAIN MODIFICATIONS TO THE LOCAL PLAN		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	PLANNING	WARDS:	ALL
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1. EXECUTIVE SUMMARY

- 1.1 The Council is replacing its existing development plans (the Core Strategy, Reading Central Area Action Plan and Sites and Detailed Policies Document) with a new single Local Plan to set out how Reading will develop up to 2036. Three consultations have been undertaken on this Local Plan between 2016 and 2018. The Local Plan was submitted to the Secretary of State on 29th March 2018, which marked the beginning of a public examination held by an independent Planning Inspector.
- 1.2 The Inspector has informed the Council that main modifications will be needed to make sure that the plan is sound and legally compliant. These main modifications need to be subject to consultation and Sustainability Appraisal. However, the Inspector has not yet provided a list of modifications, despite informing the Council that these would be received by 1st March. Therefore, although it was anticipated that a full list of modifications could be considered by this Committee for consultation, this is not the case. Should the Inspector come back to the Council before Committee, it may be possible to provide updated information before, or at, Committee.

2. RECOMMENDED ACTION

- 2.1 That the position regarding main modifications to the Local Plan be noted.

3. POLICY CONTEXT

- 3.1 The Local Plan sets out the planning policies for an area and is the main consideration in deciding planning applications. The existing local plan for Reading, previously referred to as the Local Development Framework, currently consists of three documents - the Core Strategy (adopted 2008, amended 2015), Reading Central Area Action Plan (RCAAP, adopted 2009) and Sites and Detailed Policies Document (adopted 2012, amended 2015).
- 3.2 Various changes have meant the need to review the Local Plan. In particular, the publication of the National Planning Policy Framework (NPPF) in 2012 (amended again in 2018) meant significant changes, in particular the need for local planning authorities to identify their 'objectively assessed development needs' and provide for them. The need to review the local plan as a single, comprehensive document was identified in a Local Development Scheme, which is the programme for producing planning policy documents, the latest version of which was agreed by this committee on 23rd November 2016 (Minute 15 refers).

4. THE PROPOSAL

(a) Current Position

- 4.1 The first stage of preparing the Local Plan was consultation on Issues and Options. An Issues and Options for the Local Plan document was approved by this committee on 24th November 2015 (Minute 22 refers), and consultation was carried out between January and March 2016. The second stage was production of a full Draft Local Plan and Proposals Map for consultation. The Drafts were approved by this committee on 4th April 2017 (Minute 26 refers), and consultation was carried out during May and June 2017. The third stage was a Pre-Submission Draft Local Plan and Proposals Map, which was approved by this committee on 22nd November 2017 (Minute 14 refers), and consultation on which was carried out between November 2017 and January 2018.
- 4.2 After consultation on the Pre-Submission Draft Local Plan, the Council submitted the Local Plan to the Secretary of State on 29th March 2018. Submission of a Local Plan document marks the beginning of a public examination, during which an independent Planning Inspector considers whether the plan is sound, legally compliant and fulfils the duty to co-operate. The Planning Inspector appointed to examine the Local Plan was Louise Gibbons, who set the programme, procedure and main issues for the examination.
- 4.5 The main focus of the examination was a set of public hearings held between 25th September and 5th October 2018 in the Town Hall, in which Council officers and those invited to take part spoke to discuss the soundness and legal compliance of the plan. A report on the

examination hearings, including additional information requested by the Inspector, was considered at this committee on 21st November 2018.

- 4.6 The hearings have now closed. The full outcome of the examination will not be known until the Inspector produces her final report. However, the Inspector has considered the information presented, and has informed the Council that there will be instances where ‘main modifications’ are required. Main modifications are those changes that affect the direction or interpretation of policy, and therefore require an additional consultation stage. Where an Inspector identifies such changes, the plan would not be found ‘sound’ or legally compliant without them, and could not therefore be adopted. It is not surprising that main modifications have been identified, as they are now regularly required by Inspectors. Whilst the Inspector identifies the broad changes necessary, it is for the Council to draft the specific wording and then consult on these modifications.
- 4.7 Despite informing the Council to expect a list of main modifications by 1st March 2019, this has not yet been provided. The Inspector has also indicated that there may be matters where further information is required, but has not outlined what that would be. Therefore, whilst it was anticipated that this Committee would agree a list of main modifications for consultation, this has not been possible.
- 4.8 It is possible that the Inspector’s response may be received before the date of Committee. In this case, depending on the level and complexity of changes required, it may be possible to provide updated information before Committee, or to verbally update at Committee. Officers will endeavour to provide any update as soon as possible.
- 4.9 The Council will write separately to the Planning Inspectorate to express concerns about the process following the hearings, in view of the Government’s priority that Councils get local plans in place.
- (b) Option Proposed
- 4.10 At this stage, Committee is recommended to note the position of the Local Plan main modifications. Assuming that no update can be provided to this meeting that changes the position, the intention is now to bring a report to Policy Committee on 10th June seeking approval to consult on main modifications. This consultation could then be carried out in June and July, with a view to receiving a final Inspector’s Report in time to adopt the Local Plan at Council on 15th October. These timescales are clearly subject to receiving timely responses from the Inspector.
- (c) Other Options Considered
- 4.11 Without further information from the Inspector, there are no alternative options to the proposed option at this stage.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The Local Plan, through setting out the way Reading will develop to 2036, will contribute to the following priorities in the Corporate Plan 2018-21:

- Securing the economic success of Reading;
- Improving access to decent housing to meet local needs;
- Keeping Reading's environment clean, green and safe;
- Promoting great education, leisure and cultural opportunities for people in Reading.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 'Main modifications' are those that would require additional consultation. A further six-week period of consultation is therefore required, which will be carried out in line with the Statement of Community Involvement (adopted March 2014), as for previous Local Plan consultations. The consultation would be focused on the main modifications only, not the remainder of the Local Plan. The consultation timetable will depend on when the Inspector responds.

7. EQUALITY ASSESSMENT

7.1 The Sustainability Appraisal of the Main Modifications for the Local Plan will incorporate the requirement to carry out a screening stage of an Equality Impact Assessment. A full Sustainability Appraisal that examines the effects of each policy and development site within the plan was submitted alongside the Local Plan on 29th March 2018¹. A Sustainability Appraisal of the modifications will either be provided as an update to this meeting, or to a future meeting at which main modifications are considered.

8. LEGAL IMPLICATIONS

8.1 Local plans are produced under the Planning and Compulsory Purchase Act 2004. Under Section 20 (7C) of the Act, an Inspector can recommend main modifications, but only if requested to do so by the local authority. The process for producing local plans is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulations 23, 24 and 25 concern the process for examination of a Local Plan and publication of an Inspector's Report.

9. FINANCIAL IMPLICATIONS

9.1 Production of the Local Plan prior to examination stage has been carried out within existing planning budgets. The holding of an examination is a significant cost to the Council and the full scale of the cost will only

¹ http://www.reading.gov.uk/media/8050/Sustainability-Appraisal-of-the-Presubmission-Local-Plan-1117/pdf/Sustainability_Appraisal_of_the_Presubmission_Local_Plan_1117.pdf

become known once the Inspector's Report has been issued and the Planning Inspectorate provides an invoice. The costs associated with consultation on main modifications will be very limited, and will be met from existing budgets.

Value for Money (VFM)

- 9.2 The preparation of a local plan ensures that developments are appropriate to their area, that significant effects are mitigated, that contributions are made to local infrastructure, and that there are no significant environmental, social and economic effects. 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 local plan, in line with legislation, national policy and best practice, therefore represents good value for money.

Risk Assessment

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

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004
- Localism Act 2011
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- National Planning Policy Framework
- Local Development Scheme, November 2016
- Submission Draft Local Plan, March 2018
- A wide range of evidence on various matters available on www.reading.gov.uk/localplanexamination